

Theory and Practice

Scientific Series regarding poverty alleviation,
humanitarian relief and developmental advocacy

Julia Breitzkreutz

Commercial Sexual Exploitation of Minors in the Tourism Industry

An analysis of the occurrence of child
abuse in the travel business with an
evaluation of current measures and
future recommendations

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World Vision Institute
for Research and Development

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with an evaluation of current measures and future recommendations

Bachelor Thesis

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Julia Breitreutz

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Preface

World Vision, the international Child Sponsorship NGO, is committed to the well-being of children around the world. It is our aspiration that children will enjoy good health, be educated and trained for life, experience the spiritual presence of God and their fellow human beings, and that children will be well-fed, well-protected, and have a say in all matters concerning themselves. This concept of children's well-being is targeted for all of the world's children, but especially for the most vulnerable amongst them. These are children who have been separated from their families, have been misused as child soldiers or lack access to basic health and/or education services. The present study is also dealing with yet another group of especially vulnerable children: those who have been sexually exploited and abused within a touristic environment. The author is devoting her study to a core concern of World Vision, exploring in depth how World Vision and other NGOs have dealt with these issues and acted against the problem of sexual abuse. From a holistic point of view, it was also necessary to look at political issues, at the tourism industry, and at other global players which may influence, and contribute to, the sexual exploitation of children. Hence, this conglomerate of multifaceted influences and impacts is analyzed by the author, eventually leading up to her recommendations for action. The World Vision Institute has been very happy to give input to this important study, being convinced that it will contribute to tackling the sexual exploitation of children and to advance the well-being of children.

Dr. Katharina Gerarts

Head of Research, World Vision Institute

Abstract

Tourism has been expanding rapidly over the past decades, increasing accessibility to even the remotest places and thus spreading tourism motives beyond classical reasons to new push- and pull-factors. Those include among many others diverging legislations simplifying controversial activities, which would be more severely persecuted and punished in the tourists' source countries. Whilst sex tourism per se can evoke very ambiguous reactions, sexual encounters between children and tourists are condemned unanimously in our society.

This thesis will examine the dark side of sex tourism, where children are exploited for various, often ambiguous reasons, in the context of the ongoing globalization and the hereby induced integration of political, economic and social values to a new awareness of latent issues and the immanent need for action. In the light of already established measures to combat child exploitation, the following paper will evaluate their effectiveness as well as the role of tourism as the risk in the first place on the one hand, but as a driver of growth and therefore an opportunity on the other hand, providing an outlook into the future together with recommendations to further decrease the abuse of children in the tourism industry.

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List of Acronyms and Abbreviations

AFP - Australian Federal Police

ASEAN - Association of Southeast Asian Nations

BAATC - Bay Area Anti Trafficking Coalition

CRC - Convention on the Rights of the Child

CSEC – Commercial Sexual Exploitation of Children

CSR - Corporate Social Responsibility

CST - Child-Sex tourism

EICYAC - ECPAT International’s Child and Youth Advisory Committee

ECPAT - End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes

EU - European Union

ILO – International Labour Organization

ITP - International Tourism Partnership

NGOs - Non-governmental organizations

NTO – National Tourism Organization

OPSC - Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

UNICEF - United Nations Children’s Fund

WTO – World Tourism Organization

TIP - Trafficking in Persons

Introduction

In the context of globalization and our world's integration in the political, economic and social field as well as the universal availability of data, people are now becoming increasingly aware of formerly - due to lack of concern or involvement - rather vague issues like sustainability. Especially in the tourism industry, which is historically avoiding any connection to negative emotions for the benefit of the “perfect bubble”, the ever-existing dark sides are now becoming more and more evident and are no longer a matter of indifference to the clients (CREST, 2014).

Even though globalization might have fuelled the expansion of child sex tourism in the first place, it can now be a valuable opportunity to combat the exploitation of children especially in the tourism industry in a more permanent way than before, since not only mobility, but also availability of data and information are becoming increasingly integrated, leading to a high number of possible channels to reach key parties with the power to make a change. Not only non-governmental organizations like ECPAT, but also international agencies, governments and the tourism industry itself are cooperating in the fight against the dark effects of tourism, growing a strong network of invaluable importance (Stiftung Kinderschutz Schweiz, 2011).

To sustainably reduce occurrences of sexual exploitation of children, it is yet important to examine and understand the often ambiguous causes of those adverse trends in-depth, taking into account not only possible motives for the tourists, but also those of the victims themselves, which can subliminally be highly complex (Montgomery, 2010).

The intricacy of persuading the victims to actually oppose exploitation themselves linked to the challenge of coming to terms with all key players across borders on one common path in the fight against child exploitation in the tourism industry, especially in the sense of establishing shared policies on persecution and punishment of perpetrators and preventive measures, is a matter of extreme difficulty and will not lead to a final solution overnight. Therefore continuous collaboration and cautious implementation of small steps, while never losing sight of the actual impact on the victims and their environment, will amount to a set of measures which hopefully can enhance the living conditions of affected communities significantly in the end. In this regard, the suggested paper is designed to provide a profound insight in the current development with its implications on the tourism industry - especially in the Southeast-Asian region – as well as expected long-term prospects by analysing the general aspects of globalization and breaking it down in a deductive way.

I. Methodology

As the topic is of political relevance and much discussed globally, the main research method was literary as well as Internet research of secondary sources. To conduct an own research on Commercial Sexual Exploitation of Children is quite difficult for a student, as resources in terms of time and money are too limited to gain valuable insights. Many valuable studies have been carried out by renowned NGOs working for children's rights like WorldVision or ECPAT. Further use has been made of official documents from the UNWTO. The latter are however expected to be inherently biased due to their official nature, which is why I was seeking for a more objective view, therefore performing an interview with Christine Plüss, a known human rights expert working for the Arbeitskreis für Tourismus und Entwicklung besides being involved in the Roundtable für Menschenrechte. Her interview was crucial for a general insight into the implementation of human rights policies by companies in the context of corporate social responsibility. As she is an expert from the field of tourism as well, she could provide me first-handedly with valuable expertise linking human rights and tourism as well as the ever-occurring question, if tourism can ever be sustainable at all. An increasingly powerful actor in the fight against global issues – one of them being the CSEC – are the media; therefore resources such as articles and reports are another pillar of this study.

This thesis starts with a rather general analysis of the current phase of globalization with its impacts on global economy, societies and the tourism industry in particular. Therefore the research approach is – according to the 'Research Onion' of by Mark Saunders and Paul Tosey (Saunders & Tosey, 2012) - to be qualified as cross-sectional in time horizon and deductive, using general aspects to further specify down to actual recommendations. The research philosophy here is interpretivism due to the strong empathic component inherent to an analysis of a social issue like child exploitation.

2. Development in the Tourism Industry

2.1. Globalization

The term “globalization” is ubiquitous nowadays, primarily evoking positive reactions. But digging deeper, this contemporary phenomenon has a tremendous amount of levels; the progressive global integration and liberalization of markets is not only affecting key players, but trickling down to all parties involved in any kind of interaction with the economic environment. Thus it does not come as a surprise that negative effects are of course to be found as well, not only in a latent form, but also shockingly evident at a second glance. Those developments seem to be far from relevant for incidents of child abuse due to their scope and immanent universality; but that is exactly the reason why they have to be understood first before an actual step can be taken against the Commercial Sexual Exploitation of Children; as such cases are symptoms of an uneven global development, and symptoms can never subside without an approach at the very root of the “disease”.

2.1.1. Recent development and general impact

The original idea of a globalized world is seemingly noble; a liberalization and integration of markets, to make trade and its benefits accessible for everyone. Of course that is not how it has turned out. As it has always been, the inherent power imbalances between the players involved in the global game of economics led to an according inequality in the distribution of costs and benefits. Whereas the moguls in the financial sector are basically pulling the strings in the global economy, the much-praised “trickle-down-effect” of liberalization has actually not taken place. On the contrary; studies show that global inequality has actually increased in the process of globalization. Although global wealth has increased in general - by 8.3% between mid-2013 and mid-2014 to US\$263 trillion – the distributive gap in this very same wealth has actually increased as well; whilst about 87% of global assets are held by the top 10%, and world’s richest 1% alone even accounts for approximately half of global wealth, less than 1% of the latter is distributed among the bottom half of the world population (Credit Suisse AG Research Institute, 2014).

How can this phenomenon be explained? It is often argued, that the establishment of global institutions like the International Monetary Fund or the World Bank – which of course took place with the best of intentions, namely to eradicate poverty – has effectively created powerful instruments for global players to further increase their sphere of influence and power over developing countries instead of actually supporting them. Among many other reputable economists, Noble Price winner Joseph Stiglitz holds the opinion that those very

institutions with their governance by business leaders are rather pursuing their own hidden agendas under the guise of development aid. In this regard, especially the IMF is often accused of abusing its position as “lender of last resort” to push market liberalization in the developing countries, to generate possible new markets for themselves. Unfortunately, the developing countries are often not even ready for a liberalization of trade and especially financial markets – which even powerful economies like the United States implemented only very hesitantly – due to their lack of economic capability in the global competitive context. Furthermore, a capital market liberalization often leads to so-called “hot money” flows of international greedy investors, which are basically risky and very short-term investments; those can and did lead to financial crises of various impacts before. Often loans from the IMF are bound to the condition of a privatization. This might have promoted growth in some cases especially in strong nations before, but just like the other approaches is not to be overgeneralized as a problem solving growth engine. Another important issue with the IMF is the often criticized lack of transparency; the hidden agendas of its member governments are not always clear and thus notorious to be rather opportunistic (Stiglitz J. , 2002).

Since local communities do rarely dispose of the necessary resources and entrepreneurship to take over formerly state-owned enterprises, it is often the case that again multinationals take over, being mainly profit-oriented and not really fostering regional growth. In many cases, the privatization takes place in unfitting industries, which leads to a natural monopoly and a hereby caused rise in prices detrimental to public welfare (Opitz, 2006).

Additionally, a liberalization of trade is often implemented in a very unbalanced way; whereas it is a great opportunity for industrialized nations to gain access to new markets for their exports, they often impose tariffs on and domestically subsidize the only goods the developing nations would actually have a comparative advantage in, which are primarily agricultural goods or products from the textile industry (Gerber, 2014). Social and economic institutions regulating the market could not keep up with the pace of global market growth, hence enabling asymmetries among countries as well as the establishment of a so-called ‘uncivil society’, abusing the market for their own benefits in a detrimental way (Thakur & Heine, 2011).

Whereas the opening process of globalization can definitely be beneficial for trade relations, it does not differentiate between “good” and “bad trade”. Thus not only trade in merchandise and services keeps growing, but also trade in illegal “goods” like drugs, organs or even people. Numbers are difficult to attain, and can always only be estimates; dark

figures are expected to be much higher. Human trafficking has become a serious issue, with an estimate of 20.9 million people being held against their will, 5.5 million of them children, according to the International Labour Organization (Polaris, 2015). A business worth about US\$32 billion, human trafficking is a highly profitable and extremely intricately established network stretching globally and affecting us all, developing as well as industrialized nations (Global Initiative, 2014). Around 60% of trafficking cases are believed to be for commercial sex, with a percentage of children among the victims of about 20% and counting (ECPAT International (D), 2015).

2.1.2. Impact on the Tourism Industry in particular

It does not come as a surprise, that a transnational business like tourism is highly affected by the ongoing globalization process. The growth in global tourism has been skyrocketing, with no evidence for change. An alltime-high was reached in 2012, with one billion people crossing international borders during this year. Even with global insecurities, tourism growth keeps on exceeding forecasts; with a share of 9% of global GDP (US \$6.6 trillion) and constituting about 30% of the world's exports as well as providing one out of 11 jobs worldwide (all in all about 260 million jobs), this industry has positioned itself successfully as one of the most promising sectors (UNWTO (A), 2014); (CREST, 2014). The United Nations World Tourism Organisation further estimates that worldwide international tourist arrivals will show an increase of about 3.3% a year from 2010 to 2030 (UNWTO, 2013), with the strongest growth to be found in the Asian - Pacific region with an average increase of 4.9% per year (World Vision Australia, 2013).

All those figures should leave us rather optimistic, showing so many opportunities in tourism especially for the developing world. The latter often do not dispose of more than basic resources, but tourism can already be established successfully with a set of especially enjoyable landscape, natural sights or the destination's culture. Tourists are a very heterogeneous group, which is actually to be seen as a great advantage as there will always be an opportunity to attract visitors without the need to set up a comprehensive infrastructure or extensive investments. Given those premises, tourism has relatively low entry barriers and thus evolved to be the main, if not only, obtainable way of generating export revenue for less economically developed nations, thus fostering growth and development (Meyer, 2011). But obviously, this is not happening in many countries.

It is a fact of common knowledge that many nations with a flourishing tourism development are still not developing in a sustainable direction, and not showing the expected growth

rates. What is the reason for the missing success? The answer is to be found in the structure of the tourism industry thereabouts. Tourism in general is expected to generate the so-called 'Tourism Multiplier', which basically means that each single dollar spent by a tourist will circulate through local economy several times, not only in tourism-related, but also in indirectly linked services, thus also generating additional indirect jobs, which would not have been created without the tourism industry. Thus growth is fostered across industries (Barcelona Field Studies Centre S.L., 2013). This much-praised effect however is hindered by the fact, that tourism is often dominated by big multinational enterprises, which rather repatriate their revenues back to their home countries; in other words, the main profits are actually flowing back to tourism-generating nations rather than remaining in and fostering growth for the destination. This effect is labelled as 'Tourism Leakage'. Profits which were expected to help the destination's economy by activating the Tourism Multiplier are actually "leaking" back to the already highly industrialized western countries (Lacy, Battig, Moore, & Noakes, 2002). Those global players usually operate profit-driven, with little interest in local peculiarities and sustainable development regarding the sociocultural, natural or economic environment as long as it is not connected with an improvement in revenue. The outcome of this development is a degradation of destinations to puppets in the global economy, with the big multinationals, not the actual political leaders, governing the industry, and in many tourism-dependent nations the whole country (Timothy, 2002). Of course they are pursuing their own agenda and thus exploit the affected countries by depriving them of their self-sufficiency and leaving them increasingly dependent on developed nations, thus widening the gap between north western and relatively disadvantaged southern world even more (Meyer, 2011).

Nowadays, we see the "right to travel" as basic for all people. But inevitably, tourism affects communities in the respecting destinations, and all too often the human right to travel - according to the Universal Declaration of Human Rights, Article 13 (United Nations, 2015) - , which mostly only affluent 'westerners' are really able to make use of, is contradicting the basic rights of the local population. Tourists are a very heterogeneous group, and especially mass tourists harbour a certain hazard to local communities due to their proven relatively high degree of indifference towards local customs and cultures, their refusal to adapt and their demand for all amenities they are used to from their home countries, which the tourism industry is just all too happy to provide to the paying customer, again without any consideration for local needs. Such behaviour is understandably evoking negative reactions

from local communities. For instance it is not uncommon that the relative affluence and perceived superiority of tourists can rise crime rates of destinations considerably. Furthermore, local communities often feel 'neo-colonialized', pressured to assimilate to their foreign visitors, which can have the effect of cultural loss as well as a certain urbanization movement to tourism areas, where living conditions and lifestyle opportunities are expected to be much better and social restrictions seem to be missing (Holloway, 2006). The failure of the Tourism Multiplier System leaves them dependent and in many cases even exploited, as they are not reaping the seed of their work, contrarily to global players who are thus provided with tremendous power. The oversupply of unskilled labour is driving wages down, attracting more and more western enterprises with their greediness, sending profits back to their home countries and filling vacant positions in higher levels with home country nationals, rather than providing the locals with attractive job opportunities (Dale, 2005).

Current trends are showing that today's hybrid tourists are always seeking for something new, something special, driving them to new and more exotic places, where a tourism infrastructure as such with safety mechanisms for its population might not exist and leave the latter vulnerable to exploitation (Hall & Brown, 2011). Without control and safety mechanisms, there is little hindrance for the occurrence of phenomena like human trafficking in the broader sense, and the commercial sexual exploitation of children in particular.

The world 'growing smaller' is leading to the emergence of big global events, or 'global crowd-pullers', such as the Olympics or the Superbowl, which cater to those very tourists looking for a special experience, and where the establishment of an environment safe from the lurking peril of human trafficking is made significantly harder, given their unusual scope and their extraordinary nature (BBC, 2011).

However, the tourism industry seems to be awakening. In 2014 a Global Taskforce to address the issue of sexual exploitation of children in travel and tourism was initiated in London, acknowledging the fact that the tourism industry with all its opportunities harbours a tremendous power to either lead a destination on a path of growth and development, or be the root of exploitation and damage to community and environment. In this sense, Dr. Rifai, Secretary General of the World Tourism Organisation points out that with its great power, tourism also has a great responsibility to make sure its infrastructures are not used for any exploitation, especially of the most vulnerable, like children (ECPAT International (I), 2014).

2.2. Historical Background

2.2.1. Evolution of Sex Tourism and Child Sex Tourism in particular

As I pointed out earlier, globalization has boosted tourism movement significantly all over the world. But tourism comes in many various forms; one of them being sex tourism. But where does this controversial type of tourism derive from? With procreation – and hence sexuality - being one of the most basic human instincts, it does not come as a surprise that sexual urges might arise during holidays just as much or even more as they do at home, as the mind is free for leisurely pleasures and something as enjoyable as vacation is for many people something they would like to share. Therefore we can safely assume that sex tourism as such has always somehow coexisted with tourism in general (Davidson, 2005).

There have been however certain historical events which have fostered the actual emergence of a whole formal sex industry catering to tourists. A prominent example is – unsurprisingly – Thailand, which has retained its infamous reputation until now. Thailand has been a favoured destination for travellers seeking the ‘special kind of indulgence’ for decades, but has explicitly established as such during the 1960s in the course of the Vietnam war, placing itself as a haven for the so-called ‘rest and relaxation’ of the US army militants. Being far away from home, separated from their wives, they were seeking comfort and of course a certain satisfaction of their needs with the readily available Thai women. The skyrocketing demand of the about 50,000 US militants stationed in Thailand during that time and some additional 70,000 flying in annually, fostered the establishment of a formal sex industry, with brothels and massage parlours mushrooming and the formers’ spending in brothels and restaurants comprising an incredible 40% of the country’s export earnings between 1963 and 1976 (Yeoman, 2008). Even though prostitution has unarguably existed in Thailand before, employment in that sector has risen up to over 7,000 workers, from formerly ‘only’ about 1,200 during the wartime. In the 1970s, promotion of accommodation and ‘entertainment’ facilities for the ‘Rest and Relaxation’ trend for reasons of maximising tourism revenue was actually endorsed even by a renowned institution like the World Bank, which should rather be entrusted with the support of sustainable development in developing countries (The World Bank Group, 2015); (Taylor, 2011). All the promotion of tourism in Thailand by marketing Thai women led to the establishment of the ‘red light’ infrastructure which we can still find nowadays, with the Thai Deputy Prime Minister even claiming the jobs in this business were crucial for development around 1980 (Montgomery, 2010). Nowadays, the sex industry is still contributing to Thailand’s economy with about 14% in 2012, even

attracting many visitors exclusively because of this 'unique selling point'. However, some are stating sex tourism is rather shifting to Cambodia due to lower prices and less public scrutiny (France 24, 2012). Prostitution is actually illegal in Thailand, although it is not strictly prosecuted. Yet after 1980, with feminist movements emerging, concern about the trend of 'sex tourism' rose and with increasing research, a certain connection between tourism development and mass prostitution in third world countries became evident (Taylor, 2011). There were actual anti-tourism movements condemning the destination image of a sex tourism haven, with unscrupulous abuses of even children and rather faltering efforts to pursue offenders. A study around the 1950s already showed that around 90% of prostitutes were between the ages of 15 and 20, with some of the rest even as young as 13 years. Of course it can be expected that those numbers only rose with the increasing importance of the sex industry over the coming decades (Montgomery, 2010).

Sex tourism evolved in a similar way in other South East Asian areas, like the Philippines and South Korea, where it was seen as a contributor to a prospering tourism industry as well. It is seen as an important source of foreign exchange, with an estimated 40% of all tourists in the Philippines belonging to the group of sex tourists and expenses on prostitution of about US\$400m annually (Tacon, 2015). As for South Korea, especially Japanese business men were travelling there to meet the so-called 'Kisaeng girls', who had even undergone special training for entertaining purposes and were earning much higher salaries compared to 'ordinary' jobs (Taylor, 2011); (Hashimoto, 2002).

In Europe, mainly the eastern part, economic and political instabilities in the aftermath of the fall of the Soviet Union were the primary reasons for the emergence of a specific sex industry (Taylor, 2011). With sex tourists mostly being relatively affluent, mainly westerners, places like Romania and the Czech Republic are among the 'preferred destination choices' in the aftermath of the financial crisis, being relatively cheap due to their geographic closeness to the clientele. Regarding the specific case of child sex tourism, there are estimates that approximately 250.000 out of all travellers have the specific intention of engaging in sexual relations with children, not least because the circumstances in several countries mixed with the availability of children and the facilitation of travel in general in the course of globalization as well as the reluctance of the tourism industry to address this issue out of fear to jeopardize tourism influx are making commercial child abuse so incredibly easy (BBC (B), 2012). In developed nations, public awareness regarding existence and scope of child sex tourism has increased considerably during recent years, with new laws and regulations

impeding that phenomenon, and consequently driving offenders even more towards developing nations where law enforcement is still lax (World Vision Australia (A), 2014).

The advance of the internet is another factor further simplifying the commercial sexual exploitation of children; the former magazines for 'special interests' for tourists with obvious intentions are now substituted by websites, making the whole market way more accessible (BBC, 2011). The World Wide Web is offering a tremendous amount of opportunities for offenders to build whole networks to share and exchange experiences, destination recommendations and pornographic material. Many websites are exclusively catering to sex tourists, actually providing whole packages or tours (Beddoe, Hall, & Ryan, 2001). The extreme anonymity of the internet is providing offenders with a protective cloak, enabling them to live out their darkest fantasies in a perceivably limitless way.

Overall, sex tourism is obviously still on the rise, making use of general tourism infrastructures, which is a fact that emphasizes the responsibility the sector harbours in handling the accompanying issues. In many places, prostitution is actually illegal, which leads to an outsourcing of the red light sector from regulated structures to the informal, uncontrolled domain, thus putting those affected even more at risk (Taylor, 2011).

2.2.2. Trend towards Sustainable Tourism

The word 'Sustainability' is ubiquitous nowadays, admonishing us from all industries. But the meaning behind the mere term is not all that clear. Quite often a certain tedium can be experienced when it comes to 'sustainable behaviour', which seems to comprise literally anything whereas the awareness as well as knowledge about actual possible approaches is still lacking among commonality. Especially when it comes to the existence of a lurking peril like exploitation of children in an industry like tourism, which comes across as constructive and is perceived as overall positive in general; at least among those originating from source markets, who are affluent and fortunate enough to have the means to care about vacation at all (UNWTO, 2014); (BBC (B), 2012). Overall however, especially human rights' violations have come into focus with increasing accessibility and real-time sharing of information (Cole & Eriksson, 2011).

A recent study by the Centre for Responsible Travel (CREST), a non-profit research institute based in Washington, DC (CREST (A), 2015) gathered the outcomes of several surveys and revealed a lot about the current advance of sustainability in the travel industry. Travel agents claim that at least interest in green tourism has been increasing among

travellers during the past decade, and the growth in global spending on sustainable tourism is expected to be even faster than in the tourism sector in general. If received services and their prices are comparable, above 90% - almost all US travellers - stated in 2010; that they would prefer a sustainably operating hotel over those without Corporate Social Responsibility policies in place. Social and community issues as well as fair trade and labour standards were among the most important for about 4,000 tourists in Europe and the US who were surveyed by TUI in the same year, which shows that sustainability is not just about being 'green' in an exclusively ecological sense anymore, but the multidimensional nature of this term is now increasingly being acknowledged (CREST, 2014).

Only two years later, in 2012, another poll by "The Travel Foundation and Forum for the Future" found that for many respondents, Corporate Social Responsibility should be a premise for a travel company's product offers. Specifically, 70% of those who answered referred hereby to environmental protection, compared to 55% referring to fair working conditions. Those figures show, that there is still a lot of potential left to bring awareness especially about the social aspect of sustainability to customers' minds. A 66% answered they would be happier if the identification of 'green holidays' would be facilitated for them, which supports the assumption that it is very difficult for a customer to distinguish between actually sustainable and rather inconsiderate holiday suppliers (CREST, 2014).

Another aspect impeding the recognition of a holiday offer as 'green' is the multifaceted nature of this term. There are many different manifestations, among the most prominent of course the Ecotourism, which is the traditional form of an environmentally friendly offer. Considering the social aspect, Pro-Poor Tourism is taking local communities into account and intends to increase net benefit among those below basic income levels. Combining both characteristics, Responsible Tourism seeks to increase net benefits for the local community while simultaneously considering local peculiarities and minimizing negative impacts, be it socially or ecologically. Another escalation would finally be the actual Sustainable Tourism, which is considering not only current, but also future developments regarding ecological and social, but also economic impacts on a destination, and is therefore the most comprehensive form of 'green tourism' so far.

But just as diverse as sustainability is the group of holidaymakers. Those who are actually interested in the issue of 'travelling green' are "typically highly educated, mature, affluent, well travelled, environmentally aware and sensitive to the social and cultural traditions, systems and mores of the destinations they visit.", as stated by the UNWTO in a report in

2011. They do not belong to mainstream segments and are rather not to be found among mass-tourists, but form a new fast-growing segment of alternative tourists. The travel industry is increasingly anticipating those new trends, as there is consistent proof that responsible travel is not only expectably increasing a host community's welfare, but also contributing significantly to the bottom lines of the companies involved (CREST, 2014).

To further specify the field of 'Responsible Tourism', 'Child Safe Tourism' is distinctly taking into account the various impacts of tourism on children. A survey conducted by World Vision Australia in 2013 reveals that 76% of travellers are aware of the fact that children are exploited in some destinations in connection with the tourism industry, although they are only referring to the obvious forms of abuse, like trafficking and sex tourism in particular. Rather concealed dangers to put a child in peril, as the mere giving in to begging, tourists visiting orphanages or taking pictures of local children were not as clearly identified as abuses in the minds of those surveyed. Most of the latter had an intense urge to do something about the hardships in which they encountered local children, but felt helpless regarding their opportunities to do so, which often led to the common misconception that giving money to local children could at least make somewhat of a positive contribution. There was a common willingness to help and a wish not only to contribute to an improvement of the situation themselves, but also for local governments and the tourism industry in general to take more action to protect children. It is safe to assume based on the survey that tourists are generally very eager to find more information on those issues as well as recommendations for them on how to have a positive impact, but found it challenging to access such, which shows that there is much more to be done, especially from side of the industry (World Vision Australia, 2013).

But the industry is increasingly taking human rights into consideration, as Christine Plüss, an expert for human rights in the tourism industry from the "Arbeitskreis für Tourismus und Entwicklung Bern", stated in an interview. In 2010, the basic principles for human rights "Alles was Recht ist" were published in a cooperation between Tourism Watch and the Arbeitskreis für Tourismus und Entwicklung. After the publication of the "UN Principles on Business and Human Rights" in 2011 by UN Special Representative on business & human rights John Ruggie, the "Roundtable Menschenrechte im Tourismus" was founded for the German speaking area, with Studiosus and Kuoni as well as the "Dachverband vom Forum Andersreisender" being the pioneers for the tour operator businesses. This multi-stakeholder initiative could so far convince further organisations to join, like the Swiss and

the Austrian Tourism Associations and newly TravelLife, which is an international sustainability certification agency bringing about the opportunity to go international with the project, which was not possible beforehand out of a lack of resources and language skills. The basic principles however are an important tool to provide businesses with information on the importance of human rights in business operations. The guidelines according to Ruggie dictate a clear commitment of enterprises to protect human rights by establishing a corporate policy, followed by the development of fitting organizational structures to integrate the policy in operational business on all levels of the value chain. It is always beneficial to announce one responsible person as a reference and an expert for all relevant questions, such as the identification of possible conflicts with human rights within the value chain as well as possibilities to avoid and compensate those potential issues. Constant risk assessments are a crucial prerequisite for effective measures to minimize negative impacts of the tourism business. Preparation and evaluation are just as important as the actual implementation of measures; but every step should be communicated publicly as well, to ensure transparency and recognition among the clientele. Furthermore it is crucial that tour operators and suppliers are taking into consideration who they are contracting, as often local groups have a history of hostility or even war. It is important to properly research who the reference people are, how human rights will not be jeopardized and where to get all relevant information (Plüss, 2015).

Legal Background

2.3. International legal framework

The first legal document regulating human rights specified on children is the UN Convention on the Rights of the Child, which went into force in 1990 and demands the protection of children's rights to be safe from exploitation and abuse, to foster a proper development of the child in terms of health, psychology, physiology and education, and enforce those rights – specifically the right to be safe from sexual exploitation of any kind – internationally by establishing national as well as bi – or even multilateral agreements (OHCHR, 1996-2015).

For the special case just mentioned, an Optional Protocol to the Convention on the Rights of the Child was drafted and ratified by 169 states so far (OHCHR, 2014) to focus specifically on the case of children being sexually exploited for commerce, calling for action for prevention of CSEC, but as well for proper care to victims in the aftermath, to ensure the best possible reintegration into society as well as assistance in physical and mental recovery. To ensure states are not only acknowledging, but also taking action against CSEC, in 1996 the Stockholm Declaration and Agenda of Action was called into life, requiring all participants to formulate a National Plan for Action, which is constantly monitored and reviewed (International Labour Organization, 2007).

In 1999, the Worst Forms of Child Labour Convention No. 182, ratified by 179 out of a total of 185 ILO member states so far (International Labour Organization, 2014), explicitly prohibits all forms of commercial sexual exploitation of minors below the age of 18 and urges to take all necessary measures for a complete elimination of the practice. For this purpose, member states are required to launch National Action Plans with a clearly set timeframe by 2016 by the ILO's Global Action Plan against Child Labour, which was brought on its way in 2006 (International Labour Organization, 2008). Further international regulations applicable to CSEC offences are the "United Nations Convention No. 190 against Transnational Organized Crime" and the thereof deriving "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children" (International Labour Organization, 2008).

The prevailing issue with the international persecution of sexual offences against minors is the complexity of differing laws and regulations; which legal framework has to be applied when an offender from the United States commits a crime against a child in Cambodia? To solve this issue, the "Extraterritorial Law" was introduced first in Australia in 1994 under the

“Crimes (Child Sex Tourism) Amendment Act”, which makes crimes committed abroad punishable under national home country law as well. In the years to come, several countries, namely Norway, Germany, France, Belgium, New Zealand and Sweden, adopted a similar legal approach, to ensure child sex offenders could not evade punishment by simply returning to their respective home country. In the United Kingdom, sexual exploitation of minors in a foreign country could be persecuted in the UK from 1997 on, if it was considered a crime in both sending and receiving country. From 2003 on, any known child sex offender was obliged to inform British authorities about any travel plans exceeding three days, and from 2008 on, criminal offences against children committed abroad could finally be punished in the UK without the restriction of being considered a crime in the destination (Montgomery, 2010).

Under the Lanzarote Convention, the “Extraterritorial Principle” was formally introduced for all member states, which are now enabled – and required - to punish child abusers for offences committed abroad under appliance of their own national legal framework. It also requires countries to lax their statutes of limitation on sexual crimes against children, to make sure justice can be served even if the victim only presses charges beyond the age of 18 (Lanzarote Committee, Council of Europe, 2015). The states are responsible not only for the persecution of sexual offences against minors, but also for the proper care for actual, as well as the protection of potential victims. Even a kind of ‘mutual consent’ between two parties can never legalize any sexual interaction with children, as children are seen as the more vulnerable party, in need for protection and not able to actually know about the consequences of such a consent given. Even the family can be guilty of abuse, if they were acting as offenders themselves or as third-persons in complicity with abusers (International Labour Organization, 2008).

Remarkable is the fact that prostitution is generally legal in most developed nations - with a legality limited to certain areas in the US, combined with required medical check-ups – and illegal in countries notorious for their flourishing sex industry, like Thailand. The explanation lies in the gaping discrepancy between law and law enforcement (ProCon, 2015).

2.4. National and international law enforcement

With the national and international legal frameworks penalizing child abuse almost universally, the question remains how CSEC can still persist. No right or law can work

properly without the adequate enforcement; therefore the key seems to lie in its actual application.

If we have a look at Thailand, one of the first destinations where we would assume CSEC to occur, the 2011 Trafficking in Persons Report revealed that the efforts undertaken to prevent human trafficking have been quite unobtrusive. Many cases of human trafficking do not even lead to a detention, let alone an actual conviction of the traffickers, as the government and the police are unfortunately often somehow involved in this dirty business, not actually aspiring to put a stop to it (Academy for Educational Development, 2011).

In Indonesia, the situation is even worse; prosecution can only be initiated after a formal complaint; it is redundant to explain that many victims never speak up, be it because of their fear of stigmatization by family or even the whole community, or simply out of a feeling of shame or guilt. If the exploitation was of a commercial nature, that is if there was an exchange of money involved, the exploitation is sometimes not even classified as a crime, even if that is non-compliant to the law. Bribery is another prevailing issue, as in many cases offenders can just “buy” themselves out of trouble, which especially for the relatively affluent westerner is seldom an issue. Financial settlements with the police or even the family in order to make them withdraw the complaint in the first place are a daily fare. The fear of destroying the perfect destination image of Indonesia when admitting to CSEC to exist is another point impeding more severe measures. The Australian Federal Police (AFP) has become increasingly committed to prosecuting potential offenders who often prefer Indonesia due to the poor law enforcement. They are tracking known Australian sex offenders and alert their respective travel destinations. Even an extradition to the country of offense in case of an arrest in Australia is possible; hence the AFP hope to decrease Indonesia’s popularity as a sex destination by increasing awareness of stricter criminal prosecution (Bachelard, 2014).

In Colombia as an example for the Latin-American area, the legal framework prohibits paying minors for sexual relations and penalizes noncompliance with up to 25 years of imprisonment; if sex occurs with mutual consent and without payment, it is legal with minors above the age of 14. But here again, police is not enforcing the crime consistently. Some major areas are even notorious for the local police turning a blind eye when it comes to CSEC (Corbett, 2014).

In the industrialized world, law enforcement has not been much stricter. In some cases, only engagement out of the community and especially the media led to an actual conviction, not the legal body itself. In a case of a famous UK person, responsibilities were so unclear between the different national institutions both in the UK and in Thailand, where the offence took place, that the offender could escape the authorities several times before eventually getting caught by the media, which were blocking his way at the airport, thus facilitating his seizure (Montgomery, 2010).

In general, prosecution of travelling sex offenders has been quite difficult and rather been avoided, as sex tourism has somehow been seen rather as a branch of the overall tourism industry than a peril to children. The red light industry is contributing significantly to the GDP of many developing countries, despite its illegality in many cases. Often governments of such countries are put under pressure by foreign countries to release their nationals, especially if the latter are better off financially, often even major aid donors to the former. Therefore efforts from official actors are rather modest. Furthermore, collecting information about tourists and their intentions is not an easy endeavour, as it is opposing basic privacy rights (Beddoe, Hall, & Ryan, 2001). Additionally, tourists' rights are unfortunately still of much higher value - both economically and in court - than locals' rights. Politics and Economics have always been rivalling social and cultural issues, mostly winning the race (Cole & Eriksson, 2011).

Stricter law enforcement is not an approach to be taken on a national level; without close international collaboration, the effects of a criminal prosecution are quite negligible, as offenders can simply move on to another destination where the regulations are laxer (Beddoe, Hall, & Ryan, 2001). Another crucial issue is the cooperation of the witnesses and the victims themselves, who as already said might not be willing to testify out of various reasons. They might harbour hard feelings for the authorities, which might be corrupt or in another way detrimental to societal welfare and therefore not trustworthy. Law-enforcement officers are often even involved in the trafficking business, some even protecting criminal establishments. Their colleagues will consequently be biased out of loyalty as well, thus hindering effective prosecution of trafficking offences.

Sometimes victims of abuse are not even aware of their status as such, as they are often entangled in an actual relationship with their abuser or at least have tender feelings for them, a phenomenon known as "trauma-bonding". Hence a focus on an adequate handling of victims is necessary for successful law enforcement. It has proven effective to appoint

specialists who are in charge with victim and witness assistance concerning the legal system, which is in many cases hard to understand for non-professionals, and who have the necessary social expertise to handle traumatized persons. Victims should receive proper counselling throughout the whole process to ensure they are not re-traumatized and can actually proceed to recovery (Department of State, United States of America, 2014).

3. Forms of Sexual Exploitation of Children in the Tourism Industry

Exploitation of children can occur in a multitude of modes. It includes abuses in physical as well as emotional terms. The CSEC in tourism comprises all kinds of sexual exploitation of under 18 year olds by adults, be it through prostitution, trafficking or pornography, and is distinguished from other kinds of exploitation by its commercial nature, meaning the children affected are completely objectified and either they themselves or third parties receive some kind of remuneration in exchange (ECPAT International (D), 2015). It is an exceptionally odious abuse of children's rights which can basically be classified among forced labour and slavery (ILO, 2014).

A very specific and particularly repugnant form of CSEC in tourism is of course the so called 'Child Sex Tourism'; the case of non-residents undertaking travels to a destination where he or she sexually abuses children. Since this term only defines the segment itself, without judgement concerning the illegality and not adequately reflecting the horrors behind, World Vision Australia urges to call it 'Child Sexual Exploitation in Travel and Tourism' instead (World Vision Australia, 2013). It is important to bear in mind that perpetrators do not necessarily need to travel with the intention to engage in sexual activities with children; many might be respectable, rather ordinary people in their respective home countries and only become abusers due to a variety of situational factors which facilitate child exploitation in the destination compared to the home country (ECPAT International (D), 2015).

The role of tourism in this hideous business is mostly passive, with provision of tourism infrastructures which can easily be misused for such wicked purposes. It can however just as well play a very active part, as many black seeds exist among tour operators, specifically providing organized sex tours or information on how to successfully make use of power imbalances for the aim to abuse those most vulnerable (Tepelus, 2004). It only takes a google search to see there are many tour operators catering to a market specifically looking for sexual encounters abroad, and even though they claim to not promote child sex tourism, their actual range of offers to true customers once cleared as "trustworthy" can hardly be accessed. It is hard to obtain data on actual tour operators procuring sex tours involving child abuse, but undercover investigators acting as customers can catch them in flagrante delicto. So it happened in the case of the Singaporean tour operator Chan Chun Hong, who

organized sex tours to Indonesia, Cambodia and the Philippines without limits for the age of children (Chong, 2015).

Further specific forms of CSEC in tourism can in addition be cases, when offenders are travelling abroad with children they are planning to abuse ('self contained abuse'), as well as trips to destinations which are notorious to have children available for exploitation ('speculative exploring') in the case of travel with the original intent of establishing contacts with local children, as suggested by the Child Exploitation and Online Protection Centre (World Vision Australia (A), 2014).

3.1. Trafficking

The Trafficking Victims Protection Act states that trafficking means the "recruitment, harbouring, transportation, provision, or obtaining of a person for labour or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery". When it comes to children, however, the prerequisite of force must not necessarily be met to qualify the prostitution of children as human trafficking. Since minors are considered not able to make a valid decision in favour of prostituting themselves, all kinds of putting a child into sex trade are considered trafficking as well; hence, the distinction between those terms can be rather blurry (Davidson, 2005); (Department of State, United States of America, 2014).

According to ECPAT, trafficking of minors below the age of 18 is not confined to third-world countries; against expectations, even in highly developed nations of global importance and with an assumed responsibility as 'role models', like the United States or Europe, children are transferred within or across borders against their will (ECPAT International (D), 2015). Sometimes the transport of mostly women and children for sex tourism purposes even takes place from the destination to the tourists' home country, to meet 'local demands' (Hashimoto, 2002).

The growing demand for children among tourists for obnoxious reasons has led to a proportional increase in the child trafficking business, which has become a profitable industry for those ruthless enough to be able to deprive not only other human beings, but the most vulnerable among them of their right to a life in freedom and dignity (Beddoe, Hall, & Ryan, 2001). A prominent example for the scope of the sex trafficking industry are the world-famous sporting events like the Olympics and the American Super Bowl, which each single time come into criticism due to their contribution to an enormous boost in human

trafficking around those dates. With growing international awareness of the issue, efforts to campaign against human trafficking have augmented, but there is still a lot to be done - especially additional approaches before and after the events - to successfully address the problem (Department of State, United States of America, 2014).

3.2. Prostitution

A subset of trafficking is prostitution, also referred to as 'sex trafficking' (US Department of Justice, 2015). The most prominent form of CSEC, not least because of its uniquely abhorrent nature, is the prostitution of children, which - according to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography - means their 'use' for sexual purposes in exchange for some kind of countervalue, be it monetary or some kind of gift, for instance. In many cases, a third party in form of a pimp or a whole network of criminals is involved. Hence prostitution takes place in a rather organized pattern and makes use of a certain closed environment, which can be a specific establishment like a brothel or an informal setting, like private homes, just as well as the plain street (ECPAT International (D), 2015).

Sometimes children choose to prostitute themselves out of intrinsic motivations, which can have a multitude of reasons. Compared to being prostituted by a third party, this form seems to be "favoured" by children due to its relative voluntary features and the possibility to earn a lot more money under seemingly better conditions than in other possible 'jobs', without having to deliver a part of or even the whole earnings to a procurer (Montgomery, 2010).

Research on child prostitution is quite complicated due to globally differing definitions and legal frameworks which can influence comparability significantly (Beddoe, Hall, & Ryan, 2001).

3.3. Pornography

Especially with the rapid rise of the internet during times of globalization, the lurking peril of child pornography has also entered the realms of the tourism industry. According to Article 2 (c) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, "Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes" (OHCHR, 2000).

The internet is increasing accessibility of children in general, facilitating abuse, not least because of the rather concealed nature of its risks and dangers enticing children to put themselves into vulnerable positions, which has been an issue of rising topicality throughout sociocultural environments globally. As well as with child sex tourism, ECPAT International promotes the utilization of an alternative terminology, which in the case of child pornography would be “child exploitative materials” or “child sexual abuse material”. Thus, the concept becomes more comprehensive. The organization did observe a growing connection between child abuse in ‘reality’ and in form of pornography (ECPAT International (D), 2015). Pornography is seemingly only referring to pictures, but it is crucial to visualize the actual cruelty of the matter, when in many times one or more children are frequently manipulated, humiliated and even physically abused ‘for the camera’ (Beddoe, Hall, & Ryan, 2001). An actual case of CSEC in Indonesia by an Australian National shows the shocking trend of combining virtual with real forms of CSEC. The Australian Federal Police regional commander Chris Sheehan states, that predators increasingly abuse children by making them perform in front of webcams in exchange for a remuneration (“pay-per-view”), and later travel to their respective countries to abuse them in real life, when the mere visualization is just not sufficient anymore (Bachelard, 2014).

Another important issue is the variety of opportunities the internet holds for offenders, offering an invaluable platform for like-minded people to network and exchange or retrieve information. Technological advance has immensely facilitated sharing, even in real-time. Even more shocking is the fact that Internet providers, especially in developing nations, are actually engaging in the giant business of Child Pornography themselves to improve their bottom-line. (Beddoe, Hall, & Ryan, 2001). Here again, the intricacy of the whole issue of CSEC becomes evident, with corrupted key players acting underground and only hereby making this business the profit-yielding market it has become nowadays.

4. Perpetrator Profile

The existence of CSEC in general is highly controversial and for a reasonable human being a case beyond grasp. Is it not in our nature to protect our youngsters against all evil, to advocate for them to make sure they can make full use of all their inherent rights, as neither are they ready nor should they be expected yet to take on agency and full responsibility for themselves (Davidson, 2005)? With those reflections in mind, the existence of people who might take advantage of those very features of children, their dependence and vulnerability, evokes curiosity about the kind of person who could actually be capable of doing so against innate instincts. Do they fit into a pattern? Is there a thing like ‘the perpetrator’? To be able to answer those questions, we have to try to find attributes they have in common.

Firstly, based on a study by World Vision Australia, the ‘child sex tourist’ again is a rather unfortunate terminology, as is ‘child sex tourism’. For the same reasons, we should talk about the ‘travelling child sex offender’ to include the illegal and abusive feature (World Vision Australia, 2013). But this term implies that those who commercially exploit children during their vacations already are offenders in their respective home country, maybe even travelling with the very aim to exploit minors. But several studies reveal that it is not exclusively paedophiles who become offenders abroad; there is a very important distinction to make between the latter, who can be referred to as “preferential offenders”, and “situational offenders” (ECPAT International (D), 2015). A preferential, or as well called “prolific offender”, actively seeks to abuse children for sexual satisfaction, often engages in paedophile virtual networking and openly admits his or her preference, whereas a situational offender abuses children out of plain opportunity, as explains Natalia Perry from the Safe Childhoods Foundation (Bachelard, 2014). In the case of paedophiles travelling, there should be expectedly some kind of security as they might already be registered as such. Unfortunately, that is often not the case. In many cases, they are paedophiles, they travel with the explicit aim to abuse children, but have not done so in their home country and thus have not been clearly identified as offenders yet. Many even engage in organized “Child Sex Tourism Rings”, which provide children for abuse as well as the necessary expertise and ‘protection’ for their clients (CNN Wire Staff, 2011) (BBC (B), 2012).

4.1. Demographics

With the difficulties to identify ‘child sex offenders’, a clear demographic profile can not be established. The obscurity of the business and the fact that reliable data is not necessarily readily available further hinders definite determination. There are however some trends to

be observed during the conducted studies. Firstly there is a prevailing prejudice that the majority of offenders is male, as we expect women to have a greater natural aversion towards harming children out of evolutionary reasons (OneChild Network and Support Inc., 2015). Yet there are women involved in CSEC as well, but they are mostly engaged in rather indirect, 'supportive' tasks. Their complicity in the global sex trade, especially with children, is deeply controversial due to a woman's inherent natural instinct to protect children from all harm. But this very stereotype can actually explain this phenomenon, as they are way more likely to establish an environment of trust, consequently having more success in luring a fellow woman – or in our case children – into sex trade (World Vision Australia (A), 2014); (Crouse, 2009).

As for the predominant nationality of offenders, trends are not as clear. Considering the relatively higher number of convictions among western men, the obvious assumption would be that westerners are more probable to engage in exploitative actions with children in the travel business. But such links have to be established with utmost care; there are certain reasons why westerners might actually only be more probable to be convicted for CSEC than their Asian counterparts. A first hint therefore is the higher engagement of western governments to enforce legal action against offenders, out of various reasons like higher awareness for sustainability issues in general or the comparably stronger public scrutiny. Western governments are often acting as supporters for organizations addressing the case of CSEC, which leads to a closer monitoring of their own nationals in this regard. Furthermore, there is evidence suggesting that western men are more 'visible' to the 'civil eye' as are their deeds. That makes sense especially for the destinations which are notorious for the occurrence of CSEC, like Asia or Africa, where westerners are already way more easily detected due to their physical appearance. Moreover, westerners are said to be a bit bolder, a bit less careful in their choice of children to exploit; compared to Asian men, they often end up abusing street children, whereas the latter rather make use of intricate networks thus disguising their illegal interactions (World Vision Australia (A), 2014).

Referring to CSEC in tourism, even expatriates, meaning temporary residents of a destination, are taken into account. Another important aspect to consider is the fact that international tourism comprises both international and domestic travel movements; an identification of the latter as a tourist – more specifically a sex tourist – can be quite complicated, because of which research data might not deliver an unambiguous picture. In recent years, prosperity in Asian countries has increased as well, consequently generating a

greater number of Asians who are able to afford travel. Case studies in the South East Asian region and interviews with hotel staff substantiate the hypothesis that a high amount of abusers is to be found among their own nationals or neighbours. In Bali for example, figures show that the majority of clients comes from Australia, Japan and the US and is on average 27 to 55 years old. In Thailand, it was evidently dependent on the hotel category; in lower-class tourism, CSEC was predominantly conducted by other Thais or at least East Asian men, whereas in more prestigious establishments, European men were dominating. Interviews with victims in Cambodia suggested that most predators came from France (28%), closely followed by China (26%) and Japan (19%) (Beddoe, Hall, & Ryan, 2001).

All in all the data are quite variable and we have to bear in mind that research outcomes have to be reviewed with ultimate care, as they do not necessarily reflect reality accurately, especially not when it comes to such a delicate issue like the CSEC.

4.2. Socio-economic background

If we relate now the findings of the demographic analysis with some research into different personalities, it becomes evident that especially in case of western abusers who travel to abroad and – or with the preliminary intention to – engage in CSEC, the socioeconomic differences are a factor of consideration. Even westerners, who belong to social lower classes in their respective countries, are comparably wealthy in developing nations like for example the region of South East Asia, which has become quite infamous for the cases of child abuse. The patriarchal cultural setting often attracts men, who can exert their powers and satisfy their inherent male needs, like ‘being in charge’ and being superior, which is often not possible anymore in emancipated western societies with their powerful women and their increasingly high standards concerning looks and status, which many men can not comply with (International Labour Organization, 2007).

The switch in cultural and economic settings often leads to a perception of relative ‘freedom’. Laws and their enforcement in developing countries are often much laxer than in industrialized nations, which as a consequence may attract especially intentional offenders, but can in many cases tempt ‘ordinary’ people without a history of abuse or paedophilia to become situational abusers. Social sanctions seem to be missing in many destination communities, encouraging potential offenders even more. This higher permissiveness might be linked to the economic inferiority, as those communities just have to bear more; in other words, they can not afford to openly sanction certain behaviour in the same extent as

industrialized countries, if it brings such economic benefits as prostitution often does. Therefore, offenders are often tricked into believing they actually 'help' local people and communities by supporting them monetary or with other arrangements.

But more factors than the mere economic differences can derive from different socioeconomic backgrounds; just the exotic feature can exert a great temptation. To consider the difference between adults and children, men may prefer children when engaging in prostitution due to the misconception that minors bear a comparably lower risk being infected with HIV; hence especially virgins are favoured (Tepelus, 2004). The latter are - especially in the Asian context - said to have 'magical powers'; they allegedly provide protection from illness as well as to be a 'fountain of youth', making them a desirable 'merchandise' in the global sex trade (Haworth, 2014). Yet in most cases, the specific sexual abuse of children occurs because of their relative availability in many destinations in the context of an engagement of offenders in prostitution in general, rather than out of an actual intention to 'use' a child in particular. The distinction between those situational abusers and actual paedophiles becomes crucial especially when it comes to the question on how to effectively campaign against the issue of CSEC (Beddoe, Hall, & Ryan, 2001).

An interesting – and strikingly shocking – category of offenders can be those working with children for various reasons, even in the very business of aid or care working; in those cases children are especially dependent as well as enticingly accessible and the potential offender, operating as teacher, aid worker or similar, is usually not too closely monitored (World Vision Australia, 2013). In those cases, offenders are rather educated as well as involved and respected in the local community; in the case of Indonesia, research revealed that known child sex offenders were well-versed in local languages and customs, and importantly local laws (Beddoe, Hall, & Ryan, 2001). Those features provide offenders – whether intentional or situational – with a certain protective cloak, as the negative repercussions for the community of hindering them might score off the benefits of the formers' engagement in and for the latter, or their good reputation is just disguising and 'neutralizing' their 'blunders'.

The case of Sexual Exploitation of Children is obviously dependent on socioeconomic variables to an extent which is not to be neglected. Especially when it comes to the very specific case of 'Commercial Exploitation', we can safely assume that economic as well as power imbalances are some of the reasons which turn children into marketable objects, and the travel industry is a welcomed opportunity to take advantage of sociocultural imbalances globally in a profitable way.

4.3. Psychological profile

Talking about Sexual Exploitation of Children, most people will definitely be appalled to the outermost extent. So there have to be some psychological peculiarities to people being able to engage in a business, which so openly denies all basic principles of protecting and safeguarding those who can not take care of themselves yet. As already said, availability and accessibility of children can have a very tempting effect on human nature, which is inherently susceptible to superiority and power. Hence the assumption, that the 'average offender' might be a person especially prone to exert power over others - which is allegedly easier with children - immediately suggests itself. Might a 'child sex offender' consequently be a person, who does not have the opportunity to feel superior in his or her home country, someone who is lacking necessary achievements in personal or professional life? The International Labour Organization suggests, that especially men who are rather unattractive or less successful with women are notorious to take advantage of prostitution in general and of children specifically to act out their 'maleness' (International Labour Organization, 2007). Often, they seek opportunities to feel 'in control', which they might not be in their respective home countries. In more extreme cases, male abusers show misogynist streaks and abuse children and women rather for reasons of aggression than sexual fantasies, even though the latter often foster sexual abuses as well, especially when they can not be acted out in the abusers' usual environment.

Researches among abusers, paedophile or situational, show that a history of child abuse can generate future offenders as well (Beddoe, Hall, & Ryan, 2001). Abuse during childhood can create a vicious cycle, as in the case of the French politician Frédéric Mitterrand, who claims to have been a victim of mobbing for his preference for boys and thus became an offender in Thailand, where he felt a perceived acceptance for this character streak, to which he eventually gave in (The Associated Press, 2009).

In conclusion can be said, that there are certainly very specific innate character streaks to child sex offenders. Even though they are quite varied, they all have a certain deviancy, as an extreme need to exert power over others, a deep hatred towards women or other psychological deficiencies, often grounded in the offenders' own troubled childhood.

5. Consequences for the parties affected by Child Exploitation

5.1. For the victim

5.1.1. Psychological consequences

It is not difficult to understand that the consequences of an incident of CSEC especially for the victim can reach a tremendous scope and variety. It is only logical that – considering the issue from a psychological angle – an engagement of a child in the sex business in any way deprives those relatively vulnerable persons of their childhood, as they are thrown in at the deep end of the world of adulthood with all its responsibilities and seriousness without having the possibility of maturing properly. In many cases, the involvement in the sex business goes hand in hand with drug abuses, the latter of which is notoriously associated with difficult living situations to make the own life a little more bearable, even if just allegedly so (BBC, 2011). Hence it is not surprising that many of the emotional consequences can be compared with those of drug addicts; depression up until even the thought about suicide are very common, especially in combination with the inherent risk of the sex industry of getting pregnant and having to abort, to give away or even miscarrying the child due to drug abuse or violence, which as a fact is against the female nature and leads in many cases to trauma or other psychological difficulties in the aftermath (Beddoe, Hall, & Ryan, 2001).

Other kinds of traumatization can occur as a result of the tremendous ongoing emotional and physical stress which comes along with situations of trafficking especially for children, which is often leading to a Post-Traumatic Stress Disorder and thus long-term dependence on health and social care. Those traumas can be lurking beneath the surface, becoming visible in any situation which is connected to the trafficking experience by the victim, like meeting the offender – for example in court – again.

In many cases however, the victim does not harbour hard feelings against the exploiter; especially when the victim was in contact with the offender over a longer period of time, the controversial phenomenon of ‘trauma-bonding’ can occur, which is characterized by strong feelings and sometimes even a relationship between victim and offender and can significantly hinder investigation and law enforcement, as the main witness will probably not be willing to testify (Department of State, United States of America, 2014).

A more abstract outcome of CSEC for the victim is the deprivation of dignity due to the loss of independence and freedom, especially in cases of human trafficking, when the children are

not working on their own account and become dependent from third parties. When a person loses his or her dignity, they lose one of the very elements which differentiate us from mere objects, which make us human (Department of State, United States of America, 2014). And without empowerment and newly gained confidence, self-destructive behaviour is often the tragic result. Victims often lose any trust in their society and the whole system, feel abandoned and utterly alone. Consequently, they might isolate themselves and become numb to any feelings, becoming used to the situation and not being able to 'go back' even after being rescued. Therefore it is so incredibly crucial to provide victims of CSEC with the adequate care in the aftermath of an incident, as they must get the possibility of reintegrating themselves into society and not turn back to the sex business again out of a perceived lack of choice (International Labour Organization, 2007).

5.1.2. Physical consequences

Way more visible are the physical problems a victim of CSEC might have to deal with during and in the aftermath of the exploitation. Aside from often having to endure extreme violence during trafficking situations by a third party or by the offender him- or herself, often even including torture, they suffer in many times from sexually transmitted diseases like in the worst case HIV/AIDS (BBC (B), 2012).

As already pointed out, a pregnancy is in the case of female victims a high risk factor which comes along with a lot of further dangers to physical and mental health, especially when it comes to abortions which especially in less developed countries are in many cases not conducted professionally, harbouring their own perils such as diseases, infertility or even death (Texas Department of Health, 2003).

Those issues are even more likely in the case of CSEC as children often lack the knowledge about safe sex practices and the risks they expose themselves to, as well as the courage and agency to enforce safe practices and to turn to medical or social advice in the aftermath, which might put them at risk of stigmatization and punishment (Beddoe, Hall, & Ryan, 2001). As sexual abuse often brings along further issues like drug problems to make the situation perceivably more bearable, the physical consequences of a drug addiction can be added to the wide range of afflictions a victim of CSEC already has to deal with.

5.1.3. Social consequences

Last but not least, the ramifications of cases of CSEC on the community surely reflect back on the children as well. In many communities, family honour is very highly valued and can be

infringed by incidents of especially underage girls 'misbehaving' by losing their virginity before marriage and thus shaming the whole family. Not being 'pure' anymore often makes it impossible for the affected girls to lead a reputable life with a husband of their choice as no one would be willing to marry them anymore; therefore they are either forced to marry their abusers or enter the sex industry completely, as job choices become rare with a bad reputation as well. This is the reason why many victims of CSEC have inhibitions towards turning to a confidential person as they fear social exclusion, stigmatization or even more severe punishments, as in many cultures they would be the one to blame for the incident due to some kind of improper behaviour which left the offender with 'no choice'. In recent years, this issue is becoming more and more an issue of public scrutiny concerning India, where women are generally to blame for the numerous cases of rape as they are supposed to not attract a man's attention by dressing or behaving 'improperly' (Naqvi, 2015).

When it comes to international human trafficking, victims are separated from their families for a long time, which can have significant impact on their mental health. In the case of older victims, a separation from their own children is not rare, and a reunification can take a lot of time - if ever possible at all – and can result in further psychological problems especially for the victims' children (Busch-Armendariz, Nsonwu, & Cook Heffron, 2011); (Lakhani, 2015).

Pressure from part of the community makes it even more difficult to negotiate safe practices in sexual encounters, as then the necessary factor of involuntariness would be impossible to prove (World Vision Australia (A), 2014). This shows how the vicious cycle of victimization is continuing further and further, and how low women and children are in status in many communities (Beddoe, Hall, & Ryan, 2001). Consequently they often have no choice but to leave their family or even the community. Basic education can not be attained as they often drop out of school or at least do not attend regularly anymore and their performance proportionally to their concentration skills is decreasing due to the psychological issues as well. Out of a lack of chances they often become involved in the sex industry completely, and as the latter is illegal in many countries – like Thailand – , they become involved in the overall criminal businesses like drug trade as well (International Labour Organization, 2007).

Social pressure can occur in a form of trigger for further involvement in the sex business in another form as well; human traffickers often make use of torture not only of the victim him- or herself, but also of their fellows, which is perceived as even worse and hence an effective way for offenders to "break" their "merchandise" into full obedience (Goldberg, 2013).

When it comes to international human trafficking, another very prevalent issue is the illegal immigration status of the victims. They might be at risk of persecution or deportation, as they are hardly in a position to afford competent lawyers to advocate for them (Busch-Armendariz, Nsonwu, & Cook Heffron, 2011).

5.2. For the destination and the tourism industry

As the CSEC has become a part of the tourism industry, it has of course a significant effect on the destination too. A destination always aims to promote tourism and generate a positive tourist destination image. Child exploitation in general is an issue of unanimous condemnation among the global community; if there is an obvious link to the tourism industry, it can be expected that tourist arrivals might decrease according to a worsened destination image. Especially if media are covering shocking stories about child exploitation in a specific destination, in the long term such stories can have an appalling effect on tourists who will eventually decide to travel to other places instead, thus depriving the destination of the necessary tourism income and continuing the vicious cycle (World Vision Australia, 2013). Travellers in some cases even terminated their vacation earlier than planned in destinations where they got confronted with CSEC, and they do not intend on ever returning, especially if they feel like the community, the destination is not taking any measures to resolve the issue (World Vision Australia, 2012).

Some destinations have even become notorious for their sex offers, like especially the Pattaya area in Thailand, where the local sex industry is in fact kind of their unique selling proposition, as a 'guide to prostitution in Bangkok' website suggests. But the destination images of such 'local sexual Disneylands' cast their shadow on the neighbouring countries, in this case the ASEAN region as well, as Singapore Tourism Promotion Board's Asad Shiraz claims. Those areas connected with the sex business in such an obvious way will be avoided by important tourism segments like families, only attracting the 'western filth' who is pulled by such a destination and as a consequence only fosters its growth (Beddoe, Hall, & Ryan, 2001). Stereotypes evolve, as the ASEAN region is often viewed as a place where women are characterized by submissiveness to their male counterparts, with their only purpose is serving and satisfying men, a fact which is turning the whole idea of sincere relationships upside down for the sake of commercialization of even private and intimate situations (Hashimoto, 2002).

6. Factors enabling Child Exploitation

6.1. Economic Reasons

The word 'commercial' in CSEC already implies a certain connection of the exploitation and economic factors. In the section about globalization and its impacts both in general and in the tourism industry in particular, it became evident how diverse its effects can be and how widespread the range from positive to negative outcomes can turn out. Especially less developed nations are and have not been able to keep up with the pace of development the more industrialized countries have been setting. Consequently it does not come as a surprise, that negative phenomena like the CSEC can have their roots in uneven economic development, presumably with the most severe manifestation in already less fortunate regions.

The first economic factor that can affect welfare is of course the income. In Indonesia, almost half of the population has to get along with less than US\$2 per day. That makes it inevitable in many cases for all family members to contribute to secure its survival. Consequently, child labour has a complete different meaning in this setting; for the sake of plain self-preservation, societies like this (not only in Indonesia, but in many other less-developed nations as well) simply can not afford to argue about the ethical tenability of letting children work. If it was not for the money they earn themselves, they would not even have any childhood to mourn, as they may not even get to live at all (Bachelard, 2014).

And children are a valuable income source, as horrifying as that thought may come across; is it not way more difficult to withstand the pleading eyes of a child, way more appealing to our innermost instincts, than when it comes to adult beggars, whose misery we have been way more aware of ever since we became able to watch the news? But when it comes to children, this awareness often seems to be repressed until the very moment of truth, the moment upon actually facing their afflictions, which we then are often completely overcharged with. The power of a child even just on an advertisement for NGOs unarguably generates a way higher amount of donations than would the same picture featuring an adult (Unite for Sight, 2010), so it is safe to assume the effect in a real encounter is much stronger. Of course as long as the opportunity to earn money is given, children will take it; they will not let themselves be exploited out of choice, but rather out of a lack of choice; as it is their only way to subsist. But upon reaching the age of adolescence, the advantage of their pureness, the very 'childness', the cute feature begins to fade. They will not be able to gain as much money begging, and to keep the income from disappearing, they are forced to

look for other money sources; in the case of Indonesia, as an example for many developing countries, especially in South East Asia, those are spas and massage parlours, which are notorious for exploitative working conditions and the latent sexualisation of their employees. But it does not need a lot of imagination to come to the conclusion that many of those children will end up in brothels, where they will always find work which they so desperately need (Laphroaig, 2012); (Bachelard, 2014).

Tourists and locals are economically so different, the cultural and economic clash so blatant, it can well be described as two different worlds with their own systems and values colliding, which are not necessarily compatible. Those children are sometimes even acting out of opportunistic intentions, detached from emotions and driven by mere necessity. In such cases, they are able to trick those westerners, who are so drawn towards them, into thinking there is actual affection involved. In return, they gullibly shower those children with money, gifts, accommodation; things the victims gladly take to get a taste of this otherworldly 'lifestyle' (BBC, 2014). They closely monitor western preferences to maximize their benefits out of relations to tourists. In the case of so-called 'pederasty', the sexual preference for young boys, local boys in less developed nations were often well aware of this questionable trend and staged themselves perfectly to match the 'requirements' and generate valuable income (Ghosh, 2012). Here it becomes evident that CSEC is not exclusively connected with female children.

The actual work that is expected in return for those perks is often perceived less physically demanding than the alternatives whilst earning way more (Montgomery, 2010). The ultimate achievement, however, is to marry a westerner, to break out of misery and even migrate to a better life. An Indonesian slum teacher describes her pupils' illusion of getting a westerner to fall in love with them and taking them away to a better life, completely sticking their minds on that goal and in the progress neglecting their own education, which might preserve them from getting drawn into abusive situations (Bachelard, 2014).

In many cases, children wander off their rural lives towards the alluring city life, which promises a whole different lifestyle, freedom, fun. But the illusive bubble mostly bursts rather quickly, when it comes to financing this shift. As they usually do not want to return to their old lives, selling themselves becomes a valid option (World Vision Australia (A), 2014). Finding work in the formal, controlled sector is often impossible for children, so they are lured down to the underground. Thus, a whole industry and criminal networks evolved, and now the sex trade and human trafficking are actually firmly embedded in the wider

framework of criminal actions, using synergies of transnational drug smuggling pathways and intricate networks. Tourists and even tour operators are ready to pay an - even for them - large amount of money for provision of 'sexual encounters', fuelling global trade by turning the business into such a profitable income sources. To match supply and demand, humans are trafficked across borders, which is facilitated in the especially jeopardized ASEAN region by an increasing relaxation of cross-border controls and requirements for tourism professionals due to tourism expansion (Beddoe, Hall, & Ryan, 2001). In the Mexican city of Tenancingo, for example, the human trafficking business is embedded in the wider framework of infamous and powerful cartels. People were looking for a better income source than poorly paid jobs in other industries, and thus, being a pimp has evolved to be a preferred profession, since it is highly profitable and provides you with a higher status. That way a cross-generational business has established. Around 10% of human traffickers for the United States come from this infamous town, operating their businesses together with their whole family, which often even comprises former victims (Lakhani, 2015).

It is out of question that, as long as a business generates positive returns and as long as the industry itself is willing to be involved, the fight against human exploitation in any way becomes a moot point. And the tourism industry is highly involved. Tourism is often seen as a good way to generate foreign exchange, hence, in the context of globalization and competition, many nations tried to gain comparative advantage by making use of this industry, which is low in inputs as it can already flourish with a large, relatively unskilled labour force or some environmental peculiarities (UNWTO, 2010). But it is not that easy. In many cases, tourism has repressed traditional industries, like fishing, thus depriving locals from valuable income sources, leaving them without jobs often without even giving them the possibility to benefit from the jobs generated in tourism themselves, as mostly highly educated home country nationals get the jobs in the predominant multinational enterprises (Taylor, 2011). Tourism development schemes have extensive land requirements, taking it from locals without appropriate compensation, thus bereaving them of their very base of existence and driving them towards more urban areas, where again especially their children are extremely vulnerable to exploitation (UNWTO (C), 2014); (Beddoe, Hall, & Ryan, 2001). But a very direct impact of the tourism industry can just as well lead to the establishment of obnoxious niche markets; as the aggressive targeted marketing of some destinations to rather young and party-driven clients, promoting bustling nightlife even in places where it is so obviously decadent to foster a reckless fun culture, attracting those

very tourists and driving away responsible forms of tourism, like families or culture-affine tourists, which might actually bring about positive change (Holloway, 2006).

So now it has been established that especially less and least developed nations are predestined to have an exceeding supply for children in desperate need for work and therefore not being as averse from 'dirty businesses' as their western counterparts, as long as it earns good money. Economy and trade are based on demand and supply; and in this case, demand is generated in the moment supply exists, especially in the case of situational abusers. Technological advance has had its share in bringing supply and demand together, accessibility of children for exploitation has been increasing with the extension of the internet and the ease of travel (ECPAT International (I), 2014). Especially the tourism industry provides an abundant supply in opportunities to commercially sexually exploit children, which is a fact to be recognized and effectively handled to bring about positive change to elevate the positive impacts of this industry which can bring so many benefits.

6.2. Structural reasons

Aside from purely economic reasons, structural complexities play a significant role in providing an environment which enables CSEC in the first place. Social structures in places notorious for the existence of human trafficking and prostitution of either adults or children are often quite similar in defining features, like for example the restraints to talk about sex or intimacy in general. The very persons who are closest to the children and should be the ones in charge for protecting them, namely their parents and relatives, are often not the main source for information or the main contact when it comes to those issues. The very special and uniquely despicable case of CSEC is therefore rather handled as a 'taboo subject', and sexual education overall is often very fragmentary, if existent at all. Against the original intention to prevent sexual activity, this educational approach leads to the contrary to an autonomous research via internet, media or by consulting peers, and can controversially result in an early engagement in sexual relations. The whole treatment of sex as a taboo subject leads to great constraints towards reporting cases of CSEC, as communities often even deny the very existence of this phenomenon in their midst. The occurrence is then often treated rather within families and not officially reported.

Additional to the missing cooperation in families and communities is the lacking cooperation between departments and authorities; the whole structural body in fact is quite ineffective due to the lack of clear processes, knowledge and resources when it comes to the fight

against CSEC, a trend becoming more prominent proportionally to the remoteness of areas, which makes those again more vulnerable to exploitation of minors. The whole environment in many, especially developing countries is not protecting children in an adequate way. Children are not supervised and do not have the same access to education as it is the case in higher developed nations. Often there is no real focus on the protection of minors from harm, especially in rural areas where structures are even less elaborated and children are fully needed to contribute to the survival of the family and where additionally birth certificates are not common practice; therefore those children have an additional obstacle to face when they seek health care or education (World Vision International (F), 2013).

The rising awareness about CSEC through campaigning efforts has in some cases led to a push of the whole industry to the underground, forcing it into even less controlled structures. (World Vision Australia (A), 2014). The informality of the sector makes it hard to trace exploitation by tourists, as often they trick themselves into believing that they are not acting within a commercial framework; the tactics of sex workers approaching them by using run-of-the-mill phrases like “would you like a drink?” lead to the evaluation of the situation as an actual flirt rather than a commercial relationship, with the – intended! - casual feature disguising any hint to exploitation (Taylor, 2011). As children in those cases are clearly not willing, not able or in a position to protect themselves, tourists need to acknowledge the peculiarities of those situations to assess them right and act accordingly.

The next issue is the prevalent corruption in the business with human beings; police officers and security personnel are often bribed and somehow linked to the business and its profits themselves; thus they are unlikely to take any action against human rights abuses or report to a higher agency. If a situation of human rights abuses in such a corrupt environment comes to light, law enforcement is highly probable to be much laxer as the authorities will try to avoid a conflict with their involved “dirty” colleagues on site. Moreover the involvement of law enforcement officers in the operational sex business curtails the victims’ trust in authorities, hence they will refrain from turning to them for help.

Additionally, their families and relatives are often threatened by their abusers so they are actually horrified about the thought of coming out, concerned about the safety of their closest ones. If they would however report their situation, they are often at risk of being prosecuted for their involvement in criminal activities themselves, such as drug abuses and prostitution. This criminalization of victims is another flaw in the system which contributes to the possibility of such phenomena like CSEC in the first place. Furthermore, the

credibility of the victim at court is undermined by such a criminal record. In addition, victims are often pushed into a controversial relationship with their abusers by their fear of authorities and their lack of other persons of reference, especially when it comes to brothels, where such a 'trauma-bonding' is common practice to keep the sex workers tame (Department of State, United States of America, 2014).

In many less-developed countries, however, legal restrictions on sexual behaviour are not enforced in a strict way. As authorities are often involved, they turn a blind eye and on the contrary rather try to even attract tourists with 'special intentions' than prosecuting them or the ones offering those services. Even countries like Germany or Japan are actually providing specialized tours to notorious and historical sex tourism countries like for example Thailand or the Philippines (Holloway, 2006). Affluent tourists are seen as benefactors, bringing in valuable foreign exchange which offsets any negative impact (Seabrook, 2000). The government is often not even able to really protect its people from abuse and exploitation, as the tourism industry is a fragmented structure of power distribution on many stakeholders and companies pursuing their business interests way over community welfare, leading to a so-called 'democratic deficit' due to a kind of 'neo-colonialism' by multinationals from western countries (Cole & Eriksson, 2011), exerting their superior power over locals and making the whole sector kind of unstable and short-term oriented. Even though CSR is on the rise, it is still often considered unrealistic in implementation (Hall & Brown, 2011).

The structure of the tourism industry in general is contributing to inequalities which are the basic root for an environment fostering vulnerability; for example when it is usually providing many jobs to even the unskilled, licensing systems are undermining women's chances for work as they are limiting access and making them again dependent on their male counterparts, who have to serve as intermediaries and thus gain an extraproportional amount of power (Taylor, 2011). Jobs in tourism are generally easily accessible even for marginalized social groups like children and women, but in exchange for accessibility, work is often underpaid and working conditions comparably bad, so the 'fine line between servility and slavery' is crossed quite regularly. Basic rights are challenged by tourism development, as for example the right of housing can often conflict with displacements due to the expansion of tourism areas or just the decrease in privacy with tourists roaming about (Cole & Eriksson, 2011).

But according to the International Labour Organization, many basic factors can lead to an unfavourable structural environment fostering human rights abuses in general and CSEC in

particular. So many societies with a prevalence for organized crime and corruption also have a much more relaxed attitude towards sex tourism, child labour and the horrible link between the two of them. Patriarchal societies have a different view on males' rights and power over women, especially their sexual power, and there is a certain preference of children over general adult prostitutes as they are perceivably less likely to submit diseases like HIV/AIDS, which explains the high demand and connected high price for virgins as well (International Labour Organization, 2008), the latter of which are especially in eastern cultures even considered to be endowed with magical powers (Haworth, 2014).

The advance of new technologies like the internet are an additional obstacle, even though it might look like a big opportunity in the fight against CSEC at first sight; but on the contrary, research on the topic is undermined by a fear to download illegal material in the process. Hence the disadvantages prevail, and the global use of the internet for building intricate, informal criminal networks makes it even harder to trace illegal activities (Beddoe, Hall, & Ryan, 2001). According to Ernie Allen, former President and CEO of the International Centre for Missing and Exploited Children (ICMEC), international cooperation which would actually be facilitated by the internet is not made use of to a noteworthy extent, whereas criminals are exhausting all opportunities of technological advance and thus make the global sex trade such a volatile matter (ECPAT International (I), 2014).

6.3. Sociocultural reasons

To get a little deeper into the structural factors fostering an environment for CSEC, we need to explore the sociocultural peculiarities of the latter. The International Labour Organization has collected some of the social characteristics which are found quite commonly among victims and their families. There is evidence that children out of a healthy family environment are less likely to end up in the commercial sex trade. Especially if the child's relationship to its father is somehow unstable, for example if the father is dead or gone and the child lives alone with its mother or a stepfather, it makes sense that the relations to male people in general might be disturbed and the mental development of the child can be affected in a negative way. As well if there is ongoing violence within the family or a history of drug abuse, which is in many cases again emanating from the male head of the family and often even serves the children as a kind of role model. As a consequence, they copy this behaviour and get caught in a vicious cycle of addiction and the need to finance the latter (International Labour Organization, 2007).

Another important issue is the fact that in certain countries, a girl who is or was married is no longer considered a child; therefore even the definition of a case of CSEC becomes tricky as even a 14 year old might no longer qualify as underage (Beddoe, Hall, & Ryan, 2001). Furthermore, actual prostitutes are often not perceived as children anymore (Davidson, 2005).

In general, cultural differences and more specifically taboos can promote an environment prone for CSEC. The taboo to talk about sex, or the taboo of homosexuality. The latter is considered a 'disease' in many countries; therefore especially boys who have been victims of abuses by a male will be less likely to report out of fear of stigmatization. On the other hand, homosexuality from both sides – tourist and victim – can lead to the exploitative situation in the first place, as the victim does not find a partner in their own community and the tourist takes advantage of this situation (World Vision Australia (A), 2014). In the same way, a kind of racism can be a reason for exploitation as well, as offenders sometimes 'prefer' certain nationalities with their own stereotypes, as for example girls from Latin America are internationally perceived as hypersexual, a fact that is surely pure nonsense, especially when it comes to minors (Taylor, 2011). Different races can have a very attracting effect, as they are characterized by a certain mystic aspect, triggering various sexual fantasies (Davidson, 2005).

Studies revealed that there is a direct link between empowerment of women in a society and the likelihood of children being commercially exploited decreasing. Women are more likely to invest in their families and in protection of their children, and if they are more educated and have better access to labour markets, they will evidently try to send their children to school rather than letting them work. Children of endangered women, like prostitutes, are obviously more in hazard of ending up in the sex business themselves; they are just "born" into the business in a way (BBC (B), 2012).

Patriarchal societies and very strict hierarchical family structures are undermining empowerment of women and children respectively, also by fostering gender inequalities, and consequently deprive them of opportunities in educational terms (World Vision Australia (A), 2014). Women are pushed into low-paid sectors and do not have much of a job choice, whereas their family needs the money desperately; in many cases, men are underpaid as well and hence not able to support the family alone anymore, laying grounds for the need of the children to work as well (Taylor, 2011).

In cultural settings of less developed countries, collectivism is often favoured over individualism, which results in a strong emphasis of family relations and support. Hence the commercialization of the own body is perceived as a relatively low investment, as long as conducted with the 'right intentions'; to serve the common interest, the survival of the family. As families are often aware of their youngsters' activities in this regard, intervention from their side can hardly be expected; additionally it is culturally not accepted in many nations to talk about sex in general, which further impedes any form of reporting CSEC (Montgomery, 2010); (Beddoe, Hall, & Ryan, 2001).

Families of children at risk are furthermore often extended, which means there are more hungry mouths to feed, whilst they mostly have the prevailing feature of poverty. Such a background and the dream of a better, more prosperous life can lure children to the city and touristic areas, where they only find jobs in the informal sector as they are mostly unskilled due to their lack of education. The informal sector has in many cases already employed earlier generations of their families; hence, there is little chance of breaking out of a system in which vertical social mobility is often rather rare. The informal sector does not only comprise the sex industry; children can also put themselves into a highly vulnerable position by working as domestic aid for other households (International Labour Organization, 2007). Children in jobs such as vending or other typical businesses in tourist areas are endangered of sexual exploitation as well, caused again by the inherent power inequalities between child and adult and more specifically and more prevalent between a child in a developing country and a western tourist, which the latter are all too often lured into abusing (Taylor, 2011). Cases show that offenders ambush children in hazardous situations, where they can offer them support – be it monetary or other perks, such as education – in return for 'favours'. Thus, they often gain the backing of the community as well (Bachelard, 2014).

But as child exploitation is not necessarily confined to less developed countries, but can happen just as well in the most developed areas, like the United States. Being bullied at school or being marginalized in another way can – especially in our times of globalization and the plummeting complexity of networking – lead to children turning to complete strangers for comfort, who can – providing them with understanding and comfort – turn out as traffickers just looking for victims. Gaining the children's trust and then luring them to the place of the eventual sale – in most cases a brothel or an auction. As those children mostly have various issues in their social environment, they are likely to not involve other people in their plans, and thus, become easy game for traffickers (Scheinmann, 2014).

The survey of World Vision Australia shows that the majority of responding tourists have noticed the disproportional amount of local children roaming the streets without supervision in less industrialized destinations, and about a third of participants noticed children working in the tourism industry, whereas about 20% even noticed children working in night-life establishments. The common sight of children in such situations in less developed countries controversially leads to a kind of 'blunting' among tourists who result in classifying those phenomena as 'part of the third-world experience', or trying to justify even the incidence of CSEC to fit it into their worldview, even though they unanimously oppose this atrocious business. When children are perceived in a completely different way in another cultural setting, behavioural patterns such as the approaching of a westerner in a bar by a minor become somehow acceptable, because that is just the way it is in those destinations, where it is common practice. It has even evolved to a kind of peer pressure among locals to aspire gifts from wealthier westerners - as redemption for 'wrongdoing' or for 'favours' which would be illegal in a setting of a developed nation - or even to recommend their 'supporters' to other families and children (World Vision Australia (A), 2014).

The problem with child abuse especially in the touristic environment is the lack of awareness about the complex nature of abuse, which can result from a vast variety of environmental factors. The general empathy westerners feel for those less fortunate often translates into complete wrong behaviour, which in spite of the best underlying intentions eventually fosters the environment in which child abuse can take place instead of improving the situation, such as giving in to the begging of a child and thus promoting their working situation, which often involves a third person which is disbursed this way (World Vision Australia, 2013).

A tourist's culture in their respective home country significantly differs from the so-called 'holiday culture', a fact which can explain the phenomenon of people behaving completely differently – unfortunately often worse - during vacation, where certain restrictions do not seem to apply as they do in their daily environment, enabling them to indulge in a kind of perceived freedom (Holloway, 2006). Some destinations are capitalizing on this fact by having established themselves as venues 'without limits', with an entertainment culture of a variety of bars, nightclubs and discotheques and thus attracting those – statistically mainly male - tourists which are prone to misconduct. So there is certain evidence that some destinations are using the entertainment industry, often even the sex industry and more controversially children as a main pull factor to attract visitors (World Vision Australia (A), 2014). There are even targeted websites, which promote sexual encounters with prostitutes and even

minors in destinations notorious for child abuses, like Brazil (BBC (B), 2012); (Sells, 2013). Another place which is globally known for 'fun without restrictions', especially for western men, is the Thai beach resort of Pattaya, where sex tourism is the main marketing strategy, pursued by making extensive use of the potential of the internet. There are no constraints towards westerners accompanied by Thai girls, even if they are underage (Beddoe, Hall, & Ryan, 2001).

CSEC is especially hard to tackle if the victims put themselves at risk out of their own free will. Tourists are, as already stated several times, seen as economically superior, and thus a welcome opportunity to gain some money needed not only for survival, but to keep up a certain lifestyle as well in the case of children who fled the tedium of a life in the rural areas to the promising bustling city life, luring with distraction, adventure and a taste of the western world. When it comes to voluntary action, tourists are often tricked into thinking they only help those children in need, and do not actually exploit them. The lines between exploitation and actual relationships blur as locals – especially girls - sometimes talk about their 'boyfriends' when referring to those arrangements (Taylor, 2011). Children often feel able to manipulate their benefactors to a certain extent, if they are working on their own account and not for a third person. The sympathy for those patrons occurs not exclusively on the part of the children, but also their families and even the whole community, who end up supporting the former and consequently do not feel the need to stop or even report them (Montgomery, 2010). In the case of promotion of CSEC by a third person, recruiters are in many cases locals who come from the victims' closer environment; thus they can benefit of a certain trust sphere and consequently do not meet considerable difficulties when trying to lure the children into the sex business (Beddoe, Hall, & Ryan, 2001).

The environment in touristic areas itself is supporting CSEC through the density of establishments linked to the sex business such as brothels, discotheques and bars. Further areas classified as 'high-risk' besides tourist areas and places with a high population density are those close to borders, which indicate a high frequency of people moving, as do environments close to ports or highways. Places predetermined for unemployment and poverty can certainly be counted as risky as well, which are mainly rural areas and slums (International Labour Organization, 2008).

Children in the sex industry often have a migration background. A survey in Pattaya shows that the latter are mostly neighbour country nationals. The same survey revealed that the number of street children in that area is actually on the rise rather than declining, and that

90% of those children are engaged in the sex industry (Beddoe, Hall, & Ryan, 2001). The contemporary sexualisation and objectification of children, especially girls, in popular culture surely has an impact on inhibition thresholds as well. Advertisements from many various industries favour the aesthetics of a female body, whilst simultaneously promoting youthful physique and looks, often crossing the fine line between youth and childishness. Hence global events like for example the world cup are necessarily fostering the CSEC, too, making extensive use of young women as a marketing tool to attract their main target group; men (BBC, 2014).

To draw a conclusion, approaches against the global sex trade have been quite inefficient in general, as the focus has rather been on law enforcement (Taylor, 2011), but prosecution is only a way to tackle the effects, not the origin of the evil, which is a complex interaction between many underlying factors. An important factor is the demand; as long as there is demand for CSEC and various factors keep up and even foster this demand, it can not be eradicated (ECPAT International (D), 2015). As long as the economic, social and structural inequalities as well as cultural peculiarities are not taken into account, the fight against human rights abuses can never be won (Hughes, 2010).

7. Key parties in the fight and prevention of child abuse in the tourism industry

7.1. Tourists and the Tourism Industry

Surveys have shown that tourists are generally very interested in preventing child abuse, but feel somehow unable to actually do so. They overall agree on the fact that the tourism industry has a significant impact concerning this issue, and wish the latter would do more to inform tourists about ways to help, to provide information about CSEC and how to prevent it as well as about organizations where cases of child abuse could be reported. Since there is no real guidance on this issue so far, tourists feel rather helpless in the face of CSEC, as there is no such thing as for example databases or commonly known symbols for child safety (World Vision Australia, 2013).

The importance of the tourism industry becomes much clearer when we consider the predominance of CSEC in environments of mass tourism, and its close link with tourism infrastructures facilitating and enabling child abuses in the first place (Beddoe, Hall, & Ryan, 2001), whereas measures actually tackling the issue are, euphemized, rather modest. Only in a few cases, tourists have actually ever noticed campaigning efforts against exploitation of minors in the tourism industry in general, but most of them were not aware of the scope of CSEC, which can derive from seemingly innocent and rather helpful acts - like giving money to begging children, buying goods from them or just taking pictures from them. But surveys show, that tourists who are aware of child safe tourism practices are more likely to not engage in activities with children at risk. Hence it can definitely be concluded that campaigning efforts are not in vain (World Vision Australia, 2013).

The variety of forms in which the tourism industry can be linked to CSEC is incredibly high; not only formal tourism structures, but also many indirect variables play a role. The tourism environment is generally prone to be less restrictive concerning legal issues like drug abuses or the sex industry. Then it comprises an intricate network of stakeholders, such as hotels, entertainment facilities or the transport industry like taxi drivers, who are in many cases engaged in the CSEC as well. There is a significant number of cases, in which expatriates are fostering child abuses in the tourism industry by providing a 'safe' environment for offenders with their tourism businesses, and staff are often turning a blind eye as they are afraid to lose their jobs otherwise. The industry should understand its potential and its obligation to make use of its many tools to prevent CSEC, for example by special trainings for employees, or,

more importantly, by using its relations and its extensive network for lobbying efforts with governments, trade associations, opinion leaders and experts, as well as getting in contact with the general sex industry to protect children (Beddoe, Hall, & Ryan, 2001). A global industry like the tourism sector harbours such great power to get in contact and to cooperate with its various stakeholders to finally turn the tide and make it the development tool it unarguably has the potential to be. But in many cases tourism enterprises are afraid to lose customers if they address controversial issues like the CSEC, which collides with the perfect illusion generated by and crucial for the tourism industry (Robertson, 2013).

A way to engage the tourism industry in a productive way in the fight against CSEC is the establishments of focal points by National Tourism Administrations to resolve the issue that there has not been a single entity in charge so far, and thus reduce complexity especially for the tourists, but also in regard to national and international legislation and cooperation between all relevant stakeholders. Those National Tourism Administration focal points are to be adapted to the respective environment they are operating in, taking into consideration the peculiarities and differences between countries to effectively identify the adequate measures to be taken against the CSEC. Their responsibility in the fight against child exploitation in the tourism sector is quite holistic, comprising efforts to build awareness about the issue as well as providing further information – making extensive knowledge and expertise a crucial premises – and the necessary contacts and steps to be taken in actual cases of child abuse. Of course they are in charge of lobbying efforts with all involved stakeholders as well, activating anybody who is able to make a difference on the way towards eradication of any business involving child exploitation (UNWTO (B), 2001).

7.2. International organizations

7.2.1. WTO

One of the most important global institutions for the tourism industry is of course the UNWTO, a branch of the United Nations Organization which was established to provide assistance and expertise in the field of sustainable tourism to its member nations. The latter comprise 156 member states so far and an additional 400 affiliate members in the operational sector (UNWTO, 2014).

Being especially entrusted with the fostering of sustainable and responsible tourism development, the UNWTO has established some written recommendation, out of which those concerning human rights in the broader and the CSEC sensu stricto are of utmost

relevance here. Namely, they outlined some overall directives already in 1985 in the “Tourism Bill of Rights and Tourism Code”, and focussed on the issue of organized sex tourism in 1995 in the context of the eleventh General Assembly in Cairo, wherein the commercial sexual exploitation of children is specifically addressed as it violates basic human rights, especially according to Article 34 of the Convention on the Rights of the Child, which specifically prohibits all kinds of exploitation of minors (Tepelus, 2004).

As the WTO is supporting national governments in the application of sustainable tourism strategies, it is highly recommended that it puts a stronger focus on the protection of children in context of the tourism industry in future, especially in cooperation with National Tourism Administrations by establishing future-oriented Tourism Master Plans, as it plans for example to do in Thailand in near future (Beddoe, Hall, & Ryan, 2001).

Some important milestones have already been achieved concerning the CSEC since the establishment of a Task Force for the Protection of Children in Tourism in 1997, which is now called the “Network for the Protection of Children in Tourism”, as well as with the formulation and promotion of its main policy document, the “Global Code of Ethics for Tourism”, which has been adopted by a great number of stakeholders from all areas connected to tourism (UNWTO (A), 2014).

To address human rights abuses in the context of a more and more globalised world, the United Nations have issued the “UN Guiding Principles on Business and Human Rights” in 2011 - also called the “Ruggie-Principles” after the former UN Commissioner for Human Rights, John Ruggie, who lead their establishment - with specified recommendations for the tourism sector as well. Those Principles comprise three main pillars, namely „State duty to protect human rights“ as the first, “Corporate responsibility to respect human rights” as the second and last but not least „Access to Remedy“. For the first time, the responsibilities for the protection of human rights are clearly distributed; states have to ensure their inhabitants are safe from harm by businesses, as enterprises have to act responsibly to avoid any violation of human rights, and both have to give victims of human rights abuses possibilities to access help and compensation in the aftermath (Bertelsmann Stiftung, 2012). The process of implementation of those principles is still at its very beginning, but the impulse for a development into the right direction has been given. Human Rights must never be a voluntary goal for companies, which is clearly elaborated in the set of principles according to Ruggie. They must acknowledge their responsibility just as much as the states, which nowadays are still unwilling in many cases to protect their inhabitants’ rights due to

corruption, war and power imbalances. Overarching actors as powerful as the United Nations are still by far not exploiting their potential to ensure a sustainable development. However, efforts are definitely increasing; countries are now requested to elaborate National Action Plans to ensure the implementation of the Ruggie Principles, as beforehand evaluation and control was – even though existing – rather humble due to the inertia of the whole UN operation, and a certain enforcement is needed as mere voluntariness did - obviously - not lead to a more just world (Plüss, 2015).

But a lot more has to be done to effectively tackle the exploitation of children in the tourism industry, and cooperation on all levels will be crucial for this task.

7.2.2. UNICEF

The United Nations International Children's Emergency Fund is another specialized branch of the UNO entrusted with the protection of children's rights all over the world according to the UN Convention on the Rights of the Child. They are engaged in about 190 countries with programmes and committees, working for equality and development; they are especially fostering girls' education, tackling the spread of HIV/AIDS and fighting violence against as well as abuse and exploitation of children by involving not only governments, but also local communities and the children themselves. Thus, they are seizing issues at a grassroots level and promoting advocacy both for and from children (UNICEF (A), 2012). They specifically address the CSEC in efforts to raise public awareness and foster integrated efforts and cooperation of all relevant stakeholders, providing support to governments which have not been successful in establishing a safe and just environment for their children on their own (UNICEF, 2004).

7.2.3. ILO

The International Labour Organization is as well a derivative of the UNO working for effective collaboration between governments, employers and workers organizations towards a fair working environment. Addressing the issue of child labour, which is prevalent in the formal as well as in the informal sectors of the tourism industry and is often even classified as 'hazardous labour', it established the "International Programme on the Elimination of Child Labour (IPEC)" in 1992. Its efforts comprise for example the creation of jobs in the tourism industry, cooperation with NGOs like ECPAT by promoting the Code which will be explained in detail later on, as well as other influential stakeholders and thus reducing risk factors for children to end up in exploitative situations. It drafted some guidelines for the tourism sector on strategies against the CSEC which have already proven to be successful

and is working towards a licensing system for the tourism industry which will make use of regular inspections and sanctions in case of non-compliance (UNWTO (A), 2014). Additionally, they are promoting a holistic approach to the issue, addressing the underlying causes of CSEC - which were already explained in detail earlier - both supply and demand sides and taking adequate care of victims in the aftermath (International Labour Organization, 2008).

7.2.4. Interpol

The International Criminal Police Organization was founded in 1923 in Vienna and provides a platform for about 190 countries for information exchange between their national police forces to facilitate the fight against transnational criminal activities (Spapens, 2010). Thus it is an important possibility to tackle the issue of internationality of CSEC in the tourism industry and the new threat posed by the advance of the internet. Several teams of experts in diverse sectors from all around the world constitute the “Group on Crimes against Children” which has been holding annual meetings since 1992. Their various efforts against child exploitation comprise several resolutions concerning how to handle Child Abusive Material, how to sensitively deal with victims of CSEC and how to warn national police bureaus about potential or already known sex offenders travelling to their respective countries by the issuing of so called ‘green notices’. Interpol is – for example - cooperating with the Australian branch of World Vision in the context of the “Project Childhood”, which is combatting CSEC in the area of Southeast Asia (UNWTO (A), 2014). This integration of international organisations with their enormous power and the expertise of NGOs is existing and must be further elaborated to establish successful partnerships to achieve real change in the fight against the CSEC.

7.2.5. World Vision

One of the most important non-governmental organizations concerned about children’s rights is World Vision. They have been trying to resolve issues at a grassroots level since 1970, when they were starting to look at the impact of a positive community development on problems like poverty and all its various derivatives. Over time, they began to engage governments, other organizations and the private sector to combat urgent issues related to especially children and women more holistically and effectively in about 100 countries nowadays (World Vision International (D), 2015). The organization employs both regular staff as well as volunteers, all in all about 50,000 people globally, and additionally around 10 million supporters worldwide (World Vision International (C), 2015).

Its collaboration with VisionFund, a microfinance organization which provides small funds to families to provide them with the necessary monetary means to enable them to evolve and eventually become self-sufficient and lead a better life, is a paragon for successful intervention at the root of the problem (World Vision International (H), 2014). They are promoting the leitmotif that effective problem solving can only take place where the whole range of factors is taken into account, and especially the people concerned are the centre of the focus, as they have to be understood first in order to be supported effectively (World Vision International (E), 2015). Being one of the most renowned humanitarian institutions worldwide, they disposed of US \$2.67 billion in 2013 in monetary terms - included other material donations such as gifts-in-kind – out of which they spent US \$2.21 billion on international programmes (World Vision International (F), 2013).

A best practice example is the engagement of World Vision East Asia, which is collaborating with NTOs, the private sector especially in the tourism industry, media, tourists and communities in the framework of its Child Safe Tourism programme, to train children and to provide them with necessary information and empowerment to protect themselves (UNWTO (C), 2014). This is an important approach, as it is often forgotten that children are not only victims of CSEC, but also individuals able to take advocacy for themselves, which might in the end even prove more effective than any effort of third parties who are not directly involved. The “End Trafficking in Persons” programme is very much engaged in the involvement of youths in anti-trafficking efforts. Using Edutainment, a hybrid of education and entertainment, they get the youngsters to actively take part in the fight against human trafficking, by organizing for instance shows and competitions; an example for the latter is a short film competition with the subject of raising awareness about and triggering actions against human trafficking. Newly established youths forums aimed at bringing together youngsters at risk to exchange experiences and learn how to get involved themselves, not least by giving them a platform to communicate with government representatives (World Vision East Asia, 2014).

7.2.6. Sustainable Travel International

One of the organizations which is trying to connect the tourism industry with sustainable and successful positive community development by integratedly considering the touristic value chain and a destination’s environment is Sustainable Travel International. They set themselves an aim to enhance the lives of not less than 10 million local people and their families by 2025 with the help of global decision makers, collective action and their

“integrated sustainable tourism toolkit”, which they are promoting with a free license and in which use they are training relevant stakeholders. They recognized the enormous potential of tourism for positive change and the crucial role of a destination and its inhabitants on a way to positive development. Thus, they aim for community empowerment to exhaust the whole potential of the tourism industry and to make use of the increasing trend for responsible travel (Sustainable Travel International, 2015); (Sustainable Travel International (B), 2015).

7.2.7. ECPAT

Another prominent and well-known NGO which combines child protection with the commercial component in 77 countries is ECPAT, which has 85 member groups varying in scale and is based in Bangkok, where the CSEC is a prevalent issue (ECPAT International (B), 2015). The name is an acronym for “End child prostitution, child pornography and the trafficking of children for sexual purposes”, and the organization is especially involved in the fight against child sex tourism. Of course their resources are much less comprehensive than those of international governmental institutions, but they have the necessary expertise and insight to come up with realistic and effective approaches, which makes a cooperation between powerful global institutions and NGOs like ECPAT an invaluable tool in the fight against the CSEC. They are promoting education and training for tourism employees and other relevant stakeholders both in tourism sending and receiving nations on the issue of the CSEC (Beddoe, Hall, & Ryan, 2001). Furthermore they are collaborating with the UNWTO and pushed forward the establishment of the World Tourism Network on Child Protection (UNWTO (C), 2014). They are one of the leading sources of information on child exploitation and how to prevent it and have evolved to a powerful institution due to their extensive network and their indefatigable lobbying, bringing the issue into the focus of the global public (Thorpe, 2013).

7.3. Other organizations

There are many national, minor charities, often founded by former survivors of Human Trafficking, who have the most comprehensive view on the issue and know exactly what the victims need, taking a holistic approach working on prevention, rescue and support in the aftermath. Those charities can be found all over the world in areas of risk, like for example “Ratanak International” in Cambodia. They are providing victims with shelter and support to find new jobs and break out of the red light business, which often is the most difficult step for the affected, especially when there is no one to turn to for help. The organisations

mostly rely on sponsors and donors, thus forcing them to operate on a rather small budget and hindering their sphere of influence quite significantly (Made by Survivors, 2014); (Ratanak International, 2015). Thus an involvement of those organisations, which can provide so much expertise on effective measures actually enhancing living conditions for the victims sustainably, with major organisations and international actors just as well as governments will be crucial in future. Other organisations have discovered the far reaching opportunities in empowering women, such as “Vital Voices”, which is operating worldwide to unleash women’s potential (Vital Voices, 2013).

7.4. Government Agencies

To effectively combat child sex tourism, an involvement of national governments is crucial, as they are the main authorities in charge for the protection of their inhabitants’ human rights. They can significantly influence the draft of constructive policies and their various ministries can play an important role in the cooperation on national and international levels, especially since they are permanently established institutions with the necessary long-term orientation, to ensure the issue can be addressed in a holistic manner, taking into account not only the incident itself, but also its roots as well as the aftermath. In the best case, they should collaboratively work towards the elimination of CSEC together with other agencies and stakeholders, especially regarding the legal framework as well as the respective services they offer, like for example social or health services (International Labour Organization, 2007). Especially an involvement of the Ministry of Education can always bring advantages, as it facilitates the provision of seminars and trainings on how to prevent the CSEC for staff in concerned sectors as well as for the local communities. The complexity of extraterritorial legislations, globally differing legal frameworks and communication across borders can be reduced by engaging embassies (Beddoe, Hall, & Ryan, 2001).

7.5. Local communities and opinion leaders

Since I stated before the crucial role of cooperation between the various stakeholders in the fight and prevention of CSEC and the necessary involvement of the grassroots level, namely the communities themselves, their contribution has of course to be examined with utmost care, as they are the closest confidants to the victims and their actions can make way more of a difference than those of institutions who are so distant both geographically and ideologically. Local opinion leaders can implement best practices and operate as ‘pioneers’, especially in the business area. The fact that the sex industry constitutes a major part of the tourism industry and the overall GDP of many countries, the formal part of this sector

should categorically be engaged as well, to ensure understanding for the problems connected with its informal parts and more importantly the negative effects of involving children.

The community has to understand the diverse ways in which it itself – whether voluntarily or not – fosters an exploitative environment for children; be it the hotel staff turning a blind eye out of fear of losing their jobs or a taxi driver actively connecting offenders with children. For that reason, they have to be educated about alternative ways to be economically successful, as the negative side effects by far outweigh the benefits of local child prostitution. The key to ending the practice of CSEC is to intrinsically motivate communities for its elimination (Beddoe, Hall, & Ryan, 2001). Practical examples show that communities actually are more than eager to participate in their development rather than remaining passive, which is to be seen as an enormous opportunity for actual and sustainable change (Cole & Eriksson, 2011).

Especially regarding the tourism industry, an overall increased focus on local peculiarities can make a huge difference. To ensure sustainability, cultures and customs must be taken into account to assure the support of the local community and make the whole business evidentially more profitable. A good approach is a high degree of involvement of local people in the tourism industry by providing them with fair jobs; thus they will foster tourism whilst protecting the destination, their home. Consequently, the local economy should prosper in the best case and overall welfare increase, which is an important premises to prevent incidents of CSEC which are prone to occur in unstable environments (Lacy, Battig, Moore, & Noakes, 2002). Empowering communities can hence pave the way for a healthy environment for children in touristic places, as locals have a significant interest in protecting their home and their families, and engaging them actively in the tourism industry can ensure that important issues are not overseen by unconcerned decision makers (Timothy, 2002).

7.6. Media

In today's era of digitalisation and the rapid advance of the internet, it is obvious that the role of the media in global issues must not be neglected, since they are involved in the issue from its very roots over the incident itself up to the aftermath. Their role is very ambiguous, as they can influence the issue positively or on the contrary even facilitate sexual exploitation of children for potential offenders by providing important information on where and how to access children. Especially in the tourism industry, many bad seeds are to be found, as the trade with sex has always been a highly profitable business, and children are

extremely coveted out of various reasons stated before. The internet can be an invaluable platform to market minors to interested clients by providing sensitive information they might not get anywhere else, whilst offering complete anonymity (Kumar, 2014). But the internet is not a one-way road for the demand side; children even in less developed countries are increasingly making use of its still mostly unprotected structures, which's anonymity, perceived limitlessness and freedom constitute dangerous risk factors especially for children, which are innately less cautious due to their natural curiosity and naivety which inevitably puts them in jeopardy of exploitation. Just an innocent chat with an alleged peer can get out of hand very quickly, in case the counterpart turns out not to be what he or she pretended. Furthermore, media in general play an important part in the building of today's children's opinions and attitudes, especially when it comes to sexuality. Hence they harbour a huge responsibility as well as a lot of potential, which has so far not been used to its fullest (World Vision Australia (A), 2014).

Most of the time, media pursue their own agenda, which basically comprises the publication of only the most newsworthy and interesting stories, as sensation sells (Montgomery, 2010). The more outrageous the story, the better. Hence the latter are biased most of the times, without significant consideration of the impact on their subjects, which just continues the vicious cycle of ongoing exploitation for commercial reasons. Thus, in future it will be important for the media to focus their efforts more on increasing awareness towards existence and scope of CSEC - which they have the means to achieve more than any other stakeholder due to their global audience – without violating basic human rights of the victims by sensationalizing them (Beddoe, Hall, & Ryan, 2001). Therefore it is crucial to consider the emotional state of victims, who are often traumatized and must not be cross-examined, but rather interviewed in a safe environment by trained professionals (Lanzarote Committee, Council of Europe, 2015). They should be properly informed about all of the consequences of an interview, as public opinions about victims of sexual exploitation are very variable between countries and publicizing their stories and identities can have a significant impact on their safety and future wellbeing. The fine line between helping a victim and exploiting him or her further by extracting their stories in order to attain good sales figures must at all times be maintained, and the actual caretaking must be delegated to professional service providers.

Additionally, the public opinion is shaped to a considerable extent by the media as well; by how they report and which information they share, as they are in many cases the only available source of information which is not verifiable by the common public. For this reason,

media must understand their responsibility and ensure a meticulous coverage by using correct terms and figures to improve general understanding of such a complex issue (Department of State, United States of America, 2014).

Professor Mike Jempson, Senior Lecturer of Journalism at University of West England and Director of MediaWise states that many of his students seek to pursue a career in travel journalism, as the tourism industry is a lucrative business with many opportunities. Therefore it is crucial to foster investigative journalism in the tourism industry, which is defined by being conducted by an objective and independent journalist who is not in any way involved in the travel business or who's income depends on visitor numbers or numbers of incidents in a destination, which would as a consequence naturally lead to biased publishing to not destroy the author's source of income. They must understand their role and their impact properly, as nowadays each and every single story, whether competently researched or not, can go viral and out of control in a matter of seconds (UNWTO (C), 2014).

8. Current measures and their effectiveness

8.1. International measures

As the ramifications of CSEC are so large in scale and scope and do not only influence the children affected, which would be horrible enough, but also the whole sector in affected areas which can get caught in a vicious cycle of declining tourist arrivals and GDP accordingly, which contributes to the issue's underlying causes. Therefore measures must urgently be taken. Especially on international grounds, intervention and cooperation is crucial, as many countries prone to child sex tourism do not have the means to combat the issue on their own.

The United Nations set up the 'UN Convention on the Rights of the Child' in 1989 as a first step to put the international responsibility to protect children to paper and achieve global engagement on the issue; the all in all 54 articles aimed at children's welfare have so far almost uniformly been ratified, meaning they are legally binding around the globe. Based on this declaration together with the UN Declaration on Human Rights and conventions of the International Labour Organization, the Council on Economic Priorities Accreditation set up a universe and independently controlled labour standard for the private sector, namely the 'Social Accountability 8000' (Tepelus, 2004). But even though a ratification of such standards and conventions is supposed to legally bind a nation to their implementation, control mechanisms are rather slow and ineffective, imposing the former with a rather questionable significance (Plüss, 2015).

The first step must be raising global awareness, as controversial issues especially in the tourism industry are often concealed due to their potential to scare visitors away. With rising public scrutiny, destinations will be forced to intervene. Therefore international organizations are continuously campaigning against the CSEC. An example for those efforts is the 'Child Safe Tourism Campaign', which intends to inform travellers about the existence of this issue and ways to get engaged in the fight against it. It is conducted in collaboration with governments, the tourism industry and the private sector in the framework of the overarching 'Project Childhood', a programme launched by the Australian Government together with the UN Office on Drugs and Crime and INTERPOL to protect victims with stricter law enforcement. It is implemented by World Vision under the Prevention Pillar to eliminate causes leading to incidents of CSEC (World Vision Australia, 2013). With a budget of AUD 7.5 million and a set time period from 2011 until 2014, the programme under the Prevention Pillar integratedly involved the children themselves as well as their families and

communities in the Greater Mekong Area, established and developed child helplines to provide a contact point for affected children and provided support for national governments in the fight against CSEC (World Vision Australia (A), 2014).

World Vision International additionally established a subsidiary, VisionFund, which is a microfinance company providing communities and families with microcredits in 35 countries to help generate business opportunities, jobs and the necessary starting capital for eventual self-sustainment. In 2013, they provided more than 1 million loans and thus improved overall welfare of about 2.8 million children worldwide by generating or sustaining about 1.2 million jobs (World Vision International (F), 2013).

The United Nations Children's Fund (UNICEF) drafted a strategic plan for the years 2014 until 2017, which comprises several actions aimed at the causes leading to environments in which children are at risk of abuse, such as promoting health, hygiene and preventive behaviour especially concerning HIV/AIDS, nutrition, social inclusion and protection of children, especially those disadvantaged and marginalised, and most importantly education (United Nations Children's Fund, 2013).

When it comes to the protection of children from exploitation and abuse, whether in general or especially in the growing tourism context, the first organization that pops into mind is ECPAT, as many of the successes in the fight against the CSEC are due to their strong commitment and comprehensive efforts around the globe. They are pushing towards more cooperation between all stakeholders on local, national and international levels. With their Country Monitoring Reports, the first batch having been issued for the Latin American Region at the end of 2014, they want to make the problem more feasible (ECPAT International (H), 2014). They take care of continuous exchange between important stakeholders and decision-makers by organizing International Assemblies (ECPAT International (J), 2015) and the World Congresses. The first of the latter was hosted by Sweden in 1996 for the duration of a whole week, involving for the first time 122 countries on the issue of CSEC by bringing together representatives from governments, inter-governmental institutions, NGOs and community delegates. ECPAT gained global recognition and appreciation, which paved the way for a repetition in 2001 in Japan and 2008 in Brazil, now already bringing together 140 countries with all in all about 3000 delegates, children and adults, from the official side, the private sector as well as the civil society, all coordinated by ECPAT with their comprehensive expertise on the issue and their commitment to bring mere words to action (ECPAT International (F), 2015).

To provide some guidelines for the global network of stakeholders committed to ending CSEC, they issued the “International Strategic Directions 2012-2015” with key objectives to be achieved, most of all the fostering of advocacy of the affected children themselves, for example with their “Youth Partnership Project” and a delegation of adolescents and children from all the active regions of ECPAT in the “ECPAT International’s Child and Youth Advisory Committee” which is also involved in ECPAT’s Executive Board of Trustees. They expanded the programme, which was initiated in 2009 in the South East Asian Region, to all in all 13 countries. It is aimed to empower affected youths to act as motivators, supporters and advocates for their peers and has proven very effective, since the ‘victims’ are necessarily those with the most comprehensive understanding of the repercussions of CSEC, and of course with the highest commitment towards actual change. This commitment is channelled through the EICYAC, which gives them a voice in actual decision-relevant spheres, mobilizes the necessary support from the community and thus is hoped to generate a kind of ‘snowball effect’ by empowering more and more children to understand their role and power potential in the fight against CSEC (ECPAT International (G), 2015). The most important effort during the last decade, which ECPAT had a crucial role in, was raising the awareness towards the issue. Lobbying and campaigning of both renowned international and smaller national or local organizations have led to an increased global consideration and an active participation of the tourism industry in solving the problem.

For effective intervention, cooperation on all levels is crucial; therefore the WTO established the ‘Child Prostitution and Tourism Task Force’ in the framework of the first World Congress against the CSEC, which is aimed at bringing together official international and national organizations as well as the private sector, NGOs and – becoming increasingly important - the media. Their joined actions comprise campaigning as well as an extension of the information and reporting infrastructure by involving the media and providing standardized guidelines for the tourism industry and trainings for both tourism professionals and youth at risk on how to handle CSEC in the destination (Beddoe, Hall, & Ryan, 2001).

On the European level, the total of 47 member states of the Council of Europe signed the so called ‘Lanzarote Convention’ of 2010, which intends to criminalize all kinds of sexual abuse of children without exceptions and monitor successful law enforcement and specific measures annually (Council of Europe, 2014); (Lanzarote Committee, Council of Europe, 2015).

Germany, Switzerland and Austria joined forces to set up a campaign called 'Don't look away – www.stopchildsextourism.ch' with the support of ECPAT Switzerland together with the Federal Office of the Police and the tourism sector to raise awareness and provide a reporting platform in several languages to engaged civilians (State Secretariat for Economic Affairs SECO, 2013). Further European countries are already considering getting involved as well (State Secretariat for Economic Affairs SECO, 2013). The initiative is part of the global 'Tourism Child-Protection Code' which has been ratified by almost 1'000 companies in 40 countries (Stiftung Kinderschutz Schweiz, 2011).

A measure from side of the United States is the 'Trafficking Victims Protection Reauthorization Act' which was called into life in 2003 and classifies countries into tiers according to their compliance with standards for the elimination of human trafficking - with Tier I resembling full compliance – and legally stipulating the provision of data on the affected nations' measures to attain the best possible tier ranking (Department of State, United States of America, 2014).

8.2. Industry measures

As the issue of CSEC has specific characteristics within the tourism industry, a response of the latter is indispensable. Hence a collaboration between committed local and international NGOs – most prominently ECPAT - and the business sector have developed 'The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism', a framework called shortly 'The Code' to promote understanding from both demand and supply side in the tourism industry, as well as to provide tools for action. This multi-stakeholder initiative is considered a best practice example with the support of many national governments as well as the UN and has been made a prerequisite for sustainability in several countries (The Code, 2013). The whole program is funded by governments, foundations, but also from membership fees which are paid by the participating businesses, which are supposed to represent the main money source in future (The Code, 2014). By ratifying The Code, a business commits itself to combat the practices of CSEC by establishing a corporate policy considering the issue, training their staff in both sending and receiving country on how to handle cases, closely monitor their suppliers on their practices concerning prevention and fight of CSEC and provide information to key stakeholders, most prominently of course their clients, with annual reports confirming the undertaken efforts and their effectiveness. The various kinds of participating tourism industry organizations like tour operators, the accommodation sector or transportation enterprises have adopted

suitable policies for their businesses established by their respective associations. It is however important to consider that a ratification of the Code does not ensure that the destination is safe from practices of child abuse; it does only ensure the respective company has committed itself to undertaking their best possible effort for fight and prevention (Tepelus, 2004).

Aside from The Code, 'Child Wise Tourism' is another important programme which intends to bring together the travel industry with experts in the field of child protection to foster an environment free from child exploitative incidents (Beddoe, Hall, & Ryan, 2001). Established in 1998 by the Australian NGO Child Wise, the program aims at an elimination of the growing trend of Australians to abuse children on their travels to the South East Asian region, believing such a crime committed abroad would not have the same legal repercussions than it would in Australia. The program has been implemented in the most endangered South East Asian countries, under inclusion of and adaption to local peculiarities and involving all relevant stakeholders from the travel industry as well as official bodies and the civil society (Child Wise, 2015).

Policies are of course not enough, as in the end they are only some kind of document and do not necessarily induce action; therefore putting those policies into practice is of utmost importance. Staff members in hotels should, for instance, be trained to monitor their guests in a systematic way and directly report suspicious behaviour (BBC, 2011). The Code supports its implementation by providing Local Code Representatives and several online tools such as a CRM system, training modules and a reporting platform (UNWTO (F), 2014). ECPAT has developed those Online Training Modules on child protection for tourism professionals with the monetary support of the European Union; they can be freely accessed and absolved in several languages. The modules provide specific information on child safe practices in the respective working environment, be it a tour operating company or a hotel (ECPAT Deutschland e.V., 2013). They should under no circumstances look away due to bribery or fear of scaring away customers and must therefore be convinced of the much higher benefits of child safe practices in the end. Furthermore they must obviously be trained on how to detect 'suspicious behaviour', and how to react in such a case.

Of course the travellers themselves need to be activated by the travel industry as well; thus, for example, the renowned hotel chain Accor is seeing that there are constant awareness-raising activities such as posters or even events in their hotels (Robertson, 2013). An organization for dedicated travellers as well as travel companies, where they can find

information on sustainable development in touristic destinations and how to make a positive contribution, is Travelers' Philanthropy. The organisation provides quite a number of community-based projects for supporters to choose from (Travelers' Philanthropy, 2008). The initiative launched by "Business Enterprises for Sustainable Travel" connects travellers to engaged tour operators who want to use the positive development effects of the tourism industry for sustainable community development. Thus they help tourists who are unsure about how to make a contribution on site or in form of a donation, which they even help them with in terms of tax-deductibility (Center for Responsible Travel (CREST) (B), 2014); (Center for Responsible Travel (CREST) (A), 2014).

A very ambitious effort to engage the accommodation sector is a programme launched by "Business in the Community", which is called the "International Tourism Partnership". The initiative encourages leading hotel chains' to act as role models concerning CSR and provide the industry with best practice examples. So far, according to the program director Mr Stephen Farrant, the initiative has accomplished to engage 23'500 hotels with around 1.5 million employees (UNWTO (G), 2014). Specific sustainability issues such as human trafficking and child exploitation are approached by working groups. To empower youngsters, the ITP together with participating hotels launched a programme called the "Youth Career Initiative", which is aimed at providing marginalised youths in the age of 18 to 21 years - who might otherwise even end up on the streets - with the necessary skills to take on jobs in the hotel business, and it is conducted over a time span of 6 months. Thus the initiative grabs the issue on its very roots in so far 12 countries, as it is offering minors a realistic opportunity, a choice for the future. After roughly one month, the vast majority of the students already found a job in the service sector. In a joined effort with the US Department of State, former victims of human trafficking are reintegrated into the job market. In Mexico City and Hanoi, 20% of graduates in the business industry were trained by this programme, showing the enormous potential of such initiatives, which additionally generate committed ambassadors against human trafficking (UNWTO (F), 2014); (UNWTO (G), 2014).

A possible approach to tackle CSEC would be to make use of 'Social Marketing', which is a campaign intended to bring about positive social change. Such marketing campaigns have clearly defined objectives to ensure an evaluation in the end in terms of the overall process, the final outcome, the impact on society and stakeholders as well as the ethical factor. As distinguished from commercial marketing efforts, social marketing is focussing on the

audience rather than a product, using communication as a tool to sell ideas and perceptions and to achieve a behavioural change for the benefit of the audience or society (Weinreich Communications, 2006).

So far, the most comprehensive marketing efforts were only aimed at increasing awareness about the occurrence of CSEC. Objectively, they have been successful in most cases, but increasing awareness can not be the only step taken if the issue should actually be resolved sustainably. Therefore, more holistic approaches have to be considered, identifying the very roots of the problem, like poverty, inequality and a lack of empowerment, and tackling it from there. The problem here is that the most active actors in this regard are often organizations short on resources to properly research, implement and evaluate measures more than superficially and for the short-term (Beddoe, Hall, & Ryan, 2001).

8.3. National measures

8.3.1. Thailand

When we talk about sex tourism, South East Asia is still one of the first regions that pop into mind. Especially Thailand has, ever since the time of the Vietnam War, become a destination that is actually sought for its red light industry. Children are becoming increasingly 'popular' in that regard, urging the police to take preventive measures (Rivers, 2010). But the country seems to be waking up. Laws against sexual child abuse persecute not only abusers, but also third persons like brothel owners or parents who engage in human trafficking by offering their own children for sale (Beddoe, Hall, & Ryan, 2001). Since 2008, human trafficking is prohibited by law and imposed with a punishment of up to 10 years, and the so called "Anti-Trafficking Act" even substantiates claims from the victims against their abusers and set up a government fund intended on combatting the issue. The government developed further the National Policy Strategy, a five year plan to be accomplished by 2016, which is aimed at tackling human trafficking. They admitted that their coordination and especially cooperation with relevant stakeholders, whether prosecutors, potential or actual victims, or passive actors, to efficiently enhance the status quo have been very weak so far. Now they are undertaking more measures especially on training the latter to be aware of and attentive to possible victims of human trafficking, who will be provided with assistance regarding their recovery and reintegration in the aftermath (Academy for Educational Development, 2011). Significant progress has been made in terms of raising awareness towards the issue as well as increasing prosecutions and convictions of human trafficking

offences. (OHCHR, 2014). But still there remains a lot to be done beyond 2016, the efforts have to be continued to achieve sustainable and long-lasting change.

In a try to solve the growing problematic in outstandingly notorious sex destinations like Pattaya and Bangkok, entertainment facilities are to be located in specifically determined zones, where the business can take place in a controlled way; whereas establishments outside the zones will be closed down. The problem with this approach, as effective as it might seem at first sight, is the predominant corruption within the Thai police body, who will thus gain another opportunity to gain some money backhandedly through secret arrangements (Beddoe, Hall, & Ryan, 2001).

8.3.2. Cambodia

Cambodia has a real problem with human trafficking, with ages of victims even decreasing. One of the poorest Asian countries due to its history involving a genocide by the Khmer Rouge leaders between the years 1975 until 1979 has left a society stricken with inequalities, as well as a highly corrupted police body. But efforts have been undertaken in the past to regularize the red light sector to make it more controllable and take away a bit of the potential for abuses by providing commercial sex workers with basic rights as well as access to health and child care and security, categorizing it now under Tier 2 of the watch list of the US Department of State, which is consistent with “significant efforts” (Ryan, 2014), (Beddoe, Hall, & Ryan, 2001). Establishments must fulfil several requirements to be issued a ‘tourism license’, to get away from Cambodia’s immanent image as a sex destination and redirect tourism into better channels. With rising awareness and increased efforts, the actual scope of the issue becomes evident for the first time; during a time frame only covering little more than half a year between 2000 and 2001, there had been 58 reported rescues of minors who were victims of human trafficking and more than 200 calls concerning cases of sexual exploitation on a purposely established hotline. Hence the Ministry of Tourism joined efforts with local NGOs to elaborate training practices and policies regarding the protection of children from CSEC especially in the tourism sector. In Cambodia, Human Trafficking is prohibited by law since 1996 and is prosecuted with up to 20 years of imprisonment for abusers and third persons (Beddoe, Hall, & Ryan, 2001). A problem Cambodia has to face is the distinction between actual victims of human trafficking and voluntary prostitutes, which constitute quite a number due to the relatively high wages a prostitute can earn in the sex business, making them unwilling to be ‘rescued’ out of this sector and thus complicating efforts against human trafficking (Wallace & Naren , 2014).

8.3.3. Indonesia

In Indonesia, efforts against the CSEC have been very lax so far. Only in 2005, the National Coalition for the Elimination of Commercial Sexual Exploitation of Children, pooled its resources under the umbrella of ECPAT and started to address the problem with a strategic plan on a national level under inclusion of several stakeholders like local group members, NGOs, experts on the legal framework and a university (ECPAT International, n.d.). Legal obstacles to a law against the CSEC comprise among others the problems that a married girl is no longer counted as a child and boys are excluded from consideration (Beddoe, Hall, & Ryan, 2001). Efforts are taken to bring back awareness to travellers - who tend to become obnoxious to legal and moral abysms when under the influence of the 'holiday culture' in a country where the sexual restrictions seem to be non-existent at first sight - by extensive campaigning especially against the predominant opinion that it is actually a good deed to engage in CSEC in exchange for money. They often think the benefit – in monetary terms – would exceed the harm in the end and the fact that the children often approach the tourists themselves indicates that everything happens in mutual agreement (Bachelard, 2014). The AFP has joined efforts with the Indonesian police to tackle the growing problem of especially Australians sexually abusing children in Indonesia during travels - often facilitated by expats already living there - , but efforts are still way too weak and the fact that in Indonesia, talking about sex is still a taboo is further impeding the fight against the CSEC, and between 2009 and 2012, there have only been 2 convictions of sex offenders. Efforts come mostly from local NGOs like Sacred Childhoods, working with locals to recognize and prevent child abusive situations (Snowdown, 2012).

8.3.4. Brazil

In Embratur in Brazil, the tourism sector has tried to campaign within the accommodation sector by using large and easily visible posters aimed at not only the bad conscience, but much more at the fear of persecution by calling into mind that illegal actions in a destination country are still punishable. Moreover, they equipped several hotel rooms with a Do Not Disturb sign carrying the police hotline to report cases of CSEC; unfortunately, the resources to cater to respondents were not sufficient, as the scope of the problem proved to be much larger than initially expected (Beddoe, Hall, & Ryan, 2001).

During the World Cup preparations, the host city of Ceara was undertaking immense efforts to clear the city streets from prostitution, especially related to children, by raiding the red light district and increasing awareness and inhibition towards child exploitation and

specifically child sex tourism (Rogers, 2010). But in this country, where prostitution in general is legal, it has not been a major issue so far to tackle child exploitation. The tourism industry is even quite involved – for example through drivers - in providing tourists with children. The government has dedicated a humble US\$ 3.3 million to the fight against the CSEC, but most efforts come again from side of NGOs like UNICEF, providing a map to the next police station where suspicious activities can be reported, or the European campaign “Don’t look away”, providing a Brazilian phone number for reporting cases of child abuse (Kuruvilla, 2014).

8.3.5. Colombia

In Colombia, the Colombian Institute for Family Welfare has joined forces with the local police to have a higher police presence on Medellín streets and even security observation by cameras in areas prone to CSEC (Corbett, 2014).

8.3.6. Uganda

An interesting approach comes from Uganda, where the International Organization for Migration has collaborated with the Government of Norway to make use of the tremendous technological advance in recent years and develop a system enabling smart phone users to collect, store and access data on trends and patterns of human trafficking, specifically of children anonymously in an app in order to be able to develop an effective offensive strategy (Department of State, United States of America, 2014).

Other approaches involving technology, so-called “TechCamps” have been started in Phnom Penh, Cambodia, engaging civil society and technology experts and making use of fundings provided by the McCain Institute for International Leadership. Similar camps take place in Mexico as well, where additionally soap operas are adapted to interactive awareness-generating tools (Department of State, United States of America, 2014).

8.3.7. United States

The ‘world police’ is of course one of the actors who should set a good example in the fight against the CSEC. Several national agencies together with foreign governments and the legal sector are closely collaborating on the issue of sexual exploitation of children around the world by American citizens, which is regulated under the extraterritorial law, which provides the country of origin with the authority to persecute crimes committed in other countries around the world, where they might not or at least not sufficiently be punished under the respective legal system of the destination. Counsellors of the Child Exploitation and

Obscenity Section of the United States Department of Justice are trying to bring more expertise to other countries as well by training employees in similar positions engaged with the fight against the CSEC abroad (The United States Department of Justice, 2015).

But as one of the most powerful, most industrialized nations, the US are far from perfect. We would expect children to be safe from commercial sexual exploitation there, but we can repeatedly observe that this is not the case. One of the largest global events, the Super Bowl, has become increasingly infamous as the United States' largest trafficking event, not even sparing children the horrors of forced prostitution. Demand for sex is increasing significantly during the sports event, making human trafficking a valuable income source (Goldberg, 2013). The "market" is actively targeted and attracted by advertisements promoting prostitution. The children, who are mainly girls, do not necessarily come from another country; they were often hijacked from the area beforehand (Queally, 2015). About 25% of the 70 victims rescued during the 2014 Super Bowl in New Jersey were minors; even parents are often involved in this highly profitable business, travelling to the event to sell their children's bodies. The FBI is, however, committed to fight the skyrocketing numbers of human trafficking incidents during the Super Bowl by campaigning and engaging the travel sector as well, putting up trainings beforehand to achieve a high-alert status among involved parties (Winter, 2014). For the Super Bowl 2016, the "Bay Area Anti Trafficking Coalition" (BAATC) was called into life, making use of past experience, to already put heavy efforts in the prevention of human trafficking prior to the actual event, and not forgetting to take proper care of the victims in the aftermath as well as ensuring a quick prosecution of their perpetrators (Scheinmann, 2014). A highly sexualized society facilitates exploitation of minors simultaneously with the increase in the overall sex business; so-called playboy parties are the perfect place for traffickers to meet their "target market" and directly approach potential customers (Anderson, 2015). However, real evidence of the persistent claims that around the Super Bowl, – like any other major sport event – incidents of human trafficking might increase, is hard to find. Accurate numbers are not available anyway, and the perceived skyrocketing presence of human trafficking could be a result of increased publicity, excessive campaigning and the many advertisements – which might be for usual prostitution as well, which does not necessarily involve any kind of force (Carroll, 2015). It can nevertheless be assumed that with an increase of tourist influx, sex tourism should be favoured as well, and thus, the risk for children of being exploited commercially rises.

9. Outlook and recommendations

9.1. Rising awareness among industry and clientele

9.1.1. Importance of CSR as a USP in the tourism industry

It is becoming increasingly evident, that sustainability has experienced a shift from a mere term rather derided than being contemplated seriously as a strategic business dimension. That might be due to the association of the word with ecological radicals sitting on trees rather than the underlying responsibility that is inherent to any player in the global game to secure sustained welfare and – concerning businesses – is not at all opposed to a profit-driven approach. With a de-abstraction of the term to the more feasible “Corporate Social Responsibility”, which specifically addresses the private sector, the economic and – of utmost importance – the social factor are openly included besides the ecological, “green” component as well, which takes away a bit of complexity and makes the issue more tangible to deal with.

A factor that is nurturing the upcoming trend to include CSR in the overall corporate strategy is definitely the increased public awareness and connected scrutiny for violations in all fields of sustainability, but most prominently in the social field, when it comes to violations of human rights, as it can be remarked positively that the broad civil society is more and more concerned with equality issues (Cole & Eriksson, 2011).

The willingness to engage in CSR overall and specifically in actions against CSEC in the travel sector is definitely and provably given; but the motivation must be fed with adequate trainings to translate it into effective measures; therefore the industry has a responsibility to initiate proper trainings for their professionals. It is crucial to adapt trainings to the cultural peculiarities of the respective environment and include local stakeholders rather than taking place in the same “bubble” that fails to consider the differences of host and home countries and their nationals that among other factors already led to the concerned issues in the first place. Moreover, training efforts must be continuous and not timely limited, as progress in such elemental issues can only be achieved slowly and step by step to be sustainable and not only short-term (Beddoe, Hall, & Ryan, 2001). As already mentioned earlier on, another important consideration is the fact, that relevant tourism businesses are unfortunately operated by westerners in most cases, who return their profits to their respective home countries rather than investing it in community or destination development. Those companies do of course lack the profound understanding of a destination’s problems, opportunities and threats, as long as they are not obviously and directly linked with the

business strategy. Local tourism businesses will aspire to contribute to their community, which is a basic prerequisite for the benefits that are often attributed to tourism. A switch in priorities must take place to make tourism what it is always praised to be; a contributor to overall welfare in host and destination countries. Therefore profit-driven operators have to be convinced that CSR can actually positively influence the bottom line, a fact that has continuously been proven in recent years, even by the renowned Harvard Business School which benchmarked businesses which had been having policies similar to today's CSR trend since the 1990s against others which had not. The outcome of the study was that the former outperformed the latter (CREST, 2014).

But the perception that CSR can increase the bottom line has a downside, too; many businesses only see CSR as a marketing tool; an opportunity to be exploited in the most PR-efficient way to drive profits up. Strategies are superficial and implemented with the intention to benefit the business, not the community. Enormous opportunities are not being utilized to their fullest, and CSR is at risk of becoming a meaningless term as everybody makes use of it but only a small portion of companies use it right to generate a win-win situation. Without the holistic view, due to the omnipresence of the word CSR and its linked jeopardy of decreasing value, the 'tool' might only be seen as an unnecessary extra-investment, extra costs more specifically, and not further investigated at all anymore. But research has shown repeatedly that it can – especially in the long term – contribute to improved productivity, as it raises employee satisfaction due to their feeling of doing something meaningful with their job. As it is following current customer trends, it will appeal to clients as well and might attract them in higher numbers, making CSR a real competitive advantage. Sustainability will in the long term secure business in terms of external factors, as they are anticipated properly and hence risks can be minimized (CREST, 2014).

To acknowledge the utmost importance of sustainability especially in the tourism industry, where it is crucial for destinations to be managed properly to ensure they will remain attractive in the long-term, the Global Sustainable Tourism Council has developed a set of criteria for destinations in 2009. Thus a certain support is given to destinations and their respective governments to identify potential for sustainable development by a clear framework of guidelines, and there is a first step for a general certification system offering consumers and intermediaries the possibility to easily evaluate destinations regarding their sustainability (Global Sustainable Tourism Council, 2013).

9.2. Tourism as a driver for growth and development

It is clear that tourism as an industry harbours tremendous opportunities for development especially for less developed countries. It does not necessarily require large investment; a tourism business can be started with just a nice landscape or a rich culture and without specific skills. Therefore the tourism sector is at first the only way for many regions to establish an export industry and improve their balance of trade. It does need little input and access to the tourism industry is universally free as there are no trade barriers imposed on tourism activities (Sharpley, *Tourism: A Vehicle for Development?*, 2002). After being established, the tourism business is as any other a job provider for the local community, and thus naturally fostering education as well, which is as I stated earlier one of the main fields which can, if properly developed, prevent an environment prone to CSEC. What differentiates tourism from other business sectors is that it is highly extensive in low-skilled labour as well, providing an important opportunity for women, children and other disadvantaged or even marginalized groups. They can achieve a higher status in the community they would otherwise never reach. An empowerment of women and children can in the long term significantly affect community development, as their opportunity to develop entrepreneurial skills provides them with an incredible boost in dignity and empowerment, which makes them less dependent from their male counterpart and can break traditional boundaries leading to marginalization of women and children in the first place, but can as well combat the issue of determination of status by birth, which is still depriving a lot of people in different nations from basic life opportunities. But there is still a long way to go, as in most developing nations, business owners must necessarily be male, and thus the potential of the female workforce can not be fully exploited so far (Cukier, 2002).

Jobs in the tourism sector are comparably more pleasant and often better paid – since tourism businesses are often owned by foreign investors - as in traditional, physically demanding businesses occupied in developing countries, like farming or fishing. As tourism does not only provide jobs in direct employment, but also needs expansion in other, supporting sectors, the indirect employment effects are considerable as well, as are the effects achieved by the increased circulation of money in a tourism system, called the tourism multiplier effect. Diversification and integration is fostered enormously (Cukier, 2002). Thus the economic engine would in the best case be fuelled, poverty could effectively

be tackled and overall welfare would be likely to increase over time. For tourism jobs, which can be found in both rural as well as urban areas, migration streams could be more balanced again as there would not be such an urgent need for youth to wander to urban areas in order to find employment anymore. That way income equalities, which are predominant in rural areas, could be lowered and population could balance itself. As the tourism industry necessarily extrapolates a whole new market, that of the tourists, there is a new outlet for local goods as well, thus further driving economic growth and floating money into treasury, which can again be used for infrastructure enhancements to further foster tourism and other industries as well as preservation and extension of cultural heritage; therefore it is evident that tourism per se is not destructive to a foreign culture theoretically. Especially if companies are operated by locals, this development translates into extensive empowerment among the community as well as sustainable development, as locals will mostly strive to develop their home and make a positive impact on the destination. Hence community sense and cohesion will be fostered, leading to a large increase in overall welfare and dignity of inhabitants of a community, values that can not be measured but can lay the foundation for tremendous damage if they are missing (i-to-i, n.d.).

As noble and as perfectly logic as it may sound in theory, as completely different does it look in reality; most relevant tourism businesses are operated by foreigners rather than locally owned, who are in possession of way more and more advanced resources, thus driving local companies out of the market and pooling oligopolistic power in the hands of a small elite which does in most cases not primarily strive for a positive development in the destination, but rather profit maximisation and repatriation into their home countries. Concluding this development it becomes evident that tourism is still seen as a business rather than the system it is, interlinking various stakeholders across all levels and national boundaries. Before that prevailing opinion is not reviewed, tourism can never be the driver for sustainable growth it was originally supposed to be (Cole & Eriksson, 2011). It is important as well to define 'growth' in the first place; many businesses are continuously confusing profit with growth, the latter of which can mean increased welfare due to more equality and less poverty as well, which are actually way more sustainable drivers with spill - over effects on other business – related factors (Sharpley, *Tourism: A Vehicle for Development?*, 2002).

A lot of tourism development can also lead to very negative forms like the feared mass tourism, which is notorious for its destructive effects on destinations and its environments, especially in ecological and cultural terms. For the community, increased streams of tourists

or even migrants from poorer areas lead to decreasing welfare due to stress, consumerism and loss of dignity as their homes are getting 'invaded'. That leads actually to one of the reasons why tourism often fails to operate as a tool for positive development; when it is initiated, it often starts growing exponentially and in an unregulated way; especially since an informal parallel sector – lacking important control mechanisms protecting locals and employees - is in many cases developing simultaneously as well. The so called 'economic duality' is quite considerable, as almost half of the workforce in developing countries are employed in the informal industry branches, which is fostering an uncontrolled environment in which human rights abuses can take place, even though the informal tourism sector is still perceived to offer higher status due to the inherent connection with the western world (Cukier, 2002).

Governments in developing nations often lack the know-how and expertise to control and contain the tourism industry in within reason. Consequently phenomena like mass tourism can occur and destroy a destination; if governments or Tourism Organizations were better trained to market to the right segments, such problems could be avoided. In the best case, which is mostly true for industrialized nations, tourism is a social activity with an – hopefully positive - impact on the economy. In developing countries it is often unfortunately the other way around, as they are rarely sending, but rather receiving nations. They fail to develop other industries as well, which leads to an excessive dependence of the destination from the highly volatile tourism sector, which can have detrimental effects in case of disaster, like we are still experiencing in areas like Egypt where the vital contribution from tourism has been hitting rock bottom because of the economic instabilities all over the Middle East (Murdock, 2014); (Holloway, 2006).

Even if there are increased efforts to integrate CSR in tourism businesses, they are mostly not all that noble as they might seem at first sight; they are aimed at increasing the bottom line and mostly directed at the tourism factor itself, still neglecting the broader picture of integrated destination development by involving the local community in a mutual exchange (Sharpley, Sustainability: A Barrier to Tourism Development?, 2002). Such an approach would be Community Based Tourism, which aims at involving the affected community to make the most out of the tourism industry; by developing a tourism industry whilst considering the economic, environmental, social and cultural needs of a destination, the sector can be established in a stable, sustainable and most likely highly effective way. Such a grassroots approach empowers local inhabitants to actively take part and support tourism

rather than opposing it, an attitude which could have detrimental impacts on business as well. This empowerment is crucial for a positive development, as with the newly gained confidence and self-esteem, people will feel more entrepreneurial and will be more likely to ambitiously strive for a successful education. Cohesion among the community will be increased, whereby of course cases of CSEC like other issues will become less and less likely, as people will care more for each other's welfare. Economically, money is redistributed in the destination, creating win-win situations as it is reinvested in infrastructure and services from which both tourists and locals can benefit. What is highly important is the political factor as well; when communities start to take part in political decisions and feel like they have a vote, a voice, they will feel empowered to actively engage in the fight against CSEC as well. Especially children do not feel able to advocate for themselves so far in many cases. Including all stakeholders will lead to a much deeper understanding of the tourism industry in general and the best development opportunities in a destination. Only with the support of the local community, pull-factors like culture can really be retained. For this to work, locals need to understand tourism as well, as in developing countries, almost no inhabitant has ever experienced tourism first-hand at all; if they are to establish own small businesses, they need to have basic knowledge about the economic peculiarities of the service sector (Timothy, 2002).

Cooperation is key; only if the community is engaged in the tourism activities, the benefits of the tourism multiplier can be used to its full amount and the leakages out of the system can be minimized. Approaches here are for instance the shifting to a supply chain, which is based on local products and services to the highest extent possible. Furthermore infrastructures should be expanded with a view on the local requirements rather than regardless construction for foreigners. With an involvement of the local community in decision processes, a win-win situation can be created here. Thus it can be assured as well, that infrastructures are not only developed for western needs and eventually attracting the detrimental tourist type, the mass tourists, completely oblivious to cultural peculiarities and sustainability.

Marketing to the right target group is crucial as well, as the type of tourists visiting a destination shapes the destination image and development as well as requirements on the supply chain to a substantial extent; mass tourists demand western facilities and products, thus again fostering tourism multiplier leakages and hampering a maximization of benefits for the community, whereas responsible tourists will aspire to "experience" the destination by

consuming local goods and being considerate of local culture (Lacy, Battig, Moore, & Noakes, 2002).

Concerning the specific case of CSEC in the tourism industry, partnerships should be established not only between the public and private sector, but also involving NGOs, which have been the most engaged actors in the fight against child exploitation so far. As the problem already exists, the first step has to be to raise awareness among key stakeholders who have the power to make a difference, mainly tourism employees and tourists themselves. Then the principal causes of CSEC can be approached; under inclusion of the general sex industry as well, as if controlled and monitored, they could operate within a clearly set framework where there is no room for child exploitation. Furthermore, industry leaders must use their power and influence to lobby for child safe practices and increased funding for properly researched and implemented measures, which will be effective in the long-term and not ephemeral due to undersized budgeting. Only a profound understanding of the issue can eventually lead to effective prevention and thus improve the tourism business overall (Beddoe, Hall, & Ryan, 2001).

As already elaborated earlier, the tourism infrastructure is unfortunately one of the facilitators of CSEC. That is of course only because of the lack of a holistic view on tourism development and the impacts in short – and long – term. With due diligence, a successful community development can go hand in hand with an expansion of the tourism infrastructure in a destination. It only takes an integrated approach, based on sustainable goals rather than mere greed; tourism can, with an adequate usage of the tourism multiplier, significantly contribute to poverty alleviation and positive economic growth by providing a significant amount of jobs both directly or indirectly linked to the tourism industry, and thus have effects on educational development in a destination as well. Not to be neglected is the positive impact the western exposure could have on a destination in the best case, even though the opposite has been true in many cases as well. But the adaption of western values such as the equality of men and women can bring significant change and improve overall welfare in a destination sustainably; and CSEC can be fought way more efficiently if the roots of the issue are eliminated. With proper training and information of both tourism staff and their clients, a first step into the right direction would have already been done (UNWTO, 2014).

9.3. Growing international cooperation

Cooperation is crucial, not only between levels, but also across national borders. Especially in the tourism industry, players involved come from many different countries, and when it comes to CSEC, the offender and the victim do in most cases not share a nationality. There arises the problematic of authority; which country does provide the relevant laws and policies under which the criminal act is to be persecuted? What happens if the offender disappears to a third country? Is it possible to evade conviction?

One of the issues of CSEC is that law enforcement in developing countries, where the exploitation of minors by tourists mostly takes place, is too lax. A reason here is the fear of decreasing tourist arrivals if laws are tightened, as child sex tourists would probably just go to another destination where criminal prosecution for such an offense is not as likely. Thus a kind of a very sad “race to the bottom” of poor nations can be induced, undercutting each other and providing tourists with “safe havens” (BBC, 2011). Those countries have to understand, that providing less regulation can never be a sustainable USP, and that they have to shift their focus on other kinds of tourism to generate foreign exchange. A crucial role for international cooperation falls of course to embassies and consulates, which should be highly engaged in tracing their own nationals for any involvement in CSEC and pushing extradition and conviction in such a case. Unfortunately the reality has been quite the opposite in many cases, when embassies were highly active in inducing a release of offenders in the host country without taking care of a subsequent conviction in the respective home country (Beddoe, Hall, & Ryan, 2001).

If international cooperation is conducted efficiently, not only between governments, but also between international NGOs and other stakeholders across borders, the formerly discussed issue of undersized budgets for efficient measures against the CSEC can be approached; if international actors would strive for pooling their resources, economies of scale as well as economies of scope can be exploited not only in terms of monetary resources, but also expertise of several levels and areas, which is of utmost importance. So far, data and information exchange has been disgracefully neglected, and the tremendous chances of generating a holistic view on the issue based on various different inputs has not been made use of sufficiently. In case of the international police, cooperation should be facilitated and optimized through the establishment of the international police department INTERPOL, but here as well a lot remains to be done. As the Convention on the Rights of the Child was almost globally ratified, the actual implementation of the theoretical framework needs to be

more closely monitored and more determinately pushed by international institutions (Beddoe, Hall, & Ryan, 2001).

Collaboration should also comprise an integration of the international tourism industry with the local tourism potential, that is involving local stakeholders in the supply chain instead of consolidating and vertically integrating tourism businesses to an extent which leads to leakages in the tourism multiplier out of the destination back to the industrialized nations, increasing the gap between developed and less developed world further (Higgins-Desboirolles, 2011).

To activate international actors and prompt increased international cooperation, the Council of Europe has formulated a set of principles in the context of the Lanzarote Convention of 2007. The Convention argues for the action and collaboration in the fight against and prevention of CSEC as well as the treatment of victims and prosecution of offenders in the aftermath under a set of uniformly agreed laws and regulations to circumvent the issue of internationally differing legal frameworks. Transboundary legal assistance in cases of CSEC is strongly recommended as well, whether a bilateral base for such is already given or not, in which case the Convention is to be taken as a foundation for collaboration. The development of third states regarding the fight against CSEC is to be integrated in foreign aid efforts as well (Council of Europe, 2012). Compliance with those principles is supposed to lead to an overall improvement in international cooperation, information and data exchange and hence the development of integrated approaches under consideration of many various viewpoints (Lanzarote Committee, Council of Europe, 2015). Courts in charge of cases of human trafficking should be specialized, as they put high requirements on the handling of victims and witnesses who might out of various reasons have enormous difficulties in speaking out, be it trauma, cultural difference or language barriers. To ensure especially the victim is not further or even re-traumatized, those cases should only be handled by professionals, ensuring appropriate assistance to the victim. Of utmost importance is to take into account the instability of a victim's psychological state; therefore excessive or even cross-examinations should be avoided under all circumstances, and all efforts should be undertaken to provide them with security. A best practice example here was set by the government of Canada, which joined forces with NGOs to provide proper assistance to victims via the so-called Victims Fund. The latter is taking into consideration the special needs of victims, especially children, to avoid further traumatization by unqualified handling of the cases as well as give them access to legal support in the first place, be it by

information or by monetary aid (Department of Justice Canada, 2015); (Department of State, United States of America, 2014).

In Article 8 of Convention No. 182, international cooperation and extraterritorial law is strongly demanded by the ILO as well, to ensure a positive global development and the extinction of exploitative labour practices by tackling underlying issues like poverty and a deficient educational system (International Labour Organization, 2008).

The most prominent global tourism institution, the UNWTO, established the Task Force for the Protection of Children - which is today referred to as the World Tourism Network on Child Protection - in 1997 to engage multiple stakeholders across institutional and national borders, like governments, NGOs, national and international organizations and, nowadays of utmost importance, the media, in the fight against exploitation of children in the tourism industry (UNWTO, 2014).

Concluding it can be said, that international partnership is a crucial part of the effort to eliminate CSEC. All stakeholders must be involved, to ensure a multi-faceted view on the issue in the end, which could lead to more innovative and more sustainable approaches than those which have been explored so far and not proven as effective. Collaboration generates economies of scale and scope, thus expanding the sphere of influence and impact enormously and making sure the efforts can be sustained in the long term as well, which is often not possible if the operator is a small NGO with a lack of necessary resources, especially the monetary means (World Vision International (G), 2014).

10. A New Social Contract and the Redirection of Civilization

After all the analysing it becomes evident that the issue of CSEC in the tourism industry is not to be seen as an unattached problem, but rather as a multidimensional complex of interlinked factors; an interplay which is enabling the phenomenon in the first place. This being said, approaches which only handle the issue itself, quasi the outcome, the symptom of a much more intricate network of deficiencies, can never be successful in the longer term.

Overarching international institutions like the IMF, which might harbour the power to make an actual change by providing their credits to foster economic growth and the development of a country to a prospering and self-sufficient industry nation, do in most cases not take into account the social factor and more importantly the general objective of sustainable, stable development; they rather endeavour means that have proven effective before for nations like the United States, which are not par for par applicable to each and every nation. Measures have to be taken under a holistic forecast of their effectiveness not only in economic terms - and most importantly not in terms of their benefits to already industrialized countries – but rather take the big picture into consideration as well. The states should not be let alone with the responsibility for community development and welfare improvement, as many of them do not dispose of the necessary know-how to do so, leaving them helpless and overcharged, trapped in an endless vicious cycle of ineffective measures leading to more deficiencies. Global responsibility must be acknowledged and met, and states which are better off are not to detach themselves from the misery elsewhere (Cole & Eriksson, 2011).

An overall reconsideration of the very definition of 'growth' has to take place, as the view of exclusively the economic facet is extremely narrow-minded and does not even necessarily lead to actual growth, as purely economic measures which are not taking into account the social and environmental perspective are unlikely to sustainably increase overall welfare in a society. Only where people can live in freedom and dignity and can meet their inherent, basic urge to be capable of self-containment, real growth can take place. Development must include at least the dimensions of social, economic, political, cultural and ecological change, whereas those can have very different manifestations according to the referring society with its peculiar values; therefore there can never be "the one" solution (Sharpley, *Tourism: A Vehicle for Development?*, 2002).

One thing that has proven to be beneficial though is the system of a democracy, where the people is involved in decision making processes and political leaders are constantly under pressure to not abuse their power. Thus redistribution of wealth among the society should – in theory – be fostered, which is of course not working to perfection in reality (The Equality Trust (B), 2013).

Furthermore the basic issue of inequality all over the world is one to be tackled immediately, as it is one of the main causes for all kinds of evil such as CSEC in particular, but also it has been proven that health and social problems in general are far more likely to occur in unequal societies. Especially problems that have been discovered as facilitating the occurrence of CSEC are fostered by inequality, such as drug abuse, education and trust in the overall system (Wilkinson & Pickett, 2009). Moreover, violence and militarism is less likely to take place in more equal countries, and a smaller income gap has shown a positive correlation to development aid spending in relation to the respective country's Gross National Income. Inequality takes its toll on a society's cohesion, when each individual is only watching out for their own welfare, which is of course an environment in which CSEC is more likely to take place compared to a community where people are watching out for each other and appreciate collectivism, values that will spill-over to new generations as well and foster youth's hardship endurance levels as well as their individual advocacy, thus decreasing the possibility of CSEC to occur (The Equality Trust (C), 2015).

Collective action has indeed proven its worth, as specifically related to CSEC, in the Philippines only the outrage of the community led to the conviction of a foreign child sex offender (Montgomery, 2010). Consequently we can assume that a collectivist environment can have a positive effect on child safety, but even more effective is the empowerment of children as individuals inclusively. That way they are enabled to stand up for their own rights and even evolve to active lobbyists in decision making processes. They will be more likely to pursue a profound education, which is key to the elimination of social abysses like the CSEC, as is the confidence they gain to participate in their own fate; they as a group actually affected will most probably have the highest influence on their peers as well as an enormous intrinsic motivation to help end all forms of child abuse.

International institutions should foster the active citizenship of affected parties, as they understand the issues concerning them way better than a global, only theoretically equipped organization ever will. With involved stakeholders taking agency for the elimination of issues like the CSEC, an international culture of transparency and negotiation fitting the era of

globalization can be established rather than an inefficient culture of conflict and isolation with no result (World Vision International (G), 2014). Children all over the world have been taking advocacy to push for a change, when about 1'800 of them in 14 countries stood up to take part in the establishment of the Post-2015 Development Goals, which should focus more on eradicating discrimination and inequality, as well as foster more participation of children in governance, overall child safety and protection and an improvement in education levels worldwide (World Vision International (F), 2013). The 'Gross Enrolment Ratio' beyond basic education is only 80% worldwide, which is still far too low (UNESCO Institute for Statistics, 2011). The Pakistani education activist and Nobel laureate Malala Yousafzai claims, that a cut in global military spending for a period of only 8 days – which would comprise about US\$ 39 billion - would ensure funding for universal secondary education of 12 years (Jamieson, 2015). Approaching those issues would most probably show positive effects concerning the elimination of CSEC as well, as better education has proven to decrease the probability of children engaging in the red light sector significantly, for instance in the Northern regions of Thailand, where the business of child prostitution has considerably lost in scale the past 20 years. The example shows again how important it is to approach the cause, not the symptom of CSEC to attain sustainable change (Beddoe, Hall, & Ryan, 2001).

To take democracy to a new level, World Vision introduced the initiative of "Citizen Voice and Action", which aims to empower communities and its people to actively participate in decision-making processes by keeping up a constant dialogue with their government on matters affecting them. Therefore people are informed and trained properly on their own rights, their enforcement and the legal system applicable to them, which has been shockingly neglected in many places. Additionally they are encouraged to collaborate with other stakeholders to work towards an overall improvement of the system (Chappex, 2013).

World Vision is even positive about the possibility of completely eradicating extreme poverty by 2030 worldwide; with the post-2015 Development Goals just having been adopted, a first important cornerstone has been laid. The goals and indicators are in place, there just needs to be the necessary political commitment to actually achieve them (World Vision International (B), 2015).

Overall, it has become repeatedly evident throughout this paper that societies with less civic empowerment are more prone to occurrences of human rights abuses. During the process of globalization, the world is becoming increasingly aware of those issues, as not only trade is

stretching far beyond national borders now, but also communications and thus human empowerment, which was initially strongest in western, developed regions, is globalizing as well. According to Christian Welzel, human empowerment will increase more easily in 'coolwater areas', which are places where – due to climate - water is not a scarce resource and illnesses are less likely to spread. Thus innovation and development as well as evolution are fostered; a society based on qualitative rather than quantitative values can be established. In such a system, people have more resources to take action for their freedom, and ruling parties will have no choice but to accept and guarantee those rights as any other way would not be sustainable due to the constant threat of civic uprising, enabled by the stronger empowerment of civil society. A system where people take advocacy for themselves will always provide more wellbeing and a higher capacity than a system where human empowerment is missing. Hence a 'virtuous cycle' is initiated, where human empowerment leads to a constant evolution towards a more thriving society, a cycle going on endlessly as perfection will never be achieved. Such a society will place more value on qualitative issues like sustainability and will have the necessary resources to take action for the latter. The opposite is the 'vicious cycle' distinctive for less developed societies, where the lack of resources leads to a smaller valuation of freedom and thus less action, consequently less human empowerment as well. Without pressure from civil society, rulers do not have any motivation to guarantee freedom to their people and can freely pursue their own hidden agendas. Such a system is – even though providing much less wellbeing – stable in its own way. Only pressure from outside, or at least contact with systems in their 'virtuous cycle' - could destabilize it by raising awareness of the actual imbalance and eventually break the vicious cycle, a development which has already begun in the course of globalization and increasing scrutiny of the 'public eye'. Human empowerment is beginning to spread from the western world to more remote areas, uniting people in solidarity and thus exponentially multiplying empowerment again through a collective soul, able to achieve so much more than an individual person ever could. And that is exactly what is needed on a way to a more sustainable, more equal, more just world (Welzel, 2013).

The key is the establishment of a whole new social contract; a new way, our society can function sustainably. Therefore the preservation of human rights and dignity for each and every human being, no matter where they are from, is a necessary prerequisite. The UN Millennium Development Goals, which were to be achieved by 2015, were an important step into the right direction. Extreme poverty rates have been cut in half, and in terms of

education, 90% of children have access to primary education so far. This is of course far from enough; but the Post-Development Goals are already being reviewed, to continue the achievements made so far on a way to a better world by 2030 (UN Development Programme, 2015). Inequalities must be reduced worldwide, with a focus on greater fairness in wealth distribution, which would simultaneously redistribute the overproportional political power of the wealthiest 1 percent and thus give the broader society a say in matters which eventually affect us all. Especially the financial sector must be reviewed for this reason, as opportunistic behaviour, risky investing and especially the already mentioned “hot money”-flows led to financial crises and an increase of the global wealth gap. More transparency and less advantages for powerful players when it comes to financial investments would be first measures for a restructuring in the financial sector, as well as a whole new taxation system, ensuring excessive money outflows through tax evasion and circumvention are no longer possible. Overall, imperfect markets should be hindered by more competition, to avoid monopolies and the resulting power imbalances, which give a handful of people way too much power over the rest. Big global companies should not be favoured, be it in taxation, credit premises or limited liability for damages caused by operations. If we can make the world a more just place, if we can narrow the gap between the global elite and the less fortunate, we could finally have an actual trickle-down effect of the globalization, leading to increased global welfare and sustainable growth (Stiglitz J. E., 2013).

A new social contract would comprise a fair, democratic governance of all states, which will provide their citizens with rights in return for certain agreed duties, each citizen has to comply with (Davidson, 2005). Thus they ensure their inhabitants can live their lives in dignity and freedom, empowered for collaborative action towards a world, where children are free from exploitation.

II. Conclusion

After a thorough examination of the issue of exploitation of children in the context of the ongoing globalization in the broader view and more specifically in the tourism industry, it can be concluded that the problem is way more multi-faceted than visible prima facie.

Most importantly, it is often forgotten to acknowledge the wide range of modes in which abuse of children can take place; thus children can be exploited not only in obvious ways like actual rape, but also more subtly by depriving them of their personal rights by taking pictures without consent, without even having bad intentions in the first place. Therefore as well as in the light of profound analysis it can be concluded that there is no prominent perpetrator profile, but offenders are to be found in any sociological or demographical group with a vast variety of intentions. Highly problematic is the fact that affected children often do not even see their perpetrators as such, but rather as supporters to them and their families. The importance of the latter is one of the prevailing motives for child prostitution, which is seen as the lesser evil and more efficient compared to their other possibilities to earn money. The current situation of victims not even intending to tackle the problem themselves makes it extremely difficult to come to a solution with legal measures. But the fact that the victims do not feel like they are being abused does not justify the exploitation in any way, especially considering the many long term effects abuse has on the affected, like dependence and physical and psychological illnesses as well as social consequences like exclusion from the community, stigmatization, refusal of alternative opportunities to earn money or education.

The fact that especially sex tourism has strongly embedded itself in the tourism sector and that developing countries do not have the same inhibitions as their industrialized counterparts when it comes to child labour, makes the fight against exploitation of the vulnerable significantly more difficult. Having seen that even highly recognized western nations like the United States of America have not been able to completely eradicate exploitation of minors so far, but are on the contrary recording a shocking amount of cases of child abuse themselves, it is becoming more and more evident that taken measures have been rather inefficient in the past. Most efforts have been directed towards establishing and enforcing more severe legal frameworks, but many arguments are showing that rather holistic approaches are needed to reform the whole tourism sector, which is evidently mainly driven by profit-oriented motives and therefore putting the welfare of receiving destinations and their residents in second place. Most important is the fact that the whole industry is increasingly consolidating, thus distributing all relevant power as well as most of

the benefits on few global players from industrialized nations, which leads to a prevention of the much-praised possible multiplier effects from flowing into local community development and eventually enhancing overall welfare in the best case. Hence it will be important in the future to actually use the indisputable potential of tourism of developing a destination in a positive way. Many approaches are currently being implemented, but are rather launched in small scale by NGOs which have not the necessary means and power to keep the efforts up in the long term and drive them to significant success. Therefore especially a turn from profit-seeking of companies and governments to a more sustainable, integrated and in the long term even more profitable form of tourism, which involves all important stakeholders and focusses on the destination and community itself, will be crucial. A hesitant change of mindsets can already be observed, but rather motivated by the strong competition for clients with their increasing starry-eyed idealism and awareness of their own impact than by an actual wish for sustainability and prevention of abuse of inferior parties.

To actually come closer to a solution to the problem, it will be inevitable to switch from a view of tourism as just an industry to seeing it as a system with an incredible amount of stakeholders and linkages. A reform of this system in the context of an overall New Social Contract would be an ambitious, yet maybe at least in near future utopian approach to conquer the original issue of tremendous global inequalities leading to injustice and exploitation especially of the most vulnerable.

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Appendix

Appendix I: Interview Christine Plüss

Julia:

Sie sind als Menschenrechtsexpertin im Tourismus beim Arbeitskreis Tourismus und Entwicklung tätig?

Plüss:

Genau. Was würden Sie gerne von mir wissen?

Julia:

Zunächst wollte ich Sie allgemein bezüglich der Wahrung von Menschenrechten und Nachhaltigkeit im Tourismus befragen.

Im Jahr 2003 hatten Sie bereits ein Grundlagenpapier zu Nachhaltigkeit im Tourismus verfasst; „Fairer Handel auch im Tourismus“. Gab es in den seither vergangenen zehn Jahren denn Veränderungen im nachhaltigen Tourismus, speziell bezüglich Menschenrechten, eventuell sogar Verbesserungen?

Plüss:

Ja, das ist jetzt schon sehr alt, als Quelle für Sie daher bereits nicht mehr zu empfehlen. In der Zwischenzeit hat sich nämlich tatsächlich vieles getan. Ist Ihnen der „Roundtable Menschenrechte im Tourismus“ ein Begriff? Ich beginne einmal mit unserer aktuellen Arbeit zu Menschenrechten; diese begann 2010 mit der Veröffentlichung des Grundlagenpapiers „Alles was Recht ist“ in Zusammenarbeit mit TourismWatch. In diesem haben wir zusammengetragen, wie Tourismus und Menschenrechte in Wechselwirkung stehen und haben zum ersten Mal auch die Arbeit des UN Sonderbeauftragten für Wirtschaft und Menschenrechte, John Ruggie berücksichtigt. 2011 hat dieser die „Leitprinzipien für Wirtschaft und Menschenrechte“ veröffentlicht, woraufhin der Roundtable als Multistakeholderinitiative zusammen mit fortschrittlichen Reiseveranstaltern gegründet wurde. Am Anfang standen Kuoni und Studiosus als Vorreiter aus der Branche, ausserdem der Dachverband vom Forum Andersreisender. Seither sind verschiedene Branchen und Dachverbände – der Schweizer Reiseverband und Österreichischer Reiseverband – beigetreten.

Julia:

Also ist hier nur der deutschsprachige Raum vertreten?

Plüss:

Ja also neu hinzugekommen als Mitglied ist nun Travelife, eine internationale Nachhaltigkeitszertifizierung und die kommen aus dem englischsprachigen Raum. Im Laufe des Jahres 2015 ist die Internationalisierung geplant. Momentan gibt es aber noch keine Koordinationsstelle für den Roundtable; es fehlt also bisher die Ausrüstung – Geld und Infrastruktur – um in verschiedenen Sprachen zu funktionieren. Aber wir haben Grundlagendokumente zusammengestellt, die wichtig zum Verständnis sind, wie die Reisebranche Menschenrechte achten müssen, und wie die menschenrechtliche Sorgfaltspflicht aussieht; wichtig hierbei sind auch wieder die Leitprinzipien nach Ruggie. Dazu gibt es auch einen sogenannten Managementleitfaden; dieser schreibt vor, dass zunächst von höchster Warte eines Unternehmens eine Menschenrechtspolitik ausformuliert wird, also ein klares Commitment zur Achtung der Menschenrechte. Weiterhin müssen im Unternehmen Strukturen geschaffen werden, um Akzeptanz in allen Abteilungen sicherzustellen. Es muss eine zuständige Person ernannt werden, und fortan muss auf allen Ebenen im Unternehmen, ob Sie nun Verträge mit Partnern in einer Destination aushandeln oder Produkte gestalten, die menschenrechtliche Sorgfaltspflicht mit berücksichtigt werden. Im zweiten Schritt müssen nun Risiken identifiziert werden; wo kann es in meiner gesamten Wertschöpfungskette zu Konflikten kommen? Wo werden Menschenrechte verletzt? Was kann ich tun um dies zu verhindern oder Wiedergutmachung zu leisten? Hier ist natürlich der Schutz der Kinder ein wichtiger Bereich, oder

auch das Arbeitsrecht. Land Grabbing ist auch ein wichtiges Thema; Menschen verlieren den Zugang zum Meer oder ihrem Land, da dort beispielsweise Hotels gebaut werden. Dadurch werden sie in ihrer Existenz gefährdet, das sind dann natürlich flagrante Menschenrechtsverletzungen. Das Grundlagendokument „Alles was Recht ist“ liefert hier zahlreiche Beispiele. In der Menschenrechtlichen Sorgfaltspflicht geht es weiterhin darum, dass die vorliegenden Risikoanalysen auch in Taten umgesetzt werden. Kuoni hat hier beispielsweise zwei sehr interessante und in der Branche federführende Risikoassessments in Kenia und Indien durchgeführt, und ist jetzt dabei diese Erkenntnisse im Unternehmen umzusetzen. Zum Beispiel in Südindien werden Touren mit Hausbooten angeboten; der Fluss wird verschmutzt, es stinkt nach Kerosin, die Böden versalzen, die Landwirtschaft kann nicht überleben, Fischer können nicht überleben, lokale Produkte finden keinen Absatz mehr da die Qualität sinkt. Kuoni ist nun dabei in Zusammenarbeit mit lokalen Organisationen, dafür zu sorgen, dass sich die Situation der Bauern und Fischer rund um die Backwater-Exkursionen verbessert. Hierzu entwickeln sie etwa auch neue Technologien auch für die Hausboote, diese können zum Beispiel auch mit Solarenergie sehr gut funktionieren. Wichtig ist, dass Menschen in der gesamten touristischen Wertschöpfungskette profitieren, nicht nur die Angestellten.

Julia:

Also wirklich ein ganzheitlicher Ansatz.

Plüss:

Genau. In Kenia hat sich auch gezeigt, dass die Arbeitsbedingungen in Hotels nicht den internationalen Standards der ILO entsprechen. Zusammen mit ILO gibt es hier nun ein Programm, um die Arbeitsbedingungen zu verbessern. Das ist also dann der Bereich der Umsetzung. In einem vierten Schritt gehört auch dazu, die Umsetzung unbedingt öffentlich zu kommunizieren, damit die Kundschaft davon auch weiss. Kuoni und Studiosus sind hier sehr vorbildlich. Transparente Berichterstattung über jeden Schritt ist wichtig. Zu diesem Managementleitfaden gibt es ein Online-Tool, wo Angestellte im Tourismus sich schlaumachen können über neue Erkenntnisse. Das „grosse“ Tool ist ein Grundlagentool, welches alle Aspekte abdeckt und etwa 2.5 Stunden dauert. Viele machen lieber nur die Kurzfassung, was nicht unbedingt ausreichend ist. Neu kümmert ich der Roundtable auch um neue problematische Fachgebiete die nur angegangen werden können, wenn sich mehrere Tour Operators zusammentun, so der Bereich der Arbeitsrechte. Letztes Jahr gab es neue Standards für Träger im Trekkingbereich. Momentan sind wir an der Bearbeitung von Standards für Fahrer, die oft nur indirekt im Hotelgewerbe tätig sind und oft sehr schlecht gestellt sind. Zu Arbeitsrechten wird es weitere Vertiefungen geben, in Zukunft geplant ist auch die Bearbeitung der Frage, was ein gerechter Lohn im Hotel- und Tourismusgewerbe bedeutet. Ich persönlich habe zusammen mit TourismWatch eine Vorlage mit Schwerpunkt auf Sri Lanka erarbeitet, was es bedeutet, die menschenrechtliche Sorgfaltspflicht in Konfliktgebieten wahrzunehmen, in schwachen Staaten, wo der Staat nicht dafür sorgt, dass Menschenrechte gewährleistet sind, und wo aus diesem Grund besondere Massnahmen erforderlich sind. Die Singalesen haben den Krieg gegen die Tamilen gewonnen, jedoch ist hier immer noch kein Versöhnungsprozess im Gange, obwohl schon 6 Jahre vergangen sind. Die Diskriminierung von Nicht-Singalesen und auch die religiöse Diskriminierung von Nicht-Buddhisten geht einfach weiter; hier müssen Reiseveranstalter sich sehr viel bewusster werden über die Art des Konflikts und mit wem Verträge geschlossen werden; gehört der Vertragspartner zu den Kriegsgewinnern? Reichen die verfügbaren Informationen aus, um sicherzustellen, dass keine Rechte verletzt werden? Dies ist ein Spezialgebiet, das in einer neuen Arbeitsgruppe im Roundtable aufgegriffen werden wird. Ähnliche Entwicklungen finden wir auch in Burma, heute Myanmar, da hat das Militär ebenfalls sehr viele Tourismusbetriebe übernommen; die Armee ist einfach zu gross und da wird Beschäftigung für die Armee gesucht. Hier werden Hochsicherheitszonen für das Militär geschaffen, dort dann Hotels gebaut, und dann werden sie so zu Tourismusanbietern. In Myanmar und Sri Lanka boomt der Tourismus nun ganz ungemein. Übrigens haben wir auch in Ägypten ähnliche Entwicklungen beobachtet, wo das Militär Funktionen im Tourismus übernommen hat; Konfliktsituationen, vor allem auch im Zusammenhang mit Terroranschlägen, sind hier permanent

gegeben, es ist alles andere als ein stabiles Land. Auch hier gilt es, der Konfliktlage eine besondere Aufmerksamkeit zukommen zu lassen und das Risikoassessment entsprechend zu gestalten, unter Berücksichtigung der verfügbaren Informationen; habe ich überhaupt Zugang zu den relevanten Informationen und Menschenrechtsstellen? Wer sind meine Geschäftspartner? Wer gibt die Informationen?

Julia:

Sollte Tourismus in solchen Gebieten denn lieber komplett vermieden werden?

Plüss:

Dies ist überhaupt nicht unsere Haltung, auch früher schon empfanden wir Boykott als eine sehr einschneidende Massnahme. Wir haben Boykott nur dann gewollt, wenn es massgebliche Rufe aus dem jeweiligen Land gab, die das forderten; beispielsweise in Südafrika, zur Zeit der Wende der Apartheid. Zu dieser Zeit der Anti-Apartheid Bewegung gehörte Tourismus zum breiten Wirtschafts-Boykott. Ebenfalls in Burma; die National League for Democracy, die Demokratiebewegung, der die Friedensnobelpreisträgerin Aung San Suu Kyi vorsteht, hat ja seit 1996 bis 2011 immer wieder wiederholt, dass sie niemandem empfehlen nach Burma zu kommen, bevor es keine Demokratie ist. Nun haben sie zur Zeit der Wende eine neue Tourismuspolicy entworfen. Verfolgen wir jedoch die Leitprinzipien von Ruggie, dann steht ganz klar im Vordergrund, dass es nicht angeht einfach ein Gebiet zu meiden; vielmehr muss sichergestellt werden, dass im Geschäftsablauf keine Menschenrechte verletzt werden. Es kann aber auch Zusammenhänge geben wo das nicht möglich ist. Ich könnte mir vorstellen, dass es heute in Nordkorea absolut unmöglich ist sicherzustellen, dass da keine Menschenrechte verletzt werden. Aber jetzt in Sri Lanka oder in Burma gibt es viele Mechanismen oder Massnahmen, welche Unternehmen ergreifen können, um sicherzustellen, dass in ihrer Wertschöpfungskette solche Menschenrechtsverletzungen nicht vorkommen.

Julia:

Und in diesem Fall kann Tourismus auch positive Einflüsse haben?

Plüss:

Ja im Prinzip ist das ohnehin das Ziel. Tourismus soll auch nicht nur einer kleinen Elite etwas bringen, sondern der breiten Gesellschaft. Und die Einhaltung der Menschenrechte ist eine der ganz wesentlichen Grundlagen. Es kann keine nachhaltige Entwicklung geben, so wie wir das definieren, ohne Rechtsstaatlichkeit und Einhaltung der Menschenrechte.

Julia:

Sind Sie der Meinung, dass offizielle Institutionen wie die UNO momentan im angemessenen Rahmen Massnahmen zur Wahrung der Menschenrechte ergreifen?

Plüss:

Das Thema hat sehr stark an Stellenwert gewonnen in den letzten Jahren, aber es ist klar dass 50 Jahre nach der allgemeinen Erklärung der Menschenrechte viel zu wenig dafür getan wird, dass sie auch gewährleistet sind; daher resultiert ja auch die Diskussion im Zusammenhang mit der Wirtschaft, und wer die eigentlichen Hüter der Menschenrechte sind; nämlich die Staaten. Diese müssen dafür sorgen, dass die Menschenrechte für alle Bewohner eines Landes gewährleistet sind. Staaten sind hierzu einfach oft nicht in der Lage; der Wille fehlt; es gibt Korruption, es gibt Diktaturen, Konfliktgebiete, Kriege und so weiter. In der heutigen globalisierten Welt wird der Einfluss der Wirtschaft immer grösser. Und ein grosses globalisiertes Unternehmen muss sich ja nicht unbedingt an nationale Territorialgrenzen halten. Aus diesem Grund kamen überhaupt diese neuen Leitlinien bei der UNO ins Spiel. Das war 2011; heute sind die ersten Unternehmen daran, sie umzusetzen. Es ist noch ein junger, aber enorm wichtiger Prozess. Gleichzeitig liegen alle Massnahmen der Unternehmen im freiwilligen Bereich; und die Einhaltung der Menschenrechte ist ja keine Frage der Freiwilligkeit! Also arbeiten wir sehr stark mit der Branche zusammen, damit sie ihre

Verantwortung wahrnehmen kann. Ausserdem sind wir auch im Verbund mit den anderen Schweizer Organisationen. Morgen wird auch eine Volksinitiative lanciert, die Konzernverantwortungsinitiative; hierbei geht es um Gesetze und Vorschriften für Unternehmen, in Bezug auf die Einhaltung der Menschenrechte.

Julia:

Also für eine gesetzliche Verankerung?

Plüss:

Genau.

Julia:

Momentan ist es ja so, dass all die Konventionen, die zwar ratifiziert werden, theoretisch bindend sind; praktisch jedoch werden sie nicht unbedingt umgesetzt.

Plüss:

Ja. Es gibt zwar periodische Überprüfungsmechanismen, auch der Kinderrechtskonvention; jedoch ist der ganze UNO Betrieb sehr schwerfällig. Im Moment wird aber die Verabschiedung der Ruggie Prinzipien in vielen Ländern vorangetrieben. Die EU inklusive der Schweiz haben beschlossen, dass jedes Land einen Nationalen Aktionsplan ausarbeiten muss, um diese umzusetzen. Die Ruggie Prinzipien basieren auf 3 Säulen; einerseits die staatlichen Pflichten, zweitens die unternehmerische Sorgfaltspflicht, und drittens Wiedergutmachung. Auch wir sind, als zivilgesellschaftliche Akteure, involviert in der Gestaltung des Nationalen Aktionsplanes der Schweiz.

Julia:

Und ein solcher Nationaler Aktionsplan wird nun bindend in mehreren Ländern entwickelt?

Plüss:

Ja. Das ist nun etwas, das verabschiedet werden muss und dann verbindliche Vorgaben in der Politik macht. Jedoch am Beispiel der Schweiz sieht man, dass ein solcher Nationaler Aktionsplan eben nicht unbedingt vorschreibt, dass der Staat verbindliche Vorgaben für die Wirtschaft machen muss. Es wird so ein bisschen um den heissen Brei geredet. Die Frage ist auch, ob es überhaupt Berichterstattungspflichten gibt. Das heisst ja alles noch nicht, dass das Gesetz dann auch umgesetzt wird; deshalb haben wir nun eben trotzdem diese Volksinitiative lanciert. Auch in Deutschland laufen gerade die Konsultationen, was der Nationale Aktionsplan konkret beinhalten soll.

Julia:

Die Hauptakteure bei solchen Massnahmen sind dann sicher vorwiegend NGOs?

Plüss:

Es gibt schon sehr engagierte Unternehmen und Unternehmensverbände, auch die Forschung. Aber es ist schon eher so dass richtige Massnahmen, so wie die Respektierung der Menschenrechte durch Staat und Unternehmen, eher durch zivilgesellschaftliche Organisationen beziehungsweise den Druck aus der Zivilgesellschaft angetrieben werden.

Julia:

Der Druck aus der Gesellschaft ist momentan ja auch steigend; gerade durch die grössere Medienabdeckung und das immer grössere Bewusstsein, dass solche Menschenrechtsverletzungen stattfinden.

Plüss:

Genau. Da kann man nun hoffen, dass das zuletzt zu richtigen, griffigen Regulierungen führt. Für Unternehmen wäre es gar nicht so schlecht, wenn es staatliche Auflagen gäbe; dann müssten sie alle mit den gleichen Massnahmen herangehen. Viele Unternehmen wehren sich natürlich allgemein; es gibt aber auch Unternehmen, die durchaus Vorteile sehen, wenn es staatliche Auflagen gibt.

Julia:

Da es dann eben einheitlich für alle ist.

Plüss:

Richtig. Ein durchschnittliches Unternehmen, welches sehr viel in Nachhaltigkeit, Kinderschutz und Menschenrechte allgemein investiert, hat unter Umständen irgendwann einen wirtschaftlichen Wettbewerbsnachteil.

Julia:

Schwache menschenrechtliche Regulierungen in manchen Ländern werden also in der Tat von Unternehmen ausgenutzt.

Plüss:

Das ist genau der Hintergrund, wieso es diese Guidelines überhaupt gibt; nehmen wir als Beispiel im Tourismus wieder Burma, wo arbeitsrechtliche Regulierungen überhaupt noch nicht vorhanden sind und es so zu Ausbeutung kommt. Oder den Rohstoffsektor; grosse Extraktionsunternehmen gehen sehr gerne in labile, auch korrupte Staaten, um dort von günstigeren Konditionen zu profitieren; die nutzen jede Lücke, um ihre Gewinne zu machen. Und dem gilt es selbstverständlich einen Riegel vorzuschieben.

Julia:

Vielen Dank für das Interview.

Appendix II: Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

The General Assembly,

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

Everyone has the right to freedom of movement and residence within the borders of each State.

Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

Everyone has the right to seek and to enjoy in other countries asylum from persecution.

This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

Everyone has the right to a nationality.

No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

Marriage shall be entered into only with the free and full consent of the intending spouses.

The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

Everyone has the right to own property alone as well as in association with others.

No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

Everyone has the right to freedom of peaceful assembly and association.

No one may be compelled to belong to an association.

Article 21

Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

Everyone has the right to equal access to public service in his country.

The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

Everyone, without any discrimination, has the right to equal pay for equal work.

Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

Everyone has duties to the community in which alone the free and full development of his personality is possible.

In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Appendix III: Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child

Adopted and opened for signature, ratification and accession by General Assembly resolution
A/RES/54/263 of 25 May 2000
entered into force on 18 January 2002

The States Parties to the present Protocol,

Considering that, in order further to achieve the purposes of the Convention on the Rights of the Child and the implementation of its provisions, especially articles 1, 11, 21, 32, 33, 34, 35 and 36, it would be appropriate to extend the measures that States Parties should undertake in order to guarantee the protection of the child from the sale of children, child prostitution and child pornography,

Considering also that the Convention on the Rights of the Child recognizes 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,

Gravely concerned at the significant and increasing international traffic in children for the purpose of the sale of children, child prostitution and child pornography,

Deeply concerned at the widespread and continuing practice of sex tourism, to which children are especially vulnerable, as it directly promotes the sale of children, child prostitution and child pornography,

Recognizing that a number of particularly vulnerable groups, including girl children, are at greater risk of sexual exploitation and that girl children are disproportionately represented among the sexually exploited,

Concerned about the growing availability of child pornography on the Internet and other evolving technologies, and recalling the International Conference on Combating Child Pornography on the Internet, held in Vienna in 1999, in particular its conclusion calling for the worldwide criminalization of the production, distribution, exportation, transmission, importation, intentional possession and advertising of child pornography, and stressing the importance of closer cooperation and partnership between Governments and the Internet industry,

Believing that the elimination of the sale of children, child prostitution and child pornography will be facilitated by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structure, dysfunctional families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children,

Believing also that efforts to raise public awareness are needed to reduce consumer demand for the sale of children, child prostitution and child pornography, and believing further in the importance of strengthening global partnership among all actors and of improving law enforcement at the national level,

Noting the provisions of international legal instruments relevant to the protection of children, including the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, the Hague Convention on the Civil Aspects of International Child Abduction, the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, and International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,

Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists for the promotion and protection of the rights of the child,

Recognizing the importance of the implementation of the provisions of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm from 27 to 31 August 1996, and the other relevant decisions and recommendations of pertinent international bodies,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, Have agreed as follows:

Article 1

States Parties shall prohibit the sale of children, child prostitution and child pornography as provided for by the present Protocol.

Article 2

For the purposes of the present Protocol:

(a) Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration;

(b) Child prostitution means the use of a child in sexual activities for remuneration or any other form of consideration;

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

Article 3

I. Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis:

(a) In the context of sale of children as defined in article 2:

(i) Offering, delivering or accepting, by whatever means, a child for the purpose of:

- a. Sexual exploitation of the child;
 - b. Transfer of organs of the child for profit;
 - c. Engagement of the child in forced labour;
- (ii) Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;
- (b) Offering, obtaining, procuring or providing a child for child prostitution, as defined in article 2;
- (c) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography as defined in article 2.
2. Subject to the provisions of the national law of a State Party, the same shall apply to an attempt to commit any of the said acts and to complicity or participation in any of the said acts.
3. Each State Party shall make such offences punishable by appropriate penalties that take into account their grave nature.
4. Subject to the provisions of its national law, each State Party shall take measures, where appropriate, to establish the liability of legal persons for offences established in paragraph 1 of the present article. Subject to the legal principles of the State Party, such liability of legal persons may be criminal, civil or administrative.
5. States Parties shall take all appropriate legal and administrative measures to ensure that all persons involved in the adoption of a child act in conformity with applicable international legal instruments.

Article 4

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3, paragraph 1, when the offences are committed in its territory or on board a ship or aircraft registered in that State.
2. Each State Party may take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3, paragraph 1, in the following cases:
- (a) When the alleged offender is a national of that State or a person who has his habitual residence in its territory;
 - (b) When the victim is a national of that State.
3. Each State Party shall also take such measures as may be necessary to establish its jurisdiction over the aforementioned offences when the alleged offender is present in its territory and it does not extradite him or her to another State Party on the ground that the offence has been committed by one of its nationals.

4. The present Protocol does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 5

1. The offences referred to in article 3, paragraph 1, shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties and shall be included as extraditable offences in every extradition treaty subsequently concluded between them, in accordance with the conditions set forth in such treaties.

2. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider the present Protocol to be a legal basis for extradition in respect of such offences. Extradition shall be subject to the conditions provided by the law of the requested State.

3. States Parties that do not make extradition conditional on the existence of a treaty shall recognize such offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. Such offences shall be treated, for the purpose of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territories of the States required to establish their jurisdiction in accordance with article 4.

5. If an extradition request is made with respect to an offence described in article 3, paragraph 1, and the requested State Party does not or will not extradite on the basis of the nationality of the offender, that State shall take suitable measures to submit the case to its competent authorities for the purpose of prosecution.

Article 6

1. States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 of the present article in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.

Article 7

States Parties shall, subject to the provisions of their national law:

(a) Take measures to provide for the seizure and confiscation, as appropriate, of:

(i) Goods, such as materials, assets and other instrumentalities used to commit or facilitate offences under the present protocol;

- (ii) Proceeds derived from such offences;
- (b) Execute requests from another State Party for seizure or confiscation of goods or proceeds referred to in subparagraph (a);
- (c) Take measures aimed at closing, on a temporary or definitive basis, premises used to commit such offences.

Article 8

1. States Parties shall adopt appropriate measures to protect the rights and interests of child victims of the practices prohibited under the present Protocol at all stages of the criminal justice process, in particular by:

- (a) Recognizing the vulnerability of child victims and adapting procedures to recognize their special needs, including their special needs as witnesses;
- (b) Informing child victims of their rights, their role and the scope, timing and progress of the proceedings and of the disposition of their cases;
- (c) Allowing the views, needs and concerns of child victims to be presented and considered in proceedings where their personal interests are affected, in a manner consistent with the procedural rules of national law;
- (d) Providing appropriate support services to child victims throughout the legal process;
- (e) Protecting, as appropriate, the privacy and identity of child victims and taking measures in accordance with national law to avoid the inappropriate dissemination of information that could lead to the identification of child victims;
- (f) Providing, in appropriate cases, for the safety of child victims, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;
- (g) Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting compensation to child victims.

2. States Parties shall ensure that uncertainty as to the actual age of the victim shall not prevent the initiation of criminal investigations, including investigations aimed at establishing the age of the victim.

3. States Parties shall ensure that, in the treatment by the criminal justice system of children who are victims of the offences described in the present Protocol, the best interest of the child shall be a primary consideration.

4. States Parties shall take measures to ensure appropriate training, in particular legal and psychological training, for the persons who work with victims of the offences prohibited under the present Protocol.

5. States Parties shall, in appropriate cases, adopt measures in order to protect the safety and integrity of those persons and/or organizations involved in the prevention and/or protection and rehabilitation of victims of such offences.

6. Nothing in the present article shall be construed to be prejudicial to or inconsistent with the rights of the accused to a fair and impartial trial.

Article 9

1. States Parties shall adopt or strengthen, implement and disseminate laws, administrative measures, social policies and programmes to prevent the offences referred to in the present Protocol. Particular attention shall be given to protect children who are especially vulnerable to such practices.

2. States Parties shall promote awareness in the public at large, including children, through information by all appropriate means, education and training, about the preventive measures and harmful effects of the offences referred to in the present Protocol. In fulfilling their obligations under this article, States Parties shall encourage the participation of the community and, in particular, children and child victims, in such information and education and training programmes, including at the international level.

3. States Parties shall take all feasible measures with the aim of ensuring all appropriate assistance to victims of such offences, including their full social reintegration and their full physical and psychological recovery.

4. States Parties shall ensure that all child victims of the offences described in the present Protocol have access to adequate procedures to seek, without discrimination, compensation for damages from those legally responsible.

5. States Parties shall take appropriate measures aimed at effectively prohibiting the production and dissemination of material advertising the offences described in the present Protocol.

Article 10

1. States Parties shall take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism. States Parties shall also promote international cooperation and coordination between their authorities, national and international non-governmental organizations and international organizations.

2. States Parties shall promote international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation.

3. States Parties shall promote the strengthening of international cooperation in order to address the root causes, such as poverty and underdevelopment, contributing to the vulnerability of children to the sale of children, child prostitution, child pornography and child sex tourism.

4. States Parties in a position to do so shall provide financial, technical or other assistance through existing multilateral, regional, bilateral or other programmes.

Article 11

Nothing in the present Protocol shall affect any provisions that are more conducive to the realization of the rights of the child and that may be contained in:

- (a) The law of a State Party;
- (b) International law in force for that State.

Article 12

1. Each State Party shall, within two years following the entry into force of the present Protocol for that State Party, submit a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol.
2. Following the submission of the comprehensive report, each State Party shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the present Protocol. Other States Parties to the Protocol shall submit a report every five years.
3. The Committee on the Rights of the Child may request from States Parties further information relevant to the implementation of the present Protocol.

Article 13

1. The present Protocol is open for signature by any State that is a party to the Convention or has signed it.
2. The present Protocol is subject to ratification and is open to accession by any State that is a party to the Convention or has signed it. Instruments of ratification or accession shall be deposited with the Secretary- General of the United Nations.

Article 14

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.
2. For each State ratifying the present Protocol or acceding to it after its entry into force, the Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

Article 15

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary- General of the United Nations, who shall thereafter inform the other States

Parties to the Convention and all States that have signed the Convention. The denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Protocol in regard to any offence that occurs prior to the date on which the denunciation becomes effective. Nor shall such a denunciation prejudice in any way the continued consideration of any matter that is already under consideration by the Committee on the Rights of the Child prior to the date on which the denunciation becomes effective.

Article 16

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties that have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments they have accepted.

Article 17

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States that have signed the Convention.

Appendix IV: C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)

Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Entry into force: 19 Nov 2000) Adoption: Geneva, 87th ILC session (17 Jun 1999) - Status: Up-to-date instrument (Fundamental Convention).

Preamble

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th Session on 1 June 1999, and

Considering the need to adopt new instruments for the prohibition and elimination of the worst forms of child labour, as the main priority for national and international action, including international cooperation and assistance, to complement the Convention and the Recommendation concerning Minimum Age for Admission to Employment, 1973, which remain fundamental instruments on child labour, and

Considering that the effective elimination of the worst forms of child labour requires immediate and comprehensive action, taking into account the importance of free basic education and the need to remove the children concerned from all such work and to provide for their rehabilitation and social integration while addressing the needs of their families, and

Recalling the resolution concerning the elimination of child labour adopted by the International Labour Conference at its 83rd Session in 1996, and

Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education, and

Recalling the Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989, and

Recalling the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference at its 86th Session in 1998, and

Recalling that some of the worst forms of child labour are covered by other international instruments, in particular the Forced Labour Convention, 1930, and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, and

Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Convention, which may be cited as the Worst Forms of Child Labour Convention, 1999.

Article 1

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 2

For the purposes of this Convention, the term child shall apply to all persons under the age of 18.

Article 3

For the purposes of this Convention, the term the worst forms of child labour comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 4

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.

2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.

3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

Article 5

Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.

Article 6

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.
2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.
2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:
 - (a) prevent the engagement of children in the worst forms of child labour;
 - (b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
 - (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
 - (d) identify and reach out to children at special risk; and
 - (e) take account of the special situation of girls.
3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

Article 8

Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

Article 9

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 10

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.

2. It shall come into force 12 months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

Article 11

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and acts of denunciation communicated by the Members of the Organization.

2. When notifying the Members of the Organization of the registration of the second ratification, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention shall come into force.

Article 13

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations, for registration in accordance with article 102 of the Charter of the United Nations, full particulars of all ratifications and acts of denunciation registered by the Director-General in accordance with the provisions of the preceding Articles.

Article 14

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides --

(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16

The English and French versions of the text of this Convention are equally authoritative.

Appendix V: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Preamble

The States Parties to this Protocol, Declaring that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights, Taking into account the fact that, despite the existence of a variety of international instruments containing rules and practical measures to combat the exploitation of persons, especially women and children, there is no universal instrument that addresses all aspects of trafficking in persons, Concerned that, in the absence of such an instrument, persons who are vulnerable to trafficking will not be sufficiently protected, Recalling General Assembly resolution 53/111 of 9 December 1998, in which the Assembly decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration of, inter alia, an international instrument addressing trafficking in women and children, Convinced that supplementing the United Nations Convention against Transnational Organized Crime with an international instrument for the Annex II Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime⁴² prevention, suppression and punishment of trafficking in persons, especially women and children, will be useful in preventing and combating that crime, Have agreed as follows:

I. General provisions

Article 1. Relation with the United Nations Convention against Transnational Organized Crime

1. This Protocol supplements the United Nations Convention against Transnational Organized Crime. It shall be interpreted together with the Convention.
2. The provisions of the Convention shall apply, mutatis mutandis, to this Protocol unless otherwise provided herein.
3. The offences established in accordance with article 5 of this Protocol shall be regarded as offences established in accordance with the Convention.

Article 2. Statement of purpose

The purposes of this Protocol are:

- (a) To prevent and combat trafficking in persons, paying particular attention to women and children;
- (b) To protect and assist the victims of such trafficking, with full respect for their human rights; and
- (c) To promote cooperation among States Parties in order to meet those objectives.

Article 3. Use of terms

For the purposes of this Protocol:

(a) “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 the 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;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “Child” shall mean any person under eighteen years of age.

Article 4. Scope of application

This Protocol shall apply, except as otherwise stated herein, to the prevention, investigation and prosecution of the offences established in accordance with article 5 of this Protocol, where those offences are transnational in nature and involve an organized criminal group, as well as to the protection of victims of such offences.

Article 5. Criminalization

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally.

2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences:

(a) Subject to the basic concepts of its legal system, attempting to commit an offence established in accordance with paragraph 1 of this article;

(b) Participating as an accomplice in an offence established in accordance with paragraph 1 of this article; and

(c) Organizing or directing other persons to commit an offence established in accordance with paragraph 1 of this article.

II. Protection of victims of trafficking in persons

Article 6. Assistance to and protection of victims of trafficking in persons

1. In appropriate cases and to the extent possible under its domestic law, each State Party shall protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential.

2. Each State Party shall ensure that its domestic legal or administrative system contains measures that provide to victims of trafficking in persons, in appropriate cases:

(a) Information on relevant court and administrative proceedings;

(b) Assistance to enable their views and concerns to be presented and

considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence.

3. Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of:

- (a) Appropriate housing;
- (b) Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand;
- (c) Medical, psychological and material assistance; and
- (d) Employment, educational and training opportunities.

4. Each State Party shall take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care.

5. Each State Party shall endeavour to provide for the physical safety of victims of trafficking in persons while they are within its territory.

6. Each State Party shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.

Article 7. Status of victims of trafficking in persons in receiving States

1. In addition to taking measures pursuant to article 6 of this Protocol, each State Party shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases.

2. In implementing the provision contained in paragraph 1 of this article, each State Party shall give appropriate consideration to humanitarian and compassionate factors.

Article 8. Repatriation of victims of trafficking in persons 1. The State Party of which a victim of trafficking in persons is a national or in which the person had the right of permanent residence at the time of entry into the territory of the receiving State Party shall facilitate and accept, with due regard for the safety of that person, the return of that person without undue or unreasonable delay.

2. When a State Party returns a victim of trafficking in persons to a State Party of which that person is a national or in which he or she had, at the time of entry into the territory of the receiving State Party, the right of permanent residence, such return shall be with due regard for the safety of that person and for the status of any legal proceedings related to the fact that the person is a victim of trafficking and shall preferably be voluntary.

3. At the request of a receiving State Party, a requested State Party shall, without undue or unreasonable delay, verify whether a person who is a victim of trafficking in persons is its national or had the right of permanent residence in its territory at the time of entry into the territory of the receiving State Party.

4. In order to facilitate the return of a victim of trafficking in persons who is without proper documentation, the State Party of which that person is a national or in which he or she had the right of permanent residence at the time of entry into the territory of the receiving State Party shall agree

to issue, at the request of the receiving State Party, such travel documents or other authorization as may be necessary to enable the person to travel to and re-enter its territory.

5. This article shall be without prejudice to any right afforded to victims of trafficking in persons by any domestic law of the receiving State Party.

6. This article shall be without prejudice to any applicable bilateral or multilateral agreement or arrangement that governs, in whole or in part, the return of victims of trafficking in persons.

III. Prevention, cooperation and other measures

Article 9. Prevention of trafficking in persons

I. States Parties shall establish comprehensive policies, programmes and other measures:

(a) To prevent and combat trafficking in persons; and

(b) To protect victims of trafficking in persons, especially women and children, from revictimization.

2. States Parties shall endeavour to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons.

3. Policies, programmes and other measures established in accordance with this article shall, as appropriate, include cooperation with non-governmental organizations, other relevant organizations and other elements of civil society.

4. States Parties shall take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.

5. States Parties shall adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.

Article 10. Information exchange and training

I. Law enforcement, immigration or other relevant authorities of States Parties shall, as appropriate, cooperate with one another by exchanging information, in accordance with their domestic law, to enable them to determine:

(a) Whether individuals crossing or attempting to cross an international border with travel documents belonging to other persons or without travel documents are perpetrators or victims of trafficking in persons;

(b) The types of travel document that individuals have used or attempted to use to cross an international border for the purpose of trafficking in persons; and

(c) The means and methods used by organized criminal groups for the purpose of trafficking in persons, including the recruitment and transportation of victims, routes and links between and among individuals and groups engaged in such trafficking, and possible measures for detecting them.

2. States Parties shall provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of the victims, including protecting the victims from the traffickers. The training should also take

into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society.

3. A State Party that receives information shall comply with any request by the State Party that transmitted the information that places restrictions on its use.

Article 11. Border measures

1. Without prejudice to international commitments in relation to the free movement of people, States Parties shall strengthen, to the extent possible, such border controls as may be necessary to prevent and detect trafficking in persons.

2. Each State Party shall adopt legislative or other appropriate measures to prevent, to the extent possible, means of transport operated by commercial carriers from being used in the commission of offences established in accordance with article 5 of this Protocol.

3. Where appropriate, and without prejudice to applicable international conventions, such measures shall include establishing the obligation of commercial carriers, including any transportation company or the owner or operator of any means of transport, to ascertain that all passengers are in possession of the travel documents required for entry into the receiving State.

4. Each State Party shall take the necessary measures, in accordance with its domestic law, to provide for sanctions in cases of violation of the obligation set forth in paragraph 3 of this article.

5. Each State Party shall consider taking measures that permit, in accordance with its domestic law, the denial of entry or revocation of visas of persons implicated in the commission of offences established in accordance with this Protocol.

6. Without prejudice to article 27 of the Convention, States Parties shall consider strengthening cooperation among border control agencies by, inter alia, establishing and maintaining direct channels of communication.

Article 12. Security and control of documents

Each State Party shall take such measures as may be necessary, within available means:

(a) To ensure that travel or identity documents issued by it are of such quality that they cannot easily be misused and cannot readily be falsified or unlawfully altered, replicated or issued; and

(b) To ensure the integrity and security of travel or identity documents issued by or on behalf of the State Party and to prevent their unlawful creation, issuance and use.

Article 13. Legitimacy and validity of documents

At the request of another State Party, a State Party shall, in accordance with its domestic law, verify within a reasonable time the legitimacy and validity of travel or identity documents issued or purported to have been issued in its name and suspected of being used for trafficking in persons.

IV. Final provisions

Article 14. Saving clause

1. Nothing in this Protocol shall affect the rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law and, in particular, where applicable, the 1951 Convention 1 and the 1967 Protocol 2 relating to the Status of Refugees and the principle of non-refoulement as contained therein.

2. The measures set forth in this Protocol shall be interpreted and applied in a way that is not discriminatory to persons on the ground that they are victims of trafficking in persons. The interpretation and application of those measures shall be consistent with internationally recognized principles of non-discrimination.

Article 15. Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Protocol through negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of this Protocol that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Protocol, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4. Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 16. Signature, ratification, acceptance, approval and accession

1. This Protocol shall be open to all States for signature from 12 to 15 December 2000 in Palermo, Italy, and thereafter at United Nations Headquarters in New York until 12 December 2002.

2. This Protocol shall also be open for signature by regional economic integration organizations provided that at least one member State of such organization has signed this Protocol in accordance with paragraph 1 of this article.

3. This Protocol is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4. This Protocol is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Protocol. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 17. Entry into force

1. This Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession, except that it shall not enter into force before the entry into force of the Convention. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Protocol after the deposit of the fortieth instrument of such action, this Protocol shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Protocol enters into force pursuant to paragraph 1 of this article, whichever is the later.

Article 18. Amendment

1. After the expiry of five years from the entry into force of this Protocol, a State Party to the Protocol may propose an amendment and file it with the Secretary-General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the Parties to the Convention for the purpose of considering and deciding on the proposal. The States Parties to this Protocol meeting at the Conference of the Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties to this Protocol present and voting at the meeting of the Conference of the Parties.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Protocol. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.

3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.

4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.

5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Protocol and any earlier amendments that they have ratified, accepted or approved.

Article 19. Denunciation

1. A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

2. A regional economic integration organization shall cease to be a Party to this Protocol when all of its member States have denounced it.

Article 20. Depositary and languages

1. The Secretary-General of the United Nations is designated depositary of this Protocol.

2. The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Protocol.

