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## BUILDING A **SAFE AND RESILIENT CANADA**



# **Travelling Child Sex Offenders**

## **Annotated Bibliography**

**By Elaine Koren**

**RDIMS # 782503**

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do not necessarily reflect those of the Department of Public Safety Canada.*  
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## Executive Summary

“The sexual exploitation of children is often not thought of as a Canadian issue; however this is far from reality. Over one hundred Canadians have been investigated for sexual crimes against children committed abroad but only five have been convicted. Too few Canadians are convicted for these crimes while more young Canadian tourists find themselves involved in child sex tourism due to ignorance or a lack of information. This must be addressed through awareness and education.”<sup>1</sup>

International Bureau for Children’s Rights

This annotated bibliography is based on a literature review using open source, academic and grey literature reviewing existing promising practices of preventing travelling child sex offenders (TCSOs) and their related activities. Its focus is to identify relevant research that could identify issues from the literature relating to promising practices to address this phenomenon, lessons learned, and trends. The paper uses explicit criterion, limiting hidden biases and assumptions, and enabling replication of the research by others.

As a result, thirty-three documents are included in this annotated bibliography. In many of these, the terms ‘source country’ and ‘destination country’ are frequently used to describe the TCSO. TCSOs commonly travel to the Southeast Asian (destination) countries of Cambodia, Laos, the Philippines, Thailand and, increasingly, to Mexico, Central and South America (Brazil, Costa Rica, Honduras and El Salvador), and to a lesser extent, Eastern European nations (Lithuania and Russia). TCSOs come from source countries such as the United States (US), Canada, Australia, Germany and other western cultures. However, TCSOs are also locally-based in countries where TCSO-related activities flourish.

TCSOs are also increasingly creating child pornography by recording their child sexual encounters to bring home as souvenirs. Following their return, TCSOs may share or sell their images with other TCSOs or child predators, using multi-media including the Internet to do so.

Part of the challenge of this paper related to the nature of the subject matter. While there are many non-governmental organizations (NGOs) involved in children’s rights, only a few focus on deterring TCSO-related activities. Promising practices can involve NGOs initiating national coalitions including public-private partnerships with law enforcement agencies and government, and working with the private sector (e.g., Air Canada, travel and tourism companies, and airport authorities). Building on success to date requires raising public awareness in source and destination countries of the legal and social consequences of TCSOs and their related activities, and of federal extraterritorial laws. Some promising practices and their challenges are explained in the Observations (i.e., Section 4.0) and the supporting Appendices.

## 1.0 Introduction

Every year a number of tourists from the world's wealthier countries travel abroad and sexually exploit children in developing countries.<sup>2</sup> Despite the focus on foreign men as the primary culprits of abuse in tourist areas, 'child sex tourism' (hereinafter travelling child sex offenders [TCSOs]), in countries where TCSO-related activity thrives, local demand is also evident. For example, "in the case of Southeast Asia, a greater proportion of offenders are Asian nationals who come from within the country where the abuse occurs or from surrounding [Asian] countries."<sup>3</sup>

Although researchers agree that TCSOs often travel to Southeast Asia, there is growing evidence to support that TCSOs do not limit their offending to any one geographical area (IBCR 2000, 21). Countries in Africa, Latin America and Eastern Europe have joined the ranks of TCSO destinations.<sup>4</sup> The global spread of the TCSO phenomenon involves three forms of exploitation: child prostitution, child pornography and child sexual trafficking.

Since the adoption of the *United Nations Convention on the Rights of the Child* (CRC) in 1989, now ratified by 192 countries, an increasing number of NGOs, including the International Bureau for Children's Rights (IBCR), have been established. NGOs use arguments of social and ethical responsibility to raise public awareness and seek partnerships to promote the implementation of the CRC and its optional protocols.

The extent to which there are effective practices relating to the implementation of the CRC is unknown. This paper provides an annotated bibliography of research papers containing promising practices for deterring TCSO activities.

## 2.0 Methodology and Defining Terms

This annotated bibliography was based on a systematic literature review of open source, academic and grey literature developed in response to the global phenomenon of TCSOs by NGOs, the tourism industry, and governments. Its primary focus is to identify relevant research that could help in identifying promising international practices in deterring TCSOs. The paper reviewed existing practices of preventing TCSO, including targeted campaigns, local initiatives such as public-private partnerships, as well as enforcement initiatives in source and destination countries, and identification of investigative and prosecutorial issues.

This annotated bibliography followed the structured and objective procedures of the Campbell Systematic Review.<sup>5</sup> Using this methodological approach, the annotated bibliography includes a systematic review of academic and grey literature focusing on travelling child sex offenders. Fifteen English language databases and one French language database were searched using the keywords in Boolean abstract search, including the title and keyword fields (refer to Appendix 1).

The database searches resulted in more than 1,500 hits. The abstracts were reviewed for relevancy, particularly in relation to subject matter. All documents relating to human trafficking,

child pornography on the Internet but without highlighting promising practices in addressing TCSOs were excluded. Within the academic literature, there is more relevant research associated with NGOs, such as End Child Prostitution and Child Pornography and Trafficking (ECPAT), International Bureau for Children's Rights (IBCR) and Youth Advocate Program International (YAPI) than with specific research institutions.

### 3.0 Annotated Bibliography

The annotated bibliography provides a concise summary of each source, by identifying its purpose or research question, its methods of investigation (where available), and its main conclusions.

Babu, P. George and Panko, Thomas R., "Child sex tourism: Facilitating conditions, legal remedies, and other interventions," *Vulnerable Children and Youth Studies*, 6(2), June 2011:134-143.

Babu and Panko provide an overview of issues that surface in debates on child sex tourism (CST). CST refers to travelling to engage in sexual activity with children in a developing country, which is recognized globally as a crime (Babu and Panko 2011, 134). The authors profile selected international regulatory responses against CST activities. Global efforts aimed at establishing an anti-CST legal framework are vital to decrease the occurrence of CST (Babu and Panko 2011, 137). A major boost to these efforts occurred when the United Nations World Tourism Organization, in association with a NGO, End Child Prostitution in Asian Tourism and the United Nations International Children's Emergency Fund (2004) jointly persuaded North American tour operators to commit to an anti-CST code of conduct (Babu and Panko 2011, 138).

In 2007, G8 country representatives committed to an anti-CST legal framework addressing the key areas to reduce CST. These included extraterritoriality, dual criminality, and the purpose of travel, related activities and prevention. The authors maintain that other possible interventions should be comprehensive and holistic. These efforts should address the antecedent conditions (poverty and ignorance, and broken political, administrative and law enforcement system), practices (CST business practices), and the impacts stages (therapy, resilience building, re-settlement) (Babu and Panko 2011, 139).

Barnitz, Laura A. *Commercial Sexual Exploitation of Children: Youth Involved in Prostitution, Pornography and Sex Trafficking*, Youth Advocate Program International, 2000:41, [accessed 2013-04-02] from: <http://www.yapi.org/old/publications/bookletseries/cse.pdf>.

The author characterizes the stopping the commercial sexual exploitation of children (CSEC) as a social and ethical responsibility (Barnitz 2000, 1). The article focuses on the sex trafficking of children. Barnitz reviews the related information on the push and pull factors of CSEC. According to Barnitz, CSEC can be stopped by having civil society work in collaboration with active law enforcement and the efforts of national and

international organization. This involves increasing public awareness, having greater law enforcement efforts, combating pornography, and implementing prevention, rescue and reintegration programs (Barnitz 2000, 30-31). Barnitz concludes that when community leaders from all sectors work together, children will have real choices about their lives and the adult perpetrators of CST can be incarcerated accordingly (Barnitz 2000, 31).

Barr, C.W., Clayton, M., Epstein, J., Ingwerson, M., and Matloff, J. "Child Sex Trade: Battling a Scourge," *Christian Science Monitor*, Christian Science Publishing Society, Boston, MA, 1996:24.

This article is based on reporters' visits to 10 countries in Southeast Asia, Eastern Europe and Africa, a nine-part series on the CST examining the nature of the CSEC in these countries and how the governments are responding to it. According to Barr et al., adolescent girls are the most affected victims of sexual exploitation. In many countries, recruiters often are part of criminal organizations, use deception, force, or promises of high pay to bring girls into the sex trade. Given the push and pull factors of CST in these areas, parents agree to send their daughters into prostitution and accept advances on their earnings. Adolescent boys, too, are subject to commercial sexual exploitation, particularly homeless children, which can lead into prostitution as a livelihood.

Although some developing countries have blamed visiting Westerners for child prostitution, child advocates state that most children are exploited commercially by adults of their own nationality. Those looking for a strategy to combat the CSEC argue that a major factor is male attitudes. The authors note that research into sex tourism shows that the Western men involved are sometimes driven by an attitude that links sexuality with their sense of identity. Strategies to counter the sexual exploitation of children included national laws against sexual relations with minors anywhere in the world, sanctions against governments and tourism enterprises that promote CST, public education campaigns against CST, social programs for homeless and runaway youth, and laws that allow victims to sue their former pimps.

Beddoe, Christine, Hall, C. Michael and Ryan, Chris. *The Incidence of Sexual Exploitation of Children in Tourism*, World Tourism Organization, 2001:165, [accessed 2013-03-25], from: <http://dtxtg4w60xqpw.cloudfront.net/sites/all/files/docpdf/incidenceexploitation.pdf>.

Beddoe gives a detailed description of CST in destination countries, and provides an overview of previous efforts and campaigns to end CSEC in tourism (Beddoe et al., 2001, 11). From the three studies of the Southeast Asian tourism destinations of Cambodia, Thailand and Bali, Beddoe provides insight into the different types of CSEC in tourism, and outlines initiatives and activities undertaken to campaign against CSEC. The author makes a number of recommendations on how the tourism industry can work in collaboration with other stakeholders and within its own sectors (Beddoe et al., 2001, 67-80).

Hall and Ryan focus on the relationship between child exploitation and other social issues such as human trafficking, labour exploitation and the legal status of sex work (Beddoe et



al., 2001, 81-120). Hall and Ryan identify attributes of a successful monitoring campaign and highlight the importance of establishing clear objectives and working alongside broader social and economic policies.

Berkman, Eric Thomas. "Responses to the International Child Sex Tourism Trade," *Boston College International and Comparative Law Review*, 19(2), 8-1-1996:397-422.

Child sex tourism is ruining the lives of millions of children, and is flourishing in Southeast Asian countries (also known as destination countries), such as Thailand, Sri Lanka, and the Philippines. Berkman notes that source countries such as the United States, Germany, the United Kingdom and Australia provide the demand that supports this industry. Berkman examines the parties involved in the CST industry and measures that have been taken against CST activities in destination countries where it thrives (Berkman 1996, 403-408). The author also describes the actions that source countries have taken or could have taken to stop CST (Berkman 1996, 417-421). Berkman concludes that, although destination countries have passed laws forbidding such activities, due to international pressure, and without the cooperation and involvement of source countries, the CST industries will continue to thrive (Berkman 1996, 421-422).

Bevilacqua, Elizabeth. "Child Sex Tourism and Child Prostitution in Asia: What Can Be Done to Protect the Rights of Children Abroad Under International Law?" *ILSA Journal of International & Comparative Law*, Volume 5, 1998-1999:171-184.

Child sex tourism, prostitution and trafficking involving children are growing problems in many Southeast Asian countries (destination countries), such as Thailand and the Philippines, where laws condemning sexual offences against children are rarely enforced (Bevilacqua 1998, 175). Bevilacqua notes that more industrialized countries (source countries) do not escape blame for the success of the international child sex industry, since much of the demand originates in those countries. Bevilacqua examines the laws of the destination and source countries, namely the US. The author discusses the implementation of national laws mandated by international law and the potential to successfully prosecute US customers of foreign child prostitution (Bevilacqua 1998, 176-178). The author concludes by noting that since sex tourism 'has stimulated the growth' of the industry, the international community must acknowledge the seriousness of these crimes and provide some sort of recourse to past victims and protection to future targets (Bevilacqua 1998, 183-184).

Beyond Borders, ECPAT-USA and Shared Hope International. *Report of the Canada-United States Consultation in Preparation for World Congress III against Sexual Exploitation of Children and Adolescents*, October 2-3, 2008:16, [accessed 2013-05-09], from: [http://www.ecpat.net/worldcongressIII/PDF/RegionalMTGs/canada\\_us\\_consult\\_report\\_final.pdf](http://www.ecpat.net/worldcongressIII/PDF/RegionalMTGs/canada_us_consult_report_final.pdf).

In preparation for World Congress III against the Sexual Exploitation of Children and Adolescents meeting to be held in Brazil in November 2008, the United States and Canada held a Consultation in October 2008. It was hosted by Shared Hope International and the meeting was attended by representatives of Non-Governmental Organizations

(NGOs) from both the US and Canada, US government representatives, and the Canadian Federal Ombudsman for Victims of Crime. The meeting was held to take stock of the Canadian and American efforts made to protect children from sexual exploitation, the major obstacles they faced, and next steps. The Consultation was organized around four sequential roundtable discussions addressing the following topics: 1) Prevention and Private Sector Role; 2) Legislation; 3) Identification of Victims; and 4) Restorative Services.

The report highlighted the key points that emerged from the roundtables, and was organized around three themes: 1) Commercial Sexual Exploitation of Children; 2) Restorative Services; and 3) Child Pornography. Five crosscutting themes emerged. These included legislative frameworks to address the problem of child sexual exploitation, enforcement of the law against child sex tourism, public attitudes in both countries, and resources dedicated to specialized services to help sexually-exploited children. The report considered Canada's lack of enforcement of the law against child sex tourism 'the most glaring law enforcement gap.'

Blanchfield, Luisa. "*The United Nations Convention on the Rights of the Child: Background and Policy Issues*," Congressional Research Service Report for Congress, Washington, D.C., Report Number R40484, December 6, 2010:18, [accessed 2013-04-16], from: <http://fpc.state.gov/documents/organization/153279.pdf>.

The author provides a brief history of the *UN Convention on the Rights of the Child* (CRC), and outlines its objectives, structure and the question of US ratification. The CRC is an international treaty that seeks to protect the rights of children worldwide, and defines a child as any human being under the age of 18. Blanchfield examines US policy toward the CRC, including past and current Administrations and Congressional perspectives. Finally, the author highlights selected policy issues that the current Administration may wish to consider when examining the treaty's possible impact on US sovereignty, federal and state laws and parental rights.

Breckenridge, Karen D. "Justice Beyond Borders: A Comparison of Australian and US Child-Sex Tourism Laws," *Pacific Rim Law & Policy Journal*, 13(2), April 2004:405-438.

According to the author, the multi-billion dollar sex tourism industry victimizes millions of children annually, and has been identified as a global human rights problem. Since Americans and Australians account for a large percentage of the sex tourists (i.e., about 25% are from the US and 13% are from Australia), both countries have adopted laws to prosecute these tourists (Breckenridge 2004, 407). In 2003, the US adopted the PROTECT Act (*Prosecutorial Remedies and Other Tools Against Exploitation of Children Today Act*), which is similar to the Australian *Crimes (Child Sex Tourism) Amendment Act of 1994* that allows for the extraterritorial prosecution of CST and child-sex tour operators based on sexual offences committed in destination states. The author compares the American and Australian anti-CST legislation and argues that although the US PROTECT Act makes the prosecution of US tourists easier, the US should not expect a significant increase in the number of convictions without directing its

resources at the organizers of CST activities and addressing the root causes of the CST problem (Breckenridge 2004, 405).

Although the Australian and American statutes are similar since they have extraterritorial prosecution of sex tourists based on evidence of sexual offences in destination countries, as well as the prosecution of sex tour organizers, there are material differences between the two laws (Breckenridge 2004, 421). First, the US PROTECT Act allows for prosecutions based on evidence of intent alone, which is not offered in the Australian statute. Second, US CST defendants could be subject to prosecution both domestically and abroad for sexual offences, which is barred by the double jeopardy clause in the Australian law. Finally, Australia's CST Act accommodates foreign witnesses via remote video testimony, which is prevented by requirements of the *Sixth Amendment to the US Constitution* (Breckenridge 2004, 423-424).

Cotter, Kelly M. "Combating Child Sex Tourism in Southeast Asia," *Denver Journal International Law and Policy*, 37(3), 2009:493-512.

The legal remedies against CST are complex, time-intensive and difficult to coordinate, and occur globally, nationally, and locally (Cotter 2009, 504). The author gives detailed information on the push and the pull factors of CST in Southeast Asia (Cotter 2009, 495-498). The US *Trafficking Victims Protection Act* (TVPA) created the State Department's annual *Trafficking in Persons Report* (TIP) that evaluates foreign government responses in each country with severe forms of trafficking in persons (Cotter 2009, 505). The TIP report is one of the tools used by the US to combat CST. The US rates each country in tiers<sup>6</sup> (with tier 1 ranked as the best and tier 3 as the worst) based on government efforts to combat trafficking. The US Congress defines sex tourism as part of the definition of 'trafficking' and has led to the TIP ratings of Southeast Asian countries as tier 3, with the possibility of US sanctions (Cotter 2009, 506).

According to the author, the US State Department's TIP Report and its tier rankings continue to be instrumental in getting Southeast Asian countries to enforce their laws against sex tourism. When Cambodia was ranked in the lowest tier 3 ranking in 2005, which resulted with a US threat of sanctions against Phnom Penh for its inability to comply with the minimum standards to combat human trafficking and convict officials involved. In 2006, Cambodia's police made a number of high-profile arrests. By September 2006, Cambodia was placed on Tier 2 Watch List (Cotter 2009, 508).

ECPAT International. *Report of the World Congress III Against Sexual Exploitation of Children & Adolescents*, September 2009:150, [accessed 2013-03-22], from: [http://www.ecpat.net/WorldCongressIII/PDF/Publications/ECPATWCIIIReport\\_FINAL.pdf](http://www.ecpat.net/WorldCongressIII/PDF/Publications/ECPATWCIIIReport_FINAL.pdf).

End Child Prostitution and Child Pornography and Trafficking (ECPAT) reported on the World Congress III Against Sexual Exploitation of Children and Adolescents that renewed its commitment to protect children from sexual exploitation. Strategies for international cooperation focused on multilateral and regional mechanisms for fighting sexual exploitation of children and adolescents, as well as cross-border crimes.

Discussions were held on improving existing systems of information, identifying the experience of international agencies and organizations, as well as ongoing monitoring and evaluating progress made since the previous ECPAT World Congresses (ECPAT 2009, 93).

Programs to prevent CSEC are offered as part of a collaborative effort between NGOs and government, communities, research institutes and private foundations. ECPAT stressed that international and multisectoral cooperation is necessary to fight and prevent the sexual exploitation of children. ECPAT also stressed the need to establish standardized databases that would facilitate sharing of information, knowledge and expertise (ECPAT 2009, 95). ECPAT noted that various key legal challenges require attention, including specialized training of law enforcement personnel aimed at acquiring knowledge and skills to deal with CSEC, a particular type of children's right violation (ECPAT 2009, 96). Sensitisation sessions were identified as an essential and necessary tool for working with children who are victims of CST. Appendix 2 summarizes the participating governments' dialogues and their anti-CST efforts to date.

Edelson, Daniel. "The Prosecution of Persons Who Sexually Exploit Children in Countries Other than Their Own: A Model for Amending Existing Legislation," *Fordham International Law Journal*, 25(2), 2001:483-540.

Edelson describes the challenge of CST, focusing on both the perpetrators and their victims. The author discusses the extraterritorial legislation against CST and focuses on country-specific examples of legislation and instances of prosecution in Japan, Sweden, Australia, the United Kingdom, Canada and the United States (Edelson 2001, 503-532). Edelson sets forth a model of extraterritorial legislation against CST, as well as non-legislative steps that source countries should take in response to CST (Edelson 2001, 532-537).

Fabié, Sendrine and Barioulet, Hervé. *ECPAT International Child Sex Tourism Action Survey*, ECPAT International and Groupe Développement, April 2001:41, [accessed 2013-03-22], from: [http://www.no-trafficking.org/content/pdf/ecpat\\_child\\_sex\\_tourism\\_action.pdf](http://www.no-trafficking.org/content/pdf/ecpat_child_sex_tourism_action.pdf).

ECPAT International commissioned a study to design a global strategy to combat CST. The study was carried out between August and December 2000. This involved using a questionnaire that reviewed possible anti-CST actions. The authors identified the many players involved, such as the tourism industry, ECPAT national groups, governments and other NGOs. The authors highlighted which actions were effective, showed models that could be replicated, and what legislation can help protect children. The analysis and country reports showed that dynamic and committed organizations are involved with the implementation of actions. The authors acknowledged that much remains to be done in terms of prevention and training to mitigate CST, and to act on CST perpetrators, victims, middlemen, causes and effects, and on the networks that serve to organize and promote CST. Appendix 3 highlights the translating of undertakings into actions by the tourism industry on its own initiative, and the tourism industry and the host country CST preventative actions.

Ferens, Melissa. *An Evaluation of Canada's Child Sex Tourism Legislation Under International Law*, University of Manitoba, Faculty of Law, 2004:32, [accessed 2013-03-01], from: <http://beyondborders.org/wp/wp-content/uploads/2009/06/child-sex-tourism-paper-melissa-ferens.pdf>.

Ferens examined the validity of Canada's 'child sex tourism' extraterritorial legislation in relation to Canada's traditional approach to criminal law jurisdiction and principles of international law. The author assessed the factors and case law relating to the application of Canada's extraterritorial legislation. Ferens identified three factors supporting Canada's extraterritorial CST legislation, which are: (1) the international treaties to which Canada has become a signatory; (2) the recognition of the nationality principle as a valid basis for extending prescriptive jurisdiction and (3) the inability or unwillingness of other countries to prosecute cases of child sexual exploitation (Ferens 2004, 14).

She reviewed key provisions of existing international commitments relating to the prevention and punishment of CST to demonstrate compliance with the first factor. The *UN Convention on the Rights of the Child* of 1989 (CRC) is the first legally binding agreement explicitly protecting children from sexual abuse and exploitation to which Canada is a State Party. Key provisions of the CRC require State Parties "to pass laws against the sexual exploitation of children" and "to establish appropriate social programs for rescuing child victims" (Ferens 2004, 15). The *Declaration and Agenda for Action* of 1996 committed signatories "to develop laws against the sexual exploitation of children, including extraterritorial legislation" (Ferens 2004, 15). The *UN Optional Protocol* to the CRC's article 4(2) conferred "legal authority on states to enact extraterritorial legislation when either the perpetrator or the victim is a national of that state" (Ferens 2004, 18).

Ferens noted certain deficiencies in Canada's anti-CST provision. She asserted that there is an inconsistency in the *Criminal Code*. Section 7(4.1) contains a number of sexual offences which allow for the prosecution of individuals who sexually abuse and exploit children, whether or not this event occurs in a commercial context. However, the age limits associated with these offences in s. 7(4.1) need to be unified. Canada's age of consent remains at 16 for offences of sexual interference and sexual touching.<sup>7,8</sup> Under section 212(4) of the *Criminal Code*, it is an offence to obtain sexual services of a person under the age of 18 years. The author asserted that Canada's age of consent needs to be raised to correct this contradiction in the *Criminal Code* (Ferens 2004, 30). Ferens summarized Canada's track record in prosecuting offenders who commit sexual crimes against children outside the country as "a dismal failure" (Ferens 2004, 31).

Fraley, Amy. "Child Sex Tourism Legislation under the PROTECT Act: Does it Really Protect?" *St. John's Law Review*, 79(2), Spring 2005:445-483.

Fraley gave an overview of the problem of CST and its impact on the victims, looking at the psychological and physical effects, and the need for rehabilitation (Fraley 2005, 450-453). The author examined the evolution of the United States CST legislation, focusing on the amendments enacted as part of the PROTECT Act. Fraley discussed the

advantages of a comparative perspective by which aspects of the US approach to combating CST are measured against their counterparts in the Australian, German, Japanese and Swedish systems (Fraley 2005, 473-478). These comparisons highlighted the need for each country to commit the necessary resources to stop CST. Fraley added that legislation must be combined with international collaboration and support to apprehend and prosecute CST individuals and sex tour companies.

Fredette, Kalen. "International Legislative Efforts to Combat Child Sex Tourism: Evaluating the Council of Europe Convention on Commercial Child Sexual Exploitation," *Boston College International and Comparative Law Review*, 32(1), 11-01-2009:1-43.

The author assessed recent national and international efforts to combat global CST focusing on the Council of Europe's *Convention on the Protection of Children against Sexual Exploitation and Abuse* (Convention). In response to international pressure, most destination states modernized their criminal codes by adding anti-CST provisions. Although the statutory trend among these states was to immunize child victims of CST from prosecution, statutory deficiencies persisted including the lack of provisions specifically identifying CST as a form of sexual exploitation. Due to uneven enforcement, these legal reforms have been criticized as being cosmetic (Fredette 2009, 15).

The author claimed that *US Victims of Trafficking and Violence Protection Act of 2000* (TVPA) is the 'most visible unilateral legislative effort to combat CST-related crimes' by using incentive-based programs (Fredette 2009, 31). The Office to Monitor and Combat Trafficking publishes its annual *Trafficking in Persons Reports* (TIP Reports). TIP Reports analyses and compiles global information on human trafficking, and provides the data to the US Congress, its partner agencies, and the NGO community. In 2002, the US dedicated fifty-five million dollars to anti-trafficking programs spread over fifty countries. In 2004, the US provided ninety-six million dollars. TVPA offences resulted in US economic sanctions against the 'worst offenders' of CST-related crimes, and identification of those states as having a poor human rights record (Fredette 2009, 31). Poorly-rated states increased their anti-trafficking efforts to avoid US economic sanctions and remove the stigma that threatened to impact their international trade, tourism and aid with the US (Fredette 2009, 32). In 2007, another multilateral response to CST crimes came with the establishment of the Convention.<sup>9</sup> The Convention's CST-related provisions incorporate parts of existing national anti-CST legislation. The provisions covered both source and destination states and related law enforcement, including both domestic and extraterritorial offences.

Hall, John A. "Sex Offenders and Child Sex Tourism: The Case for Passport Revocation," *Virginia Journal of Social Policy & the Law*, 18(2), 2011:153-202.

Hall states that CST, a flourishing industry, possibly impacts up to two million children in Southeast Asian and other developing countries (destination countries) annually. He notes that the current legal regime does little to prevent sex offenders convicted in the US from travelling overseas to abuse children abroad (Hall 2011, 175). US federal laws,



primarily the PROTECT Act of 2003 (*Prosecutorial Remedies and Other Tools Against Exploitation of Children Today Act*) and amendments to the *Trafficking Victims Protection Act* (TVPA), currently criminalize overseas sex abuse by US citizens without requiring prosecutors to prove that the offender travelled abroad with the intent to commit a crime (Hall 2011, 172-173). These laws impose strict penalties for those who are convicted and focus on penalizing crimes after their commission instead of prevention.

The author drafted proposed revisions to the *US Passport Act*, stating that a better approach would authorize the revocation of convicted abusers' passports, forcing them to remain in the US, where significant post-incarceration controls mitigate the possibility of recidivism (Hall 2011, 175-182). Despite due process concerns, international travel is not an unqualified right under the *US Constitution Act*. Therefore, restrictions on international travel would be subjected to review, whereby the US government would be permitted to refuse a passport by demonstrating that such action was related to the government's objective of preventing convicted sex offenders from abusing children in destination countries lacking the resources or initiative to prevent such abuse within their borders (Hall 2011, 196).

Healy, Margaret. "Prosecuting Child Sex Tourists at Home: Do Laws in Sweden, Australia, and the United States Safeguard the Rights of Children as Mandated by International Law?" *Fordham International Law Journal*, 18, 1995:1852-1923.

Healy evaluated the Swedish, Australian and the American CST laws and approaches in relation to the protection for children required by international law. These countries have enacted legislation or have been exploring existing laws to prosecute CST-perpetrators and prevent such activities. The author noted that there are laws in both the destination and source countries directed at CST. Healy compared national strategies for the elimination of CST followed by Sweden, Australia and the US and argued that legislation alone is not enough to protect CST victims as mandated by international law (Healy 1995, 1912-1916). The author concluded that the CST problem will not be solved until each country has developed comprehensive strategies involving legislation, international cooperation, and support of child advocacy NGOs (Healy 1995, 1916-1923).

International Bureau for Children's Rights Canada. *Combating Child Sex Tourism by involving the Canadian Private Sector of travel and tourism and the Canadian public: 2009-2012*, International Bureau for Children's Rights (IBCR), Montreal, QC, 2012:22, [accessed 2013-04-02] from: [http://www.ibcr.org/editor/assets/Tourisme%20sexuel\\_AN\\_int\\_lowres.pdf](http://www.ibcr.org/editor/assets/Tourisme%20sexuel_AN_int_lowres.pdf).

The report identified ongoing efforts made by International Bureau for Children's Rights (IBCR) in Canada to combat CST. The *United Nations Convention on Rights of the Child* (CRC) led to the creation of the IBCR. The CRC principles in addition to its optional protocols guide the IBCR on its rights-based approach (IBCR 2012, 2). Pursuant to its mandate, the IBCR determined that the issue of CST as well as its social and legal concerns were almost unknown in Canada (IBCR 2012, 2). The general Canadian public was unaware of the existence of the extraterritorial law and its

implications. Despite agreeing to a number of international action plans, declarations and agreements on eliminating the commercial sexual exploitation of children, the problem of CST persists.

To raise awareness against CST in Canada, the IBCR described the scope of the CSEC problem, identified common misconceptions and the Canadian government's commitment on these issues. The IBCR initiated coalitions with Plan Canada and One Child that were endorsed by UNICEF Canada to create synergies to combat CST (IBCR 2012, 9). The IBCR has also partnered with Canadian law enforcement agencies in Quebec, namely the Sûreté du Québec (SQ), the Montreal police (SPVM), the Royal Canadian Mounted Police (RCMP), the Canada Border Services Agency (CBSA), to develop a national campaign against CST (IBCR 2012, 10). The IBCR indicated the need for much more work in relation to corporate social responsibility policies related to child protection since only two Canadian companies have signed the Code of Conduct for the protection of children from sexual exploitation in travel and tourism. Since 2009, the IBCR has hosted three forums on the protection and prevention of sexual exploitation of children in travel and tourism that included members of the travel and tourism industry, law enforcement officials, NGOs, as well as government officials (IBCR 2012, 12-13). The IBCR concluded that more needs to be done to improve bilateral collaboration between Canada and destination countries (IBCR 2012, 19-21).

International Bureau for Children's Rights Canada. *International Dimensions of the Sexual Exploitation of Children: Global Report*, International Bureau for Children's Rights (IBCR), Montreal, QC, 2000:117, [accessed 2013-04-02] from:  
[http://www.ibcr.org/editor/assets/thematic\\_report/4/2000\\_global\\_report\\_sec\\_en.pdf](http://www.ibcr.org/editor/assets/thematic_report/4/2000_global_report_sec_en.pdf).

The report reviews the international dimensions of sexual exploitation of children and related work by the International Tribunal for Children's Rights (Tribunal) at its three Public Hearings held between September 1997 and February 1999, in Paris (France), Fortaleza (Brazil), and Colombo (Sri Lanka) (IBCR 2000, 9). As the international community becomes aware of the magnitude of the problem of the commercial sexual exploitation of children, many organizations, in particular NGOs, have sought to combat the situation. Three main strategies were adopted. The first strategy takes the form of different types of preventive measures, such as education, raising awareness, alternative income-generation schemes, and monitoring. The second strategy is based on protective measures including criminalizing and penalizing exploiters, harmonizing laws between countries, training law enforcement officials, and providing hotlines and rescue operations for child victims. The third strategy involves recovery and reintegration providing health and social services, and sensitising their staff, as well as educating families and communities not to stigmatize child victims (IBCR 2000, 26). Crossing all of these strategies is extraterritorial legislation, developed to combat the sexual exploitation of children also known as child sex tourism (CST).

Evidence heard by the Tribunal at all three hearings indicated that there are three dimensions to cooperation in relation to the combating the international sexual exploitation of children: intergovernmental cooperation, cooperation between States and



civil society, and bilateral cooperation at various levels between personnel in the two countries involved in an extraterritorial investigation and prosecution (IBCR 2000, 53). The recommendations cover a wide array of measures aimed at better protecting children from CST activities and ensuring that their abusers are properly prosecuted and convicted globally. National action includes elevating the profile of child rights in the political agenda, promoting effective law enforcement in both the destination countries and countries of origin (source countries), and forming multidisciplinary teams to provide integrated interventions to help the child victim. Research is required on the monitoring and evaluation of the implementation of extraterritorial legislation in combating the international sexual exploitation of victims must be made more child- and gender-sensitive.

Kaviani Johnson, Afrooz. "International Child Sex Tourism: Enhancing the Legal Response in South East Asia," *International Journal of Children's Rights*, Volume 19, Martinus Nijhoff Publishers, 2011:55-79.

According to the author, the understanding of the scope of CST has developed in recent years (Kaviani Johnson 2011, 56). The author assesses the national laws in the ten Southeast Asian destination countries that may be used to prosecute travelling child sex offenders (TCSOs), and those who facilitate CST. Kaviani Johnson highlights the legislative deficiencies to advance the argument and action on much needed reform. The author noted that there were few provisions in national legislation that specifically address CST as a distinct form of sexual exploitation (Kaviani Johnson 2011, 78). Kaviani Johnson concluded that national legislation should directly address CST and its unique characteristics to hold accountable all who were complicit in the crime. Due to the transboundary nature of the crime, the author recommends that multinational approaches that synchronize with national legislation also be adopted (Kaviani Johnson 2011, 78).

Klain, Eva J. *Prostitution of Children and Child-Sex Tourism: An Analysis of Domestic and International Responses*, National Center for Missing & Exploited Children, April 1999:109, [accessed 2013-03-18] from:

<http://www.hawaii.edu/hivandaids/Prostitution%20of%20Children%20and%20Child%20Sex%20Tourism.pdf>.

The author reviews both domestic and international responses to child prostitution and CST with the US and abroad. She describes the nature and the scope of the CST problem within the US, including how and why children enter into prostitution, and possible consequences. Klain also describes the US domestic legal framework in the federal and state jurisdictions, and selected law enforcement initiatives combating this form of exploitation. In addition, the author takes a look at the commercial exploitation of children through prostitution and CST-related activities on a global level (Klain 1999, 1).

Despite the existence of numerous treaties at the United Nations and regional level addressing the commercial-sexual exploitation of children through prostitution and CST activities, these agreements have varying degrees of enforceability and generally rely on

the voluntary cooperation of those nations that have ratified them (Klain 1999, 38). The author also notes that the world tourism industry has influence and ability to act against CST activity (Klain 1999, 41). Although certain large travel organizations have made efforts to counter CST activity, there remains a myriad of small travel companies that globally continue to promote CST activity. Finally, the author indicates the need for cooperation among law enforcement agencies in addition to prevention, rehabilitation and re-integration programs to help the victims (Klain 1999, 48-49).

Maalla M'jid, Najat. *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography*, United Nations General Assembly, Human Rights Council, Twenty-second session, Agenda item 3, 24 December 2012:22, [accessed 2013-03-18] from: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A.HRC.22.54\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A.HRC.22.54_en.pdf).

Maalla M'jid, the UN Special Rapporteur, sent questionnaires to all UN member states, its agencies, international organizations and NGOs to seek their views on the issue of protection of children from CST. Thirty-five nation states responded (Maalla M'jid 2012, 4). The resultant report provided an overview of the current situation of CSTs, profiled legal obligations, roles and responsibilities of individuals and state parties. It also sought to share effective responses and lessons learned, and made practical recommendations to protect children from CSTs.

Efforts have been made nationally, regionally, and globally by international agencies, as well as the travel and tourism industry, NGOs and research groups to combat and prevent CST. Legislative and regulatory frameworks have been established nationally, regionally and globally for the protection of children. Despite these frameworks, remaining issues include the lack of uniformity in definitions and requirements in these agreements, as well as extraterritoriality issues contributing to uneven law enforcement (Maalla M'jid 2012, 11). The report identified preventive actions that have been undertaken at local, national, regional and international levels, such that from World Vision's Child Sex Tourism Prevention Project, the End Child Prostitution and Child Pornography and Trafficking (ECPAT) Offenders Beware project, and the Child Wise Tourism programme in Southeast Asia (Maalla M'jid 2012, 15). The report also noted the increased coordinated transnational cooperation through the information exchange and international alert system that were established to report and provide information on CSTs who are capable of re-offending in other countries (Maalla M'jid 2012, 18).

Newman, William J., Holt, Ben W., Rabun, John S., Phillips, Gary, and Scott, Charles L. "Child sex tourism: Extending the borders of sexual offender legislation," *International Journal of Law and Psychiatry*, 34, 2011: 116-121.

Newman et al. described potential challenges related to mitigating CST. The authors maintained that mental health providers have a role of evaluating both the victims and the perpetrators of CST. The authors defined CST as the act of travelling to engage in sexual acts with minors, which plagues developing nations globally (Newman et al. 2011, 116).

Victimized children tend to live in terrible conditions and have shown high rates of sexually transmitted infections, mental illness, and substance abuse.

Human rights organizations along with governments have been implementing policies to combat the CST problem. End Child Prostitution and Child Pornography and Trafficking (ECPAT) and United Nations Children's Fund (UNICEF) have championed the *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism*, which established guidelines to prevent travellers from exploiting children (Newman et al. 2011, 118). Such guidelines included establishing ethical policies, training personnel, educating travellers, and providing annual reports. Participating businesses that have complied with these guidelines are placed on lists that are disseminated to potential travellers.

Perrin, Benjamin. "Taking a Vacation from the Law? Extraterritorial Criminal Jurisdiction and Section 7(4.1) of the *Criminal Code*," *Canadian Criminal Law Review*, Volume 13, 2009:175-209.

"In the decade following the adoption of Canada's extraterritorial child sex crime provisions in section 7(4.1) of the *Criminal Code*, only a single conviction was entered."<sup>10</sup> The author noted that Canada's lack of enforcement of the law against CST has been increasingly criticized by foreign governments and NGOs. In the June 2008, *US Trafficking in Persons Report*, Canada's lack of progress in addressing child sex crimes committed by its citizens abroad was criticized. The report also recommended that Canada "increase efforts to investigate and prosecute, as appropriate, Canadians suspected of committing child sex tourism crimes abroad."<sup>11</sup>

Perrin stated that the B.C. Supreme Court decision in *R. v. Klassen* (2008) as a landmark ruling because it provides the first explicit judicial affirmation of the validity of Canada's extraterritorial child sex crime provisions under both Canadian constitutional law and international law. Mr. Klassen was charged with 35 counts brought under section 7(4.1) of the *Criminal Code* for conduct that allegedly took place in the countries of Cambodia, Colombia, and the Philippines. The defence application seeking "a declaration that section 7(4.1) of the *Criminal Code* is *ultra vires* the Parliament of Canada; or in the alternative, that it is of no force and effect pursuant to section 52(1) of the *Constitution Act, 1982*"<sup>12</sup> was dismissed.

In the author's view, the *Klassen* decision allowed for more proactive enforcement of section 7(4.1) by Canadian law enforcement agencies, based on relevant multilateral and bilateral treaties between Canada and relevant foreign states, exercised within the framework set out by the Supreme Court of Canada in *R. v. Hape*.<sup>13</sup> Perrin provided a more thorough justification for the decision in *Klassen* based on "nationality-based adjudicative jurisdiction for crimes involving the sexual abuse and exploitation of children as a principle of conventional and customary international law."<sup>14</sup>

Rutkow, Lainie and Lozman, Joshua T. "Suffer the Children?: A Call for United States Ratification of *the United Nations Convention on the Rights of the Child*, *Harvard Human Rights Journal*, Volume 19, 2006:161-191.

The *United Nations Convention on the Rights of the Child* (CRC) was adopted on November 20, 1989, and by 1997, 192 nation states had become party to the CRC. The US remains the only industrialized nation that has not ratified the CRC. The CRC sets out the rights of children to basic levels of nutrition, education, physical protection and a life free from religious, sexual or racial persecution. Despite the fundamental rights that the CRC seeks to protect, the US has not ratified it due to sovereignty concerns (US legislative bodies should dictate US law, not an international convention), states' rights issues concerning family law, and opposition by parents' rights organizations.

The authors suggested that the US could advance its interests by participating in multilateral agreements that are aligned with US policies. The US tends to place reservations to international treaties containing federalism clauses allowing the States to have a final word and because the CRC does not seek to provide illicit information to children in contravention with a parent's right to monitor their child's upbringing.

Sisavath, Phouthone. *Combating Child Sex Tourism in a new tourism destination*, a partial fulfilment for the requirement for the Unitec New Zealand degree of Master of Business, 2012:125, [accessed 2013-03-18] from:  
<http://unitec.researchbank.ac.nz/bitstream/handle/10652/2035/Phouthone%20Sisavath%202012-09-25.pdf?sequence=1>.

The author undertook a literature review and interviewed individuals based in Laos to investigate CST by examining the perspectives and reactions of anti-CST agencies towards the situation of CST in Laos. Sisavath took into account the opinions expressed by international organizations and NGOs, such as the United Nations Children's Fund and International Friends, and their role in financing technical assistance programs combating CST (Sisavath 2012, 5). From his research, the author concluded that developing countries, such as Laos in particular, can do more to prevent and combat CST issues if they have learned from past experiences in other countries, such as Thailand (Sisavath 2012, 1).

Song, Susan. *Global Child Sex Tourism: Children as Tourist Attractions*, Youth Advocate Program International Resource Paper, no date: 5, [accessed 2013-04-02] from:  
<http://www.yapi.org/rpchildsextourism.pdf>.

The author indicated that Americans comprise an estimated 25% of all sex tourists. According to an ECPAT survey in 2003, in countries such as Cambodia and Costa Rica, the percentage of American sex tourist jumps to 38% and 80% respectively (Song no date, 2). CST is a multi-billion dollar industry fuelling corruption while attracting organized criminal organizations and transnational trafficking networks given the push and pull factors in Southeast Asia and other developing countries (Song no date, 2). According to Song, some perpetrators are motivated by the belief that it is safer to have

sex with a child, but in truth, children are more susceptible to HIV and other sexually transmitted diseases (Song no date, 3).

Since 1989, additional international, regional and national legal instruments and monitoring mechanisms have been adopted. Concurrently, international campaigns aimed at combating sex tourism have been launched. Many countries have also developed national plans of action or strengthened existing laws against commercial sexual exploitation of children. Song concludes that “CST will not relent any time soon unless drastic steps are taken and sustained, coordinated commitment is made by governments, law enforcement agencies, private companies, and all sectors of civil society to galvanize social awareness, strengthen and enforce laws, reach workable solutions, and fight the root causes of CST.”<sup>15</sup>

Steering Committee on the Code of Conduct. *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism: Background and Implementation Examples*, World Tourism Organization, ECPAT International, Interpol, International Hotel and Restaurants Association, Tourism Authority of Thailand, EMBRATUR, Tour Operators’ Initiative for Sustainable Tourism Development, Federal of International Youth Travel Organizations, Japan Committee for UNICEF, 2002:44, [accessed 2013-04-02] from: [http://www.ecpat.net/ei/Publications/CST/Code\\_of\\_Conduct\\_ENG.pdf](http://www.ecpat.net/ei/Publications/CST/Code_of_Conduct_ENG.pdf).

*The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism* (the Code) is a collaboration project between the tourism private sector and the children’s rights NGOs ECPAT and UNICEF. It aims to prevent the sexual exploitation of children at tourism destinations. Tour operators and their umbrella organizations, travel agents, hotels, airlines, etc. that endorse the Code commit themselves to implement a number of measures. Since 2000, the Code has been developed using funding provided by the European Commission, contributions from six European ECPAT partners, and logistic support from the WTO and the tourism industry. The report identifies 40 companies, tour operators, travel agencies, tourism associations and tourism unions endorsing the Code. According to IBCR, as of 2012, 1030 travel companies in 42 countries had signed the Code.<sup>16</sup>

Svensson, Naomi L. “Extraterritorial Accountability: An Assessment of the Effectiveness of Child Sex Tourism Laws,” *Loyal Los Angeles International & Comparative Law Review*, 28(3), Summer 2006:644-664.

Svensson explored the scope and effectiveness of extraterritorial legislation used to combat CST. She noted that due to many US evidentiary and procedural obstacles, most extraterritorial legislation in its current form is inadequate. Svensson emphasized that improving current CST legislation to protect vulnerable children is vital. However, destination countries must also take part in this global fight against CST-related activity. Concurrently, source countries must contribute to these efforts by helping with prosecution efforts in destination countries (Svensson 2006, 664).

The author stressed that the key to successfully combat CST activities requires not only improved extraterritorial legislation, it also requires collaboration with the destination countries to enforce effective prosecution of individuals involved in CST activities (Svensson 2006, 664). She noted NGO efforts such as that of the UNICEF capacity-building project in Cambodia to improve the capacity of police, judges and prosecutors in cases of CST-exploitive activities. The author concluded that legislation is only one step besides providing for the legal and economic needs of destination countries to protect children from commercial sexual exploitation.

The Protection Project. *International Child Sex Tourism: Scope of the Problem and Comparative Case Studies*, John Hopkins University, Paul H. Nitze School of Advanced International Studies, January 2007:190, [accessed 2013-03-18] from: [http://www.protectionproject.org/wp-content/uploads/2010/09/JHU\\_Report.pdf](http://www.protectionproject.org/wp-content/uploads/2010/09/JHU_Report.pdf).

The Protection Project (TPP) report describes the scope of the problem of CST and shows a number of proactive responses adopted in some of the destination countries where CST is emerging or significant, particularly Cambodia, Costa Rica, Honduras, Philippines, Thailand, and Vietnam. It also examines the cases of CST that have been prosecuted pursuant to the United States federal PROTECT Act (*Prosecutorial Remedies and Other Tools Against Exploitation of Children Today Act*), since the US is a major origin or source country for CST. TPP report included a 'model law' that could serve as a possible legislative guide for countries taking the appropriate legislative measures to prevent the CSEC, more specifically CST. For example, Appendix 4 shows the US government and NGOs' efforts as well as the private sector initiatives to combat CST.

Thomas, Terry. "International travel for purposes of child sexual exploitation: Policies and responses," *Crime Prevention and Community Safety*, 13(2), MacMillan Publishers Ltd., 2011:134-147.

Thomas examined the international movements of convicted CST and also looked at existing United Kingdom (UK) policies and operational measures to reduce the potential for sexual offenders to travel abroad to cause harm to children. He considered current responses to the inbound CSTs and the outbound CSTs. Although freedom of movement for all, including international movement, is a valued human right, Thomas qualified that such movement may be restricted 'for prevention of crime, for the protection of health or morals, or for the protection of the rights and freedoms of others' (European Union Convention on Human Rights (ECHR) 1950 Protocol 4 Article 2(2)).

According to Thomas, if the UK police become aware of an inbound sexual offender, they may apply for a Notification Order that would allow the police to place the new arrival on the UK sex offender register (*Sexual Offences Act, 2003*, ss 97-103). This can be done for UK nationals or foreign nationals. Similarly, if a registered sexual offender wants to travel outbound (i.e., overseas) for just 3 days, registered sexual offenders must give notice to the police (*The Sexual Offences Act, 2003 (Travel Notification Requirements Regulations 2004 SI 1220)*). These requirements are applied in England, Wales, and Northern Ireland, with Scotland having its own Regulations (*The Sexual*



*Offences Act, 2003 (Travel Notification Requirements) (Scotland) Regulations 2004 SSI 205*). Another option involves use of the UK Foreign Travel Order, which prevents a registered sexual offender from leaving the UK at all (*Sexual Offences Act, 2003*, sections 114-122).

Todres, Jonathan. "Prosecuting Sex Tour Operators in US Court in an Effort to Reduce the Sexual Exploitation of Children Globally," *Boston University Public Interest Law Journal*, Volume 9, 1999:1-23.

Child sex tourism is a flourishing business, particularly in Southeast Asian countries such as Thailand, Malaysia, Indonesia and the Philippines. The demand for CST tends to originate in the 'sending countries,' or source countries. Many of which have passed legislation criminalizing overseas travel for the purposes of engaging in CST-related activities. Although these source countries have enacted legislation to punish individuals engaging in such acts, this case-by-case approach is limited. Many of these laws respond to the problem only one individual at a time, and do little to reduce individuals' access to sex tours (Todres 1999, 4). Todres focuses on the US federal government's ability to prosecute sex tour operators under current law, more specifically through the *Mann Act* (Todres 1999, 5-13). The author also examines New York state law, where several sex tour operators do business, and other efforts to combat the sexual exploitation of children (Todres 1999, 13-16). Todres asserts that despite limitations, the prosecution of sex tour operators remain an important step in reducing CST activity globally. He concludes that prosecutors have the means to address CST domestically and it is their duty to do so (Todres 1999, 23).

United States Department of State. *Trafficking in Persons Report: June 2008*, Washington, D.C., 2008:295:86-88, [accessed 2013-05-09] from:  
<http://www.state.gov/documents/organization/105501.pdf>.

In accordance with the *US Trafficking Victims Protection Act of 2000*, as amended (TVPA), the Department of State is required to submit a Report each year to the US Congress on foreign governments' efforts to eliminate severe forms of trafficking in persons. This Report is intended to raise global awareness, to highlight efforts of the international community, and to encourage foreign governments to take effective actions to counter all forms of trafficking in persons.

In its eighth report, it was noted that Canada complied with minimum standards for the elimination of trafficking. However, it was also noted that Canada had demonstrated limited progress on law enforcement efforts against offenders. It also recommended that Canada make "increased efforts to prosecute, as appropriate, Canadians suspected of committing child sex tourism crimes abroad."<sup>17</sup>

## 4.0 Observations

This paper offers an annotated bibliography relating to the sexual exploitation of children through prostitution, child pornography and sex trafficking by travelling child sex offenders (TCSOs), which the World Congress Against Commercial Sexual Exploitation of Children described as “insidious forms of commercialized violence against the world’s most vulnerable citizens.”<sup>18</sup> The paper focuses on promising practices or actions undertaken to mitigate TCSO-related activities globally, which may involve targeted campaigns, local initiatives such as public-private or civil society partnerships, as well as law enforcement initiatives in source and destination countries, and the identification of investigative and prosecutorial issues.

The sexual abuse and exploitation of children by adults crosses all national boundaries. Specific examples of sexual exploitation of children include TCSOs, cross-border trafficking of children for sexual purposes, child pornography, and the use of the Internet to propagate and distribute these forms of abuse and exploitation. Though estimates vary concerning the number of sexually exploited children, a global estimate by the International Labour Organization, “of the 12.3 million people who are victims of forced labour, 1.39 million are involved in forced commercial sexual exploitation and between 40 to 50 percent are children.”<sup>19</sup>

### *Promising Practice – Extraterritorial Legislation*

To build a protective environment for children, the initial global response focussed on the development and adoption of legal frameworks, including the *United Nations Convention on the Rights of the Child* (CRC) in 1989, and now ratified by 192 countries, and adopt implementing legislation, which included extraterritorial legislation. Extraterritorial legislation was enacted to deal with situations where the destination country does not have existing legislation, political will, or capacity to address TCSO activity that would be considered a serious offence in the source country such as Canada (i.e., sexual exploitation of children). This would also apply if the offender has left the destination country to their residence, such as Canada.<sup>20</sup>

### *Challenge – Extraterritorial Legislation*

Governments have found that TCSO offences are complex, time consuming and resource intensive, particularly when they are trying to get a victim’s testimony (Berkman, 1996; Bevilacqua, 1999; Breckenridge, 2004; Ferens, 2004; Fraley, 2005; Fredette, 2009; Hall, 2011; Healy, 1995; Kaviani Johnson, 2011; Klain, 1999; Rutkow and Lozman, 2006; Svensson, 2006; The Protection Project, 2007; Todres, 1999). Law enforcement challenges relate to evidentiary and procedural obstacles, the exorbitant costs associated with investigations, and the need for travel and victim support can impact law enforcement in Western countries (Berkman, 1996; Breckenridge, 2004; Fraley, 2005; Hall, 2011; Healy, 1995; Newman et al., 2011; Svensson, 2006; The Protection Project, 2007).

### *Promising Practice – National Legislation and Policies*

Table 1 of Appendix 2 and Table 5 of Appendix 5 highlight where some governments have made efforts, either on their own or in collaboration with other governments, NGOs or the private sector, to implement the CRC and its optional protocols. The level of government commitment and capacity for responding and enforcing the appropriate legal frameworks is uneven (Babu and Panko, 2011; Berkman, 1996; Bevilacqua, 1999; Cotter, 2009; ECPAT International, 2009;



Fabié and Barioulet, 2001; Fraley, 2005; Healy, 1995; Kaviani Johnson, 2011; Newman et al., 2011; Sisavath, 2012; Svensson, 2006).

#### *Challenge – National Legislation and Policies*

The national laws in destination countries need to address inconsistencies such as accommodate filing complaints without parental permission against a TCSO, since the parents are often the ones to offer their children to TCSOs (Barnitz, 2000; Berkman, 1996; ECPAT International, 2009); punish the perpetrators instead of the victims [i.e., the children] (Barnitz, 2000; ECPAT International, 2009; Fabié and Barioulet, 2001; International Bureau for Children’s Rights, 2012; Kaviani Johnson, 2011; Song, no date; Svensson, 2006; The Protection Project, 2007).

#### *Promising Practice – Attitudes, Customs and Practices*

The attitudes, customs and practices in the destination countries’ communities had in the past supported the demand for the commercial sexual exploitation of children. Now, this is beginning to change as the major actors in prevention (i.e., government, NGOs and private sector) are coming together in some of the destination countries such as Costa Rica, Honduras, Cambodia, the Philippines, Thailand, and Vietnam to undertake pilot projects to combat CST in those countries (The Protection Project, 2007).

#### *Challenge – Attitudes, Customs and Practices*

Issues remain in certain destination communities rarely intervene in cases of sexual exploitation due to lack of understanding about the harm to their children, fear of intimidation, or for economic reasons. In particular, the male attitudes seeking out prepubescent children for sex because they perceive the risk of HIV and other sexually-transmitted diseases to be lower (Barr et al., 1996; Beddoe et al., 2001; Berkman, 1996; Cotter, 2009; IBCR, 2000; Song, no date; The Protection Project, 2007) need to be changed.

#### *Promising Practice – Children’s Life Skills, Knowledge and Participation*

The children’s life skills, knowledge and participation are being improved in some of the destination countries such as Costa Rica, Honduras, Cambodia, the Philippines, Thailand, and Vietnam and examples are found in Table 4 of Appendix 4 (The Protection Project, 2007). Certain trafficked children and others who were pressed into TCSO activities are being trained on how to avoid TCSO risks, and provided strategies on how to protect themselves, and where to obtain help and report possible TCSO individuals when confronted (Babu and Panko, 2011; Barnitz, 2000; ECPAT International, 2009; IBCR, 2000; Maalla M’jid, 2012, The Protection Project, 2007).

#### *Challenge – Children’s Life Skills, Knowledge and Participation*

Unfortunately, much more work needs to be done as only a small percentage of the trafficked children are being trained to become hairdressers, dress makers or beauticians, work in tourism, and work in bars or hotels. Most of these children tend to end up in situations of sexual exploitation, and requiring knowledge of how to avoid these risks, of strategies on how to protect themselves and of where to obtain help when it is needed to make them less vulnerable (Babu and Panko, 2011; Barnitz, 2000; ECPAT International, 2009; IBCR, 2000; Maalla M’jid, 2012).

### *Promising Practice – Training and Coaching by Community Leaders*

Table 4 highlights some of the pilot projects and public awareness campaigns are underway having community leaders as well as teachers and coaches are helping to inform their children about their rights and how best to protect themselves in destination and in source countries (ECPAT International, 2009; IBCR, 2012; Newman et al., 2012; The Protection Project, 2007).

### *Challenge – Training and Coaching by Community Leaders*

The practice of having community leaders as well as teachers and coaches who do not provide this service globally is a challenge for most potential users, since the practice is not available to everyone who needs it (Fabié and Barioulet, 2001; ECPAT International, 2009; IBCR, 2012; Newman et al., 2012; The Protection Project, 2007).

### *Promising Practice – Training of Law Enforcement Agencies, the Judiciary and Lawyers*

Law enforcement agencies, as well as the police, judges and lawyers are being trained and made aware of children's need for assistance and support in pilot projects; examples are shown in Table 4. These children are given support and rehabilitation, not criminalized or prosecuted (ECPAT International, 2009; Fabié and Barioulet, 2001; Hall, 2011; Healy, 1995; IBCR, 2000; Klain, 1999; Newman, et al., 2011; The Protection Project, 2007).

### *Challenge – Training of Law Enforcement Agencies, the Judiciary and Lawyers*

Law enforcement agencies, including the police, judges and lawyers, should be trained and made aware that children who have been sexually exploited need assistance and should never be criminalized or prosecuted (Babu and Panko, 2011; Barnitz, 2000; Barr et al., 1996; Breckenridge, 2004; ECPAT International, 2009; Fabié and Barioulet, 2001; Hall, 2011; Healy, 1995; IBCR, 2000; Klain, 1999; Newman, et al., 2011; Song, no date; Svensson, 2006; The Protection Project, 2007).

### *Promising Practice – Travel and Tourism Industry Role*

Tables 2, 3 of Appendix 3 and Table 4 highlight examples where the travel and tourism industry are working to help raise awareness, provide information on penalties, and train their employees and affiliated companies on where to report cases (Beddoe, et al., 2001; ECPAT International, 2009; Fabié and Barioulet, 2001; IBCR, 2012; Steering Committee on the Code of Conduct, 2002; The Protection Project, 2007; Todres, 1999).

### *Challenge – Travel and Tourism Industry Role*

Unfortunately, much more needs to be done. The travel and tourism industry need to do more and engage their counterparts in source and destination countries that have not signed or are implementing the Code (Beddoe, et al., 2001; Bevilacqua, 1999; ECPAT International, 2009; Fabié and Barioulet, 2001; IBCR, 2012; Klain, 1999; Newman et al., 2011; Steering Committee on the Code of Conduct, 2002; The Protection Project, 2007; Todres, 1999).

### *Promising Practice – Monitoring, Reporting and Oversight*

The monitoring, reporting and oversight of cases of sexual abuse, of arrests, or of disappearances of children are taking place in both destination and source countries. Measures being used include telephone hotlines, easy access to confidential counselling and recruitment of female police officers (ECPAT International, 2009; Fabié and Barioulet, 2001; IBCR, 2000; Klain,

1999; Newman et al., 2011; Steering Committee on the Code of Conduct, 2002; The Protection Project, 2007).

#### *Challenge – Monitoring, Reporting and Oversight*

The monitoring, reporting and oversight of cases of sexual abuse, of arrests, or of disappearances of children are essential. Unfortunately, the practice remains uneven in both destination and source countries, and much more needs to be done (ECPAT International, 2009; Healy, 1995; IBCR, 2000; Klain, 1999; Newman et al., 2011; Steering Committee on the Code of Conduct, 2002; The Protection Project, 2007).

In addition to the above-mentioned observations, there are a number of points that could also be considered to build an environment of protection for children:

- review whether the practice of garnishing perpetrators' proceeds of crime occurs on a consistent basis with groups such as tour operators, and their umbrella organizations, travel agents, hotels involved in sustaining TCSO initiatives;
- consider registration of sexual offenders' movements inbound and outbound from Canada, as well as the use of the Foreign Travel Order as in the United Kingdom (e.g., which will require a change in legislation), which prevents a registered sexual offender from leaving the country at all (Thomas, 2011);
- promote the signing of The Code and the implementation of other Child Protection practices (IBCR, 2012);
- consider revising the *Criminal Code* to raise the age of consent of limits associated with the offences enumerated in s. 7(4.1) need to be unified and consistent with the requirements of the CRC (Ferens, 2004, 30); and
- build on the US momentum with their *Trafficking in Persons Report* (TIP) report that evaluates foreign government responses in each country with severe forms of trafficking in persons to combat TCSO activities (Cotter, 2009; Fredette, 2009; The Protection Project, 2007) by adding pressures to those same governments with trade sanctions.

## 5.0 Acronyms

### ***Australia***

CST Act	<i>Crimes (Child Sex Tourism) Amendment Act of 1994</i>
CSEC	Commercial Sexual Exploitation of Children
CST	Child Sex Tourism
WVA	World Vision Australia

### ***Canada***

CBSA	Canada Border Services Agency
CSE	Child Sexual Exploitation
CSEC	Commercial Sexual Exploitation of Children
IBCR Canada	International Bureau for Children's Rights Canada
Plan	Plan Canada
RCMP	Royal Canadian Mounted Police
RIM	Research In Motion
SPVM	Service de police de la Ville de Montréal
SQ	Sûreté du Québec
TCSO	Travelling Child Sex Offender
UNICEF Canada	United Nations Children's Fund Canada

### ***European Union***

CSE	Child Sexual Exploitation
CSEC	Commercial Sexual Exploitation of Children
CST	Child Sex Tourism
EU	European Union
Europol	European Union Police Agency
TPN	Transnational Policing Arrangements

### ***United Kingdom***

CSE	Child Sexual Exploitation
CSEC	Commercial Sexual Exploitation of Children
CST	Child Sex Tourism
FTO	Foreign Travel Order
UK	United Kingdom

### ***United States***

CEOS	DOJ Child Exploitation & Obscenity Section
CSE	Child Sexual Exploitation
CSEC	Commercial Sexual Exploitation of Children
CST	Child Sex Tourism
DHS	Department of Homeland Security

DOJ	Department of Justice
DOS	Department of State
FBI	Federal Bureau of Investigation
ICE	Bureau of Immigration & Customs Enforcement
IIITF	FBI's Innocent Images International Task Force
NCMEC	National Center for Missing and Exploited Children
OPDAT	Overseas Prosecutorial Development, Assistance and Training
PCT	Protect Children in Tourism
PROTECT Act	<i>Prosecutorial Remedies and Other Tools Against Exploitation of Children Today Act</i>
TIP	Trafficking in Persons
TVPA	<i>Victims of Trafficking and Violence Protection Act of 2000</i>
US	United States

### ***International Organizations***

ASEAN	Association of Southeast Asian Nations
COE	Council of Europe
ECPAT	End Child Prostitution, Child Pornography & Trafficking of Children for Sexual Purposes
GD	Groupe Développement
IBCR	International Bureau for Children's Rights
ICMEC	International Centre for Missing and Exploited Children
INHOPE	International Association of Internet Hotlines
IIN	Instituto Interamericano del Niño
ILO	International Labour Organization
Interpol	International Police Organization
PEACE	Protecting Environment And Children Everywhere
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNICEF	United Nations Children's Fund
UNWTO	United Nations World Tourism Organisation

### ***Multilateral Agreements and terminology used***

CSE	Child Sexual Exploitation
CSR	Corporate Social Responsibility
ECHR	European Union Convention on Human Rights 1950 Protocol
ICT	Information-Communication Technologies
ILO Convention 182	ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999
MOU	Memorandum of Understanding
NGO	Non-Governmental Organization
NPA	National Plan of Action
UN CRC	United Nations Convention on the Rights of the Child

UN OPCP	United Nations Optional Protocol to the CRC on a Communications Procedure
UN OPSC	United Nations Optional Protocol on the Sale of Children
UN TOC	United Nations Convention against Transnational Organized Crime, 2003

***Tourist Associations***

ASTA	American Society of Travel Agents
EMBRATUR	Brazilian Tourist Board
JATA	Japan Association of Travel Agents
MAIS	Movimiento par el Auto-desarrollo Internacional de la Solidaridad
PATA	Pacific Asia Travel Association
THA-E	Thai Hotels Association Eastern Chapter

## 6.0 Appendices

### Appendix 1: Proposed Databases and Keywords for Literature Review

#### *English databases*

1. Academic Search Primer
2. Canadian Public Policy Collection
3. Criminal Justice Gray Literature Database
4. Criminology: a SAGE Full-text Collection
5. EBSCO databases
6. Emerald Management Xtra
7. Education Resources Information Center (ERIC)
8. IngentaConnect
9. Journal Storage (JSTOR)
10. National Criminal Justice Reference Service (NCJRS)
11. Psychology & Behavioural Sciences Collection
12. Social Science Research Network (SSRN)
13. Social Sciences Citation Index (SocINDEX)
14. Theses Canada
15. Hein on-line

#### *French databases*

1. Cairn

#### *English keywords*

Search 1: (child\* AND sex tourism) OR (pedophile OR child predator) AND (best practices of deterrence) OR (deterrence in OECD countries OR G8 countries)

Search 2: (sex tourism OR human trafficking) AND child\*) AND (developing nations) AND (law enforcement OR policing)

Search 3: travelling child sex offender AND deterrence practices

***French keywords***

Recherche 1 : (l'enfant\* ET le tourisme sexuel) OU (pédophile OU prédateur d'enfant)  
ET (meilleure pratiques de dissuasion) OU (dissuasion dans les pays de l'OCDE) OU  
(des pays du G8)

Recherche 2 : (le tourisme impliquant des enfants OU traite des enfants) ET l'enfant\*)  
ET (les pays en développement) ET (organismes d'application de la loi OU police)

Recherche 3 : voyage délinquant sexuel impliquant des enfants ET les pratiques de  
dissuasion



## Appendix 2: Summary of Government Dialogues<sup>1</sup>

<b>Table 1: Key points made by Government Representatives that took part in the High-level Government Dialogues during World Congress III</b>					
<b>Country</b>	<b>Theme 1</b>	<b>Theme 2</b>	<b>Theme 3</b>	<b>Theme 4</b>	<b>Theme 5</b>
	<i>New Dimensions of CSEC</i>	<i>Legal Frameworks &amp; Enforcement</i>	<i>Integrated Inter-Sectoral Policies</i>	<i>Role of the Private Sector &amp; CSR</i>	<i>Strategies for International Cooperation</i>
<b>Austria</b>		Has implemented all relevant international instruments.	Cooperation with other countries and organizations for the improvement of data collection and to strengthen data that is already available. Establishment of shelter providing care for child victims of trafficking.		
<b>Bangladesh</b>	Address homosexuality and bisexuality among children, child pornography	Significant steps taken: CRC & OPSC have been ratified; ILO Convention 182 certified. Currently amending Children's Act 1974 to comply with CRC	Adopted a child policy; NPA for children 2005-2010; NPA on child abuse adopted after Yokohama. Ministries working together to provide care for child victims – established one-stop crisis centres. Ministry of Women & Children's Affairs working with various NGOs to protect sexually exploited children		
<b>Benin</b>	Focus on online child sexual abuse	Laws in place restricting the employment of children in a bid to prevent trafficking of children. Laws in place to prevent sexual harassment (2006) as well as to prohibit female genital mutilation.	Promotes the participation of children through association of young workers and associations for the protection of children.	Working with the media to advocate for children's rights. Monitoring systems are in place comprising governmental and non-governmental agencies.	Agreement with the governments of Nigeria and South Africa to combat trafficking in human beings.

<sup>1</sup>ECPAT International. *Report of the World Congress III Against Sexual Exploitation of Children & Adolescents*, September 2009:150:98-108, [accessed 2013-03-22], from: [http://www.ecpat.net/WorldCongressIII/PDF/Publications/ECPATWCIIIReport\\_FINAL.pdf](http://www.ecpat.net/WorldCongressIII/PDF/Publications/ECPATWCIIIReport_FINAL.pdf)

**Table 1: Key points made by Government Representatives that took part in the High-level Government Dialogues during World Congress III**

<b>Country</b>	<b>Theme 1</b>	<b>Theme 2</b>	<b>Theme 3</b>	<b>Theme 4</b>	<b>Theme 5</b>
	<i>New Dimensions of CSEC</i>	<i>Legal Frameworks &amp; Enforcement</i>	<i>Integrated Inter-Sectoral Policies</i>	<i>Role of the Private Sector &amp; CSR</i>	<i>Strategies for International Cooperation</i>
<b>Botswana</b>		Common Law and Customary Law are used. When there is a conflict of law, Common Law takes precedence. Laws are in place for the protection of children's rights.		Working on strengthening partnerships with other stakeholders: MOU signed to improve child protection and specific services for children. Partnerships are also being created with children, families and communities, etc. to increase protection of children from CSE.	
<b>Canada</b>		Strengthening national laws including through the ratification & implementation of international instruments. Strengthening of legal frameworks focuses on increasing penalties for offenders. Improved juvenile justice system, especially in terms of testimony of children under 18.	Partnered with Microsoft to provide training of law enforcers to enable implementation of protection of children from online sexual exploitation.		Engaging cooperation at international level.
<b>Columbia</b>	Child sex tourism, online child sexual abuse, increased sexual abuse via new technologies (mobile phones).	Ratified the CRC as well as the principal international instruments related to the commercial sexual exploitation of children. Working on several draft bills that allow the state to be firmer in terms of combating CSEC.	Setting up special units for assisting victims and special judges that deal with child victims. Implementing guidelines and working standards that provide care for victims, also shelters.	Weekly radio programs are provided to the public, as are websites, in an effort to strengthen services for citizens-communities.	
<b>Democratic Republic of Congo</b> <b>Democratic</b>	Domestic violence via trafficking for labour,	New constitution adopted and new laws implemented that focus on	Working with various agencies (UNICEF) for the rescue and rehabilitation of girls		

<b>Country</b>	<b>Theme 1</b>	<b>Theme 2</b>	<b>Theme 3</b>	<b>Theme 4</b>	<b>Theme 5</b>
	<i>New Dimensions of CSEC</i>	<i>Legal Frameworks &amp; Enforcement</i>	<i>Integrated Inter-Sectoral Policies</i>	<i>Role of the Private Sector &amp; CSR</i>	<i>Strategies for International Cooperation</i>
<b>Republic of Congo</b>	children exposed to pornography, child prostitution.	prevention of sexual violence. Government has child protection agencies/departments that address the issue of impunity.	involved in prostitution.		
<b>Denmark</b>	Advances in new technology, online child sexual abuse.				Danish police working with Interpol and police forces from other European countries.
<b>Ethiopia</b>		Harmonising national laws to comply with international standards.	Child protection units are in place to address child sexual abuse. A specialized unit also established to support the development of child-friendly court procedures. Focusing on capacity building of family to improve the protection of children.		
<b>Finland</b>		Need the adoption and protection of human rights conventions focusing on the child as well as implementing effective enforcement (should include guidelines to inform relevant actors in protection of children).		Private sector has a responsibility to protect the rights of children – must engage in dialogue with relevant partners in this realm.	International collaboration and efforts needed for practical enforcement when identifying risks of exploitation. Committed to eliminating CSEC and supports international cooperation to address the issues.
<b>Germany</b>	Child pornography, IT development and family education, trafficking in	Legislation must be adapted to provide for the better protection of children. 2003 NPA against sexual exploitation			

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	<i>New Dimensions of CSEC</i>	<i>Legal Frameworks &amp; Enforcement</i>	<i>Integrated Inter-Sectoral Policies</i>	<i>Role of the Private Sector &amp; CSR</i>	<i>Strategies for International Cooperation</i>
<b>Germany</b>	humans.	approved. Ratified the Optional Protocol on the sale of children, child prostitution and child trafficking.			
<b>India</b>		Signed Trafficking Protocol and Optional Protocol on the sale of children, child prostitution and child trafficking.		Government has established collaborations/partnerships with civil society, NGOs, private sector and UN agencies for the protection of children from sexual exploitation.	
<b>Iran</b>	Urgent need to address the issue of street children.			Government [sic] must provide orientation and training for the prevention of child labour. Involvement of religious leaders in the improvement of human rights, especially children's rights.	
<b>Italy</b>		At the forefront in the fight against sexual abuse and exploitation.	Provides prevention mechanisms and assistance to child victims of sexual exploitation.		
<b>Japan</b>	Sexual exploitation and new technology, child pornography online.	Penalties have been strengthened and scope has expanded: child prostitution and possession of child pornography are criminalized.	Initiated national child abuse prevention month (November). Measures have been strengthened regarding online child pornography, an Internet hotline centre was created in 2006 which receives reports from Internet users on harmful content resulting on deletion of the website.	Cooperation with IT industry and corporate sector needed.	Southeast Asian governments are invited to Japan annually to strengthen concerted efforts on CSEC in the region and on protection of child victims.
<b>Jordan</b>			Founded new organizations/ departments that provide social work, education and follow-up work in (National Centre of Human		

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	<i>New Dimensions of CSEC</i>	<i>Legal Frameworks &amp; Enforcement</i>	<i>Integrated Inter-Sectoral Policies</i>	<i>Role of the Private Sector &amp; CSR</i>	<i>Strategies for International Cooperation</i>
<b>Jordan</b>			Rights, Jordan River Foundation). Focus on education and involvement of parents, religious leaders, etc.		
<b>Kenya</b>		Enforces specific legislation for the protection of children from sale and abduction and any form of sexual exploitation. Constitution being reviewed to ensure it is in line with international standards. Penal Code addresses different forms of sexual abuse, including increased punishment (e.g., life imprisonment when involved in rape as abusers). Criminal law attempts to make more child-friendly laws – age of consent raised from 14 to 16 – and boys are also included in protection from sexual abuse.	Various policies in place on education, child labour and trafficking. Task force in place to review Sexual Offences Act and increase punishment including training, capacity building of law enforcement.	Solid collaboration with Government and NGOs. More research needed on CSEC.	
<b>Lebanon</b>			Several awareness raising campaigns conducted. A special public department was established that coordinates various agencies working against violence against children.	Collaborating with UN agencies in the fight against CSEC.	
<b>Lithuania</b>		Relevant child rights treaties have been ratified.	Focus on prevention and control of trafficking in persons.		

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<b>Malaysia</b>		Children’s Act has core principles for protection of children, including child labour and sexual exploitation. Trafficking legislation complies with Trafficking Protocol, particularly focusing on protection of rights of victims.		Ministry of Family and Development is the focal point for issues including sexual exploitation of children. Ministry works with law schools to ensure understanding of new laws and to help develop ‘child sensitivity’ in legal procedures. Creating public awareness among importance of use of reporting hotlines: hotline established, also shelter homes for child victims.	
<b>Monaco</b>	Violence against children (and women).	Adopt legislation to protect children and ratify international instruments.		Conducted workshops to advocate and raise awareness among key stakeholders on issues such as cyber criminality concerning children.	
<b>Mozambique</b>		Signed the Optional Protocol. Approved a new constitution and law on trafficking in women and children.			
<b>Oman</b>			Established a commission for the protection of children, supported by all members of Government.		
<b>Philippines</b>	Online child sexual abuse, child pornography.	Anti-Trafficking in Persons Act.	Council for the protection of children. Agency council against trafficking was established to develop anti-trafficking laws and comprises government and NGO agencies. Conducted research focused on	ECPAT Philippines developed partnerships with Internet cafes that led to the adoption of a Code of Conduct on ICTs. Good collaboration with NGOs and civil society organizations to address the issues.	

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			addressing child pornography.		
<b>South Korea</b>		A number of laws have been introduced, including punishment for procurement of prostitution, and production and distribution of child pornography. Laws amended to address online exploitation.	Increased medical and legal support for victims.		
<b>Senegal</b>		Laws will comply with international standards. National plan of action for the protection of vulnerable children and adolescents implemented.	Government is very focused on addressing the issue of vulnerable youth.	Created partnerships with Commitment of [college] professors through social mobilisation.	
<b>Singapore</b>	Online child sexual abuse.		Campaign on safe Internet use: educate the public on this issue, create a balance between privacy and responsibility.	Engage banks, companies, trades in stopping the flow of money into trafficking activities.	Advocating for extraterritorial jurisdiction – calling for greater collaboration between countries in the identification and prosecution of offenders.
<b>Spain</b>		Has ratified relevant international laws. National plan of action objectives include prevention of CSEC, strengthening the legal framework in the fight against CSEC; and protection of victims. New	Worked with NGOs and other organizations on awareness raising campaigns to tourist associations, Code of Conduct, extraterritoriality.	Improving awareness raising activities among public; cooperation with private sector and society.	

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<b>Spain</b>		changes in penal code.			
<b>Sudan</b>		Making efforts to fully comply with relevant international laws (CRC, Optional Protocol, etc.). Several laws/acts in place addressing child pornography, child trafficking. Working on strengthening legal framework on the protection of children (5-year strategic plan).	Child protection unit was established – provides legal aid and medical services for child victims of violence and exploitation. Special services offered in hospitals across the country. Addressing factors that make children vulnerable to sexual exploitation.	Actively participate and engage in forums against CSEC and all forms of violence against children.	International cooperation and efforts most needed as well as measures to protect children.
<b>Sweden</b>		Ratified relevant international legislation. Urges countries to sign CRC, citing importance in change of attitudes towards the rights of the child. Strengthened efforts to combat CSEC through revision of the NPA in 2007 and created action plan against prostitution and trafficking in children.	Established working group for cooperation on children at risk in 2001 – currently 11 states are contributing financially and technically.	Encouraging the involvement of adults in the fight against CSEC.	Encouraging the involvement of adults in the fight against CSEC.
<b>Switzerland</b>		In line with international laws since 1996. Need for legal frameworks for at risk children and groups (refugees, people living with HIV, conflict areas, etc.).	Trafficking unit launched in 2002 by judiciary and police, includes working group on child trafficking.	Encourages cooperation between governments, NGOs, UN agencies. Have a national reporting procedure in place – looking at creating international report centre in collaboration with Interpol.	



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	<i>New Dimensions of CSEC</i>	<i>Legal Frameworks &amp; Enforcement</i>	<i>Integrated Inter-Sectoral Policies</i>	<i>Role of the Private Sector &amp; CSR</i>	<i>Strategies for International Cooperation</i>
<b>Thailand</b>	Internet and new technologies, violence against children, stateless children, adolescent boys.	Seven MOUs signed between 2002-2008 regional, bilateral and multilateral. Change of labour law prohibiting employment of children less than 15 years of age.	Changing the attitudes of parents through education, use of media, working with community leaders, schools, etc. Raising awareness in high-risk northern provinces. Creating income-generating activities for parents in families where girls are at risk. Information is provided to families.	Key stakeholders (NGOs, industry, communities) involved in the fight against CSEC.	
<b>Trinidad &amp; Tobago</b>		Criminalize 'certain dangerous behaviours involving children'. Child pornography not addressed by laws. Increase in penalties and harsher penalties when the offender is a family member or in a position of trust.			
<b>USA</b>	New technologies.	Criminalizing possession will reduce demand – need to focus on enforcement.	Education/awareness raising for teachers, clergy, coaches – they can also be perpetrators.		CSEC is global and international cooperation is much needed – communication is easier.
<b>Uruguay</b>		Signed Trafficking Protocol.	Training safe use of Internet.		
<b>Venezuela</b>		Ratified all international laws and conventions related to First and Second World Congresses. Has a national plan of action against sexual exploitation of children.	Created campaigns advertised in airports, on buses, etc. to decrease trafficking in persons.		

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<b>Vietnam</b>		Strict laws on child sexual abuse. Government has prosecuted many cases of sexual exploitation – severe penalties for criminals.	Provide medical, social and legal services to child victims. Physical and mental rehabilitation centres established for victims to help them to reintegrate into their communities. Reinforcing hunger elimination and poverty reduction programmes as a condition to combat child sexual exploitation.		

## Appendix 3: Translating Undertakings into Actions<sup>2</sup>

<i>Sender</i>	<i>Target</i>	<i>Medium</i>	<i>Results &amp; Indicators</i>	<i>Lead Organization &amp; Main Partners</i>
<b>Japan</b>	Travel agents.	800,000 leaflets via 2,600 JATA member agents nationwide. Information in the JATA Newsletters.	N/A.	JATA & Member agents.
	Travel agents & tour guides.	Distribution of information concerning the 1999 prohibition law to the member companies of associations.	99% of the airline business covered 80% of all the guide service companies.	Scheduled Airline Association of Japan/Tour Conducting Service Association in Japan/Japan Guide Association.
<b>USA</b>	Travel agents.	Press release for 'No Child Sex Tourism' ECPAT campaign.	N/A.	American Society of Travel Agents.
	General public.	Promote ECPAT USA brochure through their website.	N/A.	US Department of Transportation. US State Department.

<i>Host*/Source</i>	<i>Content</i>	<i>Target Audience/ Percent Reach</i>	<i>Medium and Distribution</i>	<i>Results and Indicators</i>	<i>Lead Organization</i>	<i>Main Partners</i>
<b>Brazil/Sex tourism in Brazil &amp; Colombia</b>	Creative campaign to stop child abuse.	Foreigners and citizenry.	Posters and information sheets. Police hotline. Special Do-Not-Disturb signs in hotels.	500 cases of child sexual abuse reported to police in the action's first month.	Tourism Ministry (Embratur).	N/A.
<b>Cambodia/ International Traveller</b>	Awareness campaign pending.	Tourists.	Signs for hotels, guest houses & night clubs.	N/A.	Tourism Ministry	N/A.
<b>Dominican Republic/ Swedish Code of Conduct</b>	Code of conduct for Swedish Tour Operators.	Tour Operators, Destination manager, staff, suppliers, inbound	Company policy document. Website material.	Proper understanding of Code of Conduct and its purpose.	Nordic tour operators in Cabarete, Puerto Plata and Sosua.	ECPAT Sweden. MAIS.

<sup>2</sup>Fabié, Sendrine and Barioulet, Hervé. *ECPAT International Child Sex Tourism Action Survey*, ECPAT International and Groupe Développement, April 2001:41:14-16, [accessed 2013-03-22], from: [http://www.no-trafficking.org/content/pdf/ecpat\\_child\\_sex\\_tourism\\_action.pdf](http://www.no-trafficking.org/content/pdf/ecpat_child_sex_tourism_action.pdf).

<b>Table 3: Tourism Industry/ Host CST Preventative Actions (National Actions)</b>						
<i>Host*/Source</i>	<i>Content</i>	<i>Target Audience/ Percent Reach</i>	<i>Medium and Distribution</i>	<i>Results and Indicators</i>	<i>Lead Organization</i>	<i>Main Partners</i>
<b>Dominican Republic/</b> Swedish Code of Conduct		clients & local interfaces.				
<b>Mexico/</b> Instituto Interamericano del Nino (IIN)	National CST action plan.	Tourists.	Information bulletin. Inflight video. Website ( <a href="http://www.nosexoturismoinfantil.org">www.nosexoturismoinfantil.org</a> ).	Pending.	Tourism Secretariat.	Sistema Nacional para el Desarrollo Integral de la Familia/ Aeroméxico and Mexicana.
<b>Philippines/</b> PATA Travel News, 01/97	Hotel surveillance.	Tourists.	Hotel ban on room visitors in downtown Manila.	N/A.	Most hotels.	N/A.
	Hotel surveillance.	Tourists.	Closed-circuit TV on each floor.	N/A.	New World Hotel.	N/A.
<b>Sri Lanka/</b> PEACE	Brochure.	90%.	500,000 handouts at Katunayake Airport.	Fall in child sex activity.	National Tourist Board.	PEACE.
	Awareness, counselling, schooling & literacy training.	500 tour guides in Central/NW provinces/ 50%.	Visual aid for seminars.	Wide press coverage of child sex offenders.	Travel agent & tour guide association.	PEACE.
<b>Thailand/</b> PATA Travel News, 01/97	Registration of underage visitors to hotel rooms.	First class hotel clients.	Top hotels require guests to register minors invited to their rooms. THA-E Chapter in Pattaya agreed on a strict unified stance against unregistered minors in hotel rooms.	N/A.	Thailand Hotels Association.	-
<b>Thailand/</b> Australian website.	CST deterrence identification & prosecution of CST operators.	Sex tourism operators.	No promotion of Thailand as a CST destination. Investigation, prosecution of CST tour operators. Reporting of any CST tours offered by non-Thai operators.	Blacklist of CST tour operators and revocation of business licenses on conviction.	Tourism Authority of Thailand and Tourist Police.	-

\*The data covers eight countries.

## Appendix 4: Efforts to Combat Child Sex Tourism by the United States<sup>3</sup>

<i>Table 4: Efforts to Combat Child Sex Tourism by the United States</i>		
<i>United States Government Efforts to Combat Child Sex Tourism</i>		
<i>Law Enforcement Activity under the PROTECT Act</i>		
Lead Investigating Agencies	Cooperation with NGOs	Cooperation with Domestic & Foreign Law Enforcement Agencies
<ul style="list-style-type: none"> <li>• PROTECT Act is implemented through Operation Predator.<sup>4</sup></li> <li>• Immigration &amp; Customs Enforcement leads investigations on CST.</li> <li>• Besides headquarters, 52 ICE Attaché Offices, located at 32 US embassies around the world investigate US citizens and residents engaging in CST.</li> <li>• Federal Bureau of Investigation (FBI) is the other lead agency in CST cases.</li> <li>• FBI focuses on carrying out undercover operations to apprehend perpetrators that may attempt to travel abroad to engage in sexual relations with a minor.</li> <li>• Other agencies include the US Postal Service, the US Diplomatic Security Service and the US Customs and Border Protection.</li> </ul>	<ul style="list-style-type: none"> <li>• ICE works with NGOs operating in destination countries to locate, investigate, gather evidence on, and prosecute US CSTs.</li> <li>• ICE relies on NGOs to shelter and provide necessary assistance to rescued child victims as part of law enforcement operations.</li> <li>• Some investigations were initiated by a lead from a local NGO that reported a suspicious activity.</li> <li>• US law enforcement working on CST cooperates with the National Center for Missing and Exploited Children (NCMEC).</li> <li>• NCMEC and ICE MOU works on two levels: 1) NCMEC provides ICE with evidence that it receives on child pornography and suspected child sex predators through its Cyber Tipline; and 2) ICE provides NCMEC access to the child pornography images and identifying information in its database to assist NCMEC in locating missing and exploited children.</li> </ul>	<ul style="list-style-type: none"> <li>• Both ICE and the FBI work closely with foreign law enforcement agencies, facilitated by the ICE Attaché offices and other means.</li> <li>• Several US CSTs were arrested and indicted following extended efforts of cooperation between US and foreign law enforcement.</li> <li>• For example, successful cooperation with foreign and domestic law enforcement led to the arrest of a US citizen Anthony Mark Bianchi for alleged sex offences against minors in Romania, Moldova, and Cuba. The arrest was a result of an international investigation conducted jointly by the ICE office in Philadelphia, PA; the ICE Attaché in Vienna, Austria; the ICE Cyber Crime Center in Virginia; the Romanian Organized Crime Police; the Romanian Prosecutor's Office; Moldovan Police assigned the Ministry of Internal Affairs/Center for Combating Trafficking in Persons; and the Polish Border Police. Also assisting the efforts were the US Diplomatic Security Service, the Department of Justice Child Exploitation and Obscenity Section, the US Postal Inspection Service, the Cape May County Prosecutor's Office, and the US Attorney's Office in New Jersey.</li> </ul>

<sup>3</sup>The Protection Project. *International Child Sex Tourism: Scope of the Problem and Comparative Case Studies*, John Hopkins University, Paul H. Nitze School of Advanced International Studies, January 2007:190:15-19, [accessed 2013-03-18] from: [http://www.protectionproject.org/wp-content/uploads/2010/09/JHU\\_Report.pdf](http://www.protectionproject.org/wp-content/uploads/2010/09/JHU_Report.pdf).

<sup>4</sup>Operation Predator identifies, investigates, and arrests child sex predators. It began on July 9, 2003, Department of Homeland Security, Bureau of Immigration & Customs Enforcement (ICE) leads the investigations on cases relating to child sex tourism (CST).

**Table 4: Efforts to Combat Child Sex Tourism by the United States**

**United States Government Efforts to Combat Child Sex Tourism** *Continued*

*Training Programs*

Both ICE and the FBI conduct training programs for law enforcement officials globally. For example, the FBI trained representative of Costa Rican and El Salvadorian law enforcement agencies in June 2005. Forty-five representatives of the Ministries of National Security of Costa Rica and El Salvador attended the 15 day training that focused on improving investigation techniques and treatment of victims of commercial sexual exploitation.

*US Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training*

The US Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) is the key US government agency tasked with US capacity-building efforts for law enforcement and the judiciary abroad. OPDAT has conducted numerous training sessions globally and has been active in conducting training sessions on responding to trafficking in persons and CST.

*US Department of State Office to Monitor and Combat Trafficking in Persons*

Considerable attention has been given to the CST problem by the Office to Monitor and Combat Trafficking in Persons (TIP Office), specifically in its 2006 edition of the *Trafficking in Persons Report* (TIP Report). The 2006 TIP Report stated that “governments should prioritize the issue, draft a plan of action based on comprehensive research, and designate a coordinator to engage NGOs, intergovernmental organizations, and the travel industry. Extraterritorial laws must prohibit all forms of CST and be enforced with sentences reflecting the heinous nature of the crime. Governments should also train law enforcement officers, fund public awareness campaigns, and arrange for shelter and assistance to victims... Individuals must ensure they are not part of the problem, the demand, but rather part of the solution by reporting incidents to the local police, US embassy, or the US Immigration and Customs Hotline at 1-866-DHS-2ICE.”<sup>5</sup> The TIP Report referenced CST in 29 countries, citing CST as a problem under narratives of both origin and destination countries. Destination countries cited include Brazil, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Gambia, Honduras, Kenya, Madagascar, Malawi, Mexico, Mongolia, Nicaragua, Peru, the Philippines, Russia, Senegal, Sri Lanka, and Thailand. Source countries cited include Australia, Belgium, Canada, Finland, France, Germany, New Zealand, Singapore, the United Kingdom (UK) and the United States.

*Bilateral Initiatives*

US embassies based in destination countries work with local NGOs and support local governments in combating CST. US Embassies provide funding and in-kind assistance for local programs, such as donating equipment to law enforcement units working on child sexual exploitation cases. For example, the US government donated thirty computers to the Child Exploitation Unit in Costa Rica, the specialized law enforcement unit that addresses CST in the country.

The US government also uses the Mutual Legal Assistance Treaty (MLAT) system, consisting of a bilateral treaty system committing countries to provide legal assistance to each other upon request. The US has entered into such treaties with 61 nations, and 52 are in force.<sup>6</sup> One way to use these treaties in relation to CST is for the US law enforcement to share its database containing names of convicted or wanted sex offenders with destination countries and work with US embassies in these countries to maintain close communication with local law enforcement so they can be aware with such a US citizen or permanent resident enters that destination country.

<sup>5</sup>The Protection Project. *International Child Sex Tourism: Scope of the Problem and Comparative Case Studies*, John Hopkins University, Paul H. Nitze School of Advanced International Studies, January 2007:190:16, [accessed 2013-03-18] from: [http://www.protectionproject.org/wp-content/uploads/2010/09/JHU\\_Report.pdf](http://www.protectionproject.org/wp-content/uploads/2010/09/JHU_Report.pdf).

<sup>6</sup>Mutual Legal Assistance (MLAT) and Other Agreements, US State Department, [accessed 2013-03-18] from: <http://www.state.gov/documents/organization/86744.pdf>.

**Table 4: Efforts to Combat Child Sex Tourism by the United States**

<i>Continued</i>	
<i>Non-Governmental Efforts Originating in the US to Combat CST</i>	
<i>World Vision</i>	<i>ECPAT-USA</i>
<ul style="list-style-type: none"> <li>• World Vision began its publicity campaign in 2004 under the auspices of its Child Sex Tourism Prevention Project to raise public awareness about the issue, and its relevant laws.</li> <li>• The campaign launched activities in the US and abroad, including many of the destination countries for US citizens.</li> <li>• World Vision projects have been implemented in Cambodia, Thailand, Costa Rica, and in Mexico and Brazil.</li> <li>• These CST Prevention Project activities are sponsored by the US Department of State and the US Department of Health and Human Services.</li> <li>• World Vision led several workshops in 2005 to combat CST in Cambodia, Thailand, and Costa Rica. The workshops objectives are to: provide education on identification of CSTs, train on the relevant information and evidence helpful to US law enforcement, establish procedures for handling information and reporting processes between World Vision and ICE, discuss victim aftercare, and to provide closed-door sessions for government-to-government discussions.</li> <li>• Other efforts include working with Yahoo! and MSN.com to place banners and pop-up ads on the Internet, making it more difficult to access websites designed to promote children for sex.</li> <li>• The second phase the World Vision is working on seeks to place ads on travel sites with Expedia and Travelocity.</li> </ul>	<ul style="list-style-type: none"> <li>• ECPAT-USA is the US member of the ECPAT International Network that works to address issues related to CSEC, including child trafficking, the US military’s involvement in prostitution, and CST.</li> <li>• ECPAT-USA works with private travel and the tourism sector in the US to promote signing and implementation of the ECPAT International/World Tourism Organization Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism, and to raise awareness among representatives of the private sector and the public at large on the issue of CST.</li> <li>• ECPAT-USA’s Protect Children in Tourism (PCT) has a three-part approach: awareness raising, training and resource provision</li> <li>• Resource provision is aimed at providing resources to local actors in areas where the project is being implemented to assist vulnerable children and prevent CST. Current site for PCT activities is Cancun, Mexico.</li> </ul>
<i>International Justice Mission</i>	<i>Shared Hope International</i>
<ul style="list-style-type: none"> <li>• International Justice Mission (IJM) focuses its efforts on effective law enforcement and prosecution of CSTs in destination countries.</li> <li>• IJM investigators examine and build cases against suspected offenders and turn over uncovered evidence to local law enforcement officials for further investigation, arrest and eventual prosecution.</li> <li>• IJM supports the prosecutions at each step, assisting local law enforcement and the judicial system in building strong cases against defendants.</li> <li>• IJM trains local law enforcement, preparing officials both for prosecuting CST cases domestically and for cooperating with the US judicial system in extraterritorial prosecutions.</li> </ul>	<ul style="list-style-type: none"> <li>• Shared Hope International rescues and restores victims of trafficking for sexual purposes globally, and works to combat CSEC in the US and abroad.</li> <li>• Shared Hope International launched the Predator Project in 2003, which seeks to expose commercial sexual exploitation markets and bring perpetrators to justice by conducting human rights investigations in cooperation with local law enforcement and NGOs in more than 14 destination countries, and capturing videotaped interviews with perpetrators and victims.</li> <li>• Shared Hope International works to reduce the demand for sex tourism by revealing the marketplaces of victimization, building alliances to restore victims, mapping sex tourism marketplaces in several international locations and the US, increasing public awareness through report and documentary, and partnering with local NGOs to rescue and rehabilitate victims.</li> </ul>

**Table 4: Efforts to Combat Child Sex Tourism by the United States**

<i>Continued</i>
<p><b><i>Private Sector Initiatives Originating in the US</i></b></p> <ul style="list-style-type: none"><li>• One private sector initiative gaining momentum is the ECPAT International/World Tourism Organization Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (the Code)</li><li>• The Code is an ECPAT International project that is funded by UNICEF and supported by the World Tourism Organization.</li><li>• Its adoption has been uneven, and has not always met with success.</li><li>• Where it has been successful, various actors lead the movement to reach that success. In some cases, governments led the way, in others the NGO community or international organizations took the lead, and in others, certain private sector actors took up the initiative.</li><li>• The Code was launched in North America on April 21, 2004. Only a small number of organizations have signed on to the Code.</li><li>• ECPAT-USA has taken the lead in the US in working with the private sector to bolster support for the Code. US-based companies have been unwilling to sign on to the Code as there is concern about increased legal liability for CST-related offences that may take place on signatories' properties or alongside legitimate travel services they provide.<sup>7</sup></li></ul>

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<sup>7</sup>Smolenski, C. Executive Director, ECPAT-USA, Statement at the US Mid-term Review following the 2002 World Congress against the Exploitation of Children (April 4, 2006), Cited in: The Protection Project. *International Child Sex Tourism: Scope of the Problem and Comparative Case Studies*, John Hopkins University, Paul H. Nitze School of Advanced International Studies, January 2007:190:20, [accessed 2013-03-18] from: [http://www.protectionproject.org/wp-content/uploads/2010/09/JHU\\_Report.pdf](http://www.protectionproject.org/wp-content/uploads/2010/09/JHU_Report.pdf).



## Appendix 5: Mechanisms to Combat the Commercial Sexual Exploitation of Children

<i>Name</i>	<i>Purpose</i>	<i>Treaty</i>	<i>Legislation</i>	<i>MOU/Informal arrangement</i>
<b>International Law</b>				
<i>UN Convention on the Rights of the Child (CRC), 20-11-1989.<sup>8</sup></i>	CRC defines a child as a human being under the age of 18 years of age, unless the age of majority is attained earlier under a State Party's domestic legislation. Governments that have ratified the CRC are periodically required to appear before the UN Committee on RC to examine the progress regarding the advancement of the CRC implementation, and the status of a child's right in their country.	UN treaty, Entered into force: 02-09-1990.		
<i>UN Amendment to Article 43(2) of the CRC, 12-12-1995.<sup>9</sup></i>	Revised CRC Article 43(2) changing the threshold from ten to eighteen.	UN treaty amendment, Entry into force: 18-11-2002.		
<i>UN Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography, 25-05-2000.<sup>10</sup></i>	The protocol requires State Parties to prohibit the sale of children, child prostitution and child pornography.	UN treaty protocol, Entry into force: 18-01-2002.		
<i>UN Optional Protocol to the CRC on a Communications Procedure, 19-12-2011.<sup>11</sup></i>	The protocol establishes a communications procedure, which would enable individuals and groups to take up rights violations directly with the UN Committee for CRC.	UN treaty protocol, Not yet in force.		

<sup>8</sup>United Nations Convention on the Rights of the Child of 1989, [accessed 2013-04-16] from: [http://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg\\_no=iv-11&chapter=4&lang=en](http://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=iv-11&chapter=4&lang=en).

<sup>9</sup>United Nations Amendment to Article 43(2) of the Convention on the Rights of the Child of 1995, [accessed 2013-04-16] from: [http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-a&chapter=4&lang=en](http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-a&chapter=4&lang=en).

<sup>10</sup>United Nations Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography of 2000, [accessed 2013-04-16] from: [http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-c&chapter=4&lang=en](http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-c&chapter=4&lang=en).

<sup>11</sup>United Nations Optional Protocol to the CRC on a communications procedure of 2011, [accessed 2013-04-16] from: [http://treaties.un.org/doc/source/signature/2012/CTC\\_4-11d.pdf](http://treaties.un.org/doc/source/signature/2012/CTC_4-11d.pdf).

**Table 5: Mechanisms Established to Combat the Commercial Sexual Exploitation of Children**

<i>Name</i>	<i>Purpose</i>	<i>Treaty</i>	<i>Legislation</i>	<i>MOU/Informal arrangement</i>
<i>UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, 15-11-2000.</i> <sup>12</sup>	The protocol commits State Parties to prevent and combat trafficking in persons, protecting and assisting victims of trafficking and promoting cooperation among states to meet those objectives.	UN treaty protocol, Entry into force: 25-12-2003.		
<i>ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 12-02-1999.</i> <sup>13</sup>	A State Party commits itself to taking immediate action to prohibit and eliminate the worst forms of child labour, such as slavery.	ILO treaty, Entry into force: 19-11-2000.		
<i>COE Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 25-10-2007.</i> <sup>14</sup>	The first COE instrument to establish the various forms of sexual abuse of children as criminal offences, including such abuse committed in the home or family, with the use of force, coercion or threats.	COE treaty, Entry into force: 01-07-2010.		
<i>COE Convention on the Exercise of Children's Rights, 25-01-1996.</i> <sup>15</sup>	The <i>Convention</i> aims to protect the best interests of children. It provides a number of procedural measures to allow children to exercise their rights. This European legal instrument facilitates the implementation of the CRC.	COE treaty, Entry into force: 01-07-2000.		
<i>COE Convention on Cybercrime, 23-11-2004.</i> <sup>16</sup>	The <i>Convention</i> is the first international treaty on crimes committed via the Internet and other computer networks, dealing particularly with child pornography and violations of	COE treaty, Entry into force: 01-07-2004.		

<sup>12</sup>*United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially in Women and Children of 2005*, [accessed 2013-04-17] from: [http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg\\_no=XVIII-12-a&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=XVIII-12-a&chapter=18&lang=en).

<sup>13</sup>*ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour of 1999*, [accessed 2013-04-17] from: <http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm>.

<sup>14</sup>*Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse of 2007*, [accessed 2013-04-17] from: <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=201&CM=8&CL=ENG>.

<sup>15</sup>*Council of Europe Convention the Exercise of Children's Rights of 1996*, [accessed 2013-04-17] from: <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=160&CM=1&CL=ENG>.

<sup>16</sup>*Council of Europe Convention on Cybercrime of 2004*, [accessed 2013-04-17] from: <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=185&CL=ENG>.

**Table 5: Mechanisms Established to Combat the Commercial Sexual Exploitation of Children**

<i>Name</i>	<i>Purpose</i>	<i>Treaty</i>	<i>Legislation</i>	<i>MOU/Informal arrangement</i>
	network security. It contains a series of powers and procedures such as the search of computer networks and interception.			
Central and North America: Regional Guidelines for Special Protection in Cases of the Repatriation of Child Victims of Trafficking (Guidelines). <sup>17</sup>	The Guidelines exist to improve cooperation among RCM Member States and provide guidance on how to proceed when a child victim of trafficking is discovered, as well as actions to transfer and repatriate the victim, if it is deemed appropriate and in the best interests of the child.			Countries of the Regional Conference on Migration (RCM) may be countries of origin, transit and destination for trafficked persons, including children. Member States are to act in the best interests of the child taken into consideration and treated according to internationally accepted practices.
<b>Canada's Federal Legal Framework</b>				
<i>Criminal Code</i> <sup>18</sup>	This section of the Act allows for the trial of certain sexual offences when committed outside of Canada by Canadian citizens or permanent residents.		Subsections 4.1 to 4.3, refers to sections 151, 152, 153, 155 or 159, subsection 160(2) or (3), section 163.1, 170, 171 or 173 or subsection 212(4).	
<i>Immigration and Refugee Act</i> <sup>19</sup>	Subsection 2(1) defines the term 'permanent resident.'		Subsection 2(1)	
<b>Canadian Government Cooperation Mechanisms</b>				
FBI Innocent Images International Task Force	IIITF has allowed for the real-time transfer of			IIITF became operational in

<sup>17</sup>International Organization for Migration. (2007). *Regional Guidelines for Special Protection in Cases of the Repatriation of Child Victims of Trafficking*, Regional Conference on Migration, April 2007:18, [accessed 2013-04-18] from: <http://www.unhcr.org/4bfb9179.html>.

<sup>18</sup>*Criminal Code*, RSC 1985, C-46, [accessed 2013-04-18] from: <http://laws-lois.justice.gc.ca/PDF/C-46.pdf>.

<sup>19</sup>*Immigration and Refugee Act*, SC 2001, C-27, [accessed 2013-04-18] from: <http://laws-lois.justice.gc.ca/PDF/I-2.5.pdf>.

**Table 5: Mechanisms Established to Combat the Commercial Sexual Exploitation of Children**

<i>Name</i>	<i>Purpose</i>	<i>Treaty</i>	<i>Legislation</i>	<i>MOU/Informal arrangement</i>
(IIITF). <sup>20</sup>	information from and to the FBI, and between task force members and their countries. Task Force Officers stay in the US for several weeks and remain an integral part of the task force once they return to their home countries. The FBI's IIITF brings together law enforcement globally to address the crime problem of online child exploitation.			October 6, 2004, and includes law enforcement officers from Canada (RCMP).
The G-8 Lyon-Roma Group (2007) finalized two documents related to the commercial sexual exploitation of children. <sup>21</sup>	Ministerial declaration referred to commercial sexual exploitation of children and the need to reinforce the international fight against child pornography.			The first was a Justice and Home Affairs Ministers' statement <i>Reinforcing the International Fight Against Child Pornography</i> .
INTERPOL Washington, US DOJ and DOS joined with G8 members and funded the INTERPOL International Child Sexual Exploitation Image Database. <sup>22</sup>	The ICSE DB allows investigators to compare newly seized images of child pornography to those already known to the international law enforcement community to identify new victims and rescue them from ongoing abuse.			INTERPOL Washington, G8 members (Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, the United States and the European Union).
Virtual Global Task Force (VGT). <sup>23</sup>	The VGT seeks to build an effective, international partnership of law enforcement agencies, non-governmental organizations and industry to help protect children from online child abuse.			Member countries include Australia, Canada, EUROPOL, INTERPOL, New Zealand, the United Arab Emirates, the UK and the US.

<sup>20</sup>United States Federal Bureau of Investigation, FBI Innocent Images International Task Force (Online website), [accessed 2013-04-17] from: [http://www.fbi.gov/about-us/investigate/vc\\_majorthefts/innocent/innocent-images-international-task-force](http://www.fbi.gov/about-us/investigate/vc_majorthefts/innocent/innocent-images-international-task-force).

<sup>21</sup>G8 Concluding Declaration of 2007, [accessed 2013-04-18] from: [http://www.canadainternational.gc.ca/g8/ministerials-ministerielles/2007/munich\\_23\\_250507.aspx?lang=eng](http://www.canadainternational.gc.ca/g8/ministerials-ministerielles/2007/munich_23_250507.aspx?lang=eng).

<sup>22</sup>INTERPOL, International Child Sexual Exploitation Image Database (Website), [accessed 2013-04-18] from: <https://secure.interpol.int/Public/Children/Default.asp>.

<sup>23</sup>Virtual Global Task Force (Website), [accessed 2013-04-18] from: <http://www.virtualglobaltaskforce.com/>.

<b>Table 5: Mechanisms Established to Combat the Commercial Sexual Exploitation of Children</b>				
<i>Name</i>	<i>Purpose</i>	<i>Treaty</i>	<i>Legislation</i>	<i>MOU/Informal arrangement</i>
<b>Canadian Non-Governmental Organizations Cooperative Efforts (not-inclusive)</b>				
ECPAT-Canada (Beyond Borders). <sup>24</sup>	Beyond Borders is a national volunteer organization advancing the rights of children everywhere to be free from sexual abuse and exploitation. It is also the Canadian representative of ECPAT International.			Beyond Borders raises awareness about children's rights, advocate for improved legislation, monitor court cases for human rights violations, promote/support effective prevention and intervention initiatives, intervene in court cases to provide a voice for victims, and provide training and education.
International Bureau for Children's Rights (IBCR). <sup>25</sup>	The IBCR contributes to the promotion and respect of the CRC. The principles enshrined in the CRC and its optional protocols guide the IBCR on its rights-based approach.			Since 2009, the IBCR has been an active member of the Canadian Senate Committee on the Sexual Exploitation of Children. In collaboration with Fundacion Paniamor and the support of World Vision Canada, IBCR is beginning a new project in Costa Rica. IBCR continues to work on a baseline study, a national campaign against CST with the Jordanian organization MIZAN in Amman, Jordan.
World Vision Canada (WVC). <sup>26</sup>	WVC's mission is to develop national strategies with community-based organizations to advance the peace and well-being of children, their families and the			WVC's focus is on children and youth living in single-parent families, new Canadian (refugee and immigrant) families and

<sup>24</sup>Beyond Borders (Website), [accessed 2013-04-18] from: <http://www.beyondborders.org/wp/about/>.

<sup>25</sup>International Bureau for Children's Rights (Website), [accessed 2013-04-18] from: <http://www.ibcr.org/eng/home.html>.

<sup>26</sup>World Vision Canada (Website), [accessed 2013-04-18] from: <http://www.worldvision.ca/Programs-and-Projects/Canadian-Programs/Pages/Our-Purpose.aspx>.

<b>Table 5: Mechanisms Established to Combat the Commercial Sexual Exploitation of Children</b>				
<b>Name</b>	<b>Purpose</b>	<b>Treaty</b>	<b>Legislation</b>	<b>MOU/Informal arrangement</b>
	communities in which they live.			Aboriginal families. In particular, those families living in: Vancouver, Winnipeg, Toronto, Hamilton and Montreal.
<b>United States Federal Legal Framework</b>				
<i>Trafficking Victims Protection Act of 2000, (TVPA) as reauthorized in 2003, 2005, 2008, &amp; 2013.<sup>27</sup></i>	The Act provides the tools to combat trafficking in persons both worldwide and domestically. The Acts authorized the establishment of the Trafficking In Persons (TIP) and the President's Interagency Task Force to Monitor and Combat Trafficking in Persons to assist in the coordination of anti-trafficking efforts.		Public Law 106-386, H.R. 3244, H.R. 2620, H.R. 972, P.L. 113-114.	
<i>The Mann Act of 1910, as reauthorized in 1978 and 1986.<sup>28</sup></i>	The Act was initially created to stop the forced sexual slavery of women. Its recent amendments apply only to the transport for the purpose of prostitution or illegal sexual acts.		18 US Code, Chapter 117, Sections 2421, 2422, 2423, 2427.	
<i>The Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act of 2003.<sup>29</sup></i>	The Act provides for mandatory life imprisonment of sex offences against a minor if the offender has had a prior conviction of abuse against a minor, with some exceptions. It establishes a program to obtain criminal history background checks for volunteer organizations. Bars pre-trial release of persons charged with specified offences against or involving children. Eliminates statutes of limitations for child abduction		Public Law 108-121, 117 Statute 650, Section 151, 18 US Code Sections 105(Penalties Against Sex Tourism), 106 (Two Strikes You're Out), 323 (Cyber Tipline), 202 (Statute of	

<sup>27</sup>United States Trafficking Victims Protection Act of 2000, [accessed 2013-04-17] from: <http://www.state.gov/documents/organization/10492.pdf>.

<sup>28</sup>United States Mann Act of 1910, [accessed 2013-04-17] from: <http://www.law.cornell.edu/uscode/text/18/part-1/chapter-117>.

<sup>29</sup>United States Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act of 2003, [accessed 2013-04-17] from: <http://www.gpo.gov/fdsys/pkg/PLAW-108publ21/content-detail.html>.

**Table 5: Mechanisms Established to Combat the Commercial Sexual Exploitation of Children**

<i>Name</i>	<i>Purpose</i>	<i>Treaty</i>	<i>Legislation</i>	<i>MOU/Informal arrangement</i>
	or child abuse.		Limitations), 2257 (Regulations).	
<i>The Children’s Internet Protection Act (CIPA) of 2000.</i> <sup>30</sup> <i>US Supreme Court Decision: US v. American Library Association, Inc. (02-361), 539 US 194 (2003), 201F.Supp. 2d 401, reversed.</i> <sup>31</sup>	The <i>Act</i> requires that US K-12 schools and libraries use Internet filters and implement other measures to protect children from harmful online content as a condition for the receipt of certain federal funding.		Public Law 106-554. 47 US Code Section 254(1) (B).	
<i>The Adam Walsh Child Protection and Safety Act of 2006.</i> <sup>32</sup>	The <i>Act</i> organizes sex offenders into three tiers and mandates that Tier 3 offenders (the most serious tier) update their whereabouts every three months with lifetime registration requirements. Tier 2 offenders must update their whereabouts every six months with 25 years of registration, and Tier 1 offenders must update their whereabouts every year with 15 years of registration. Failure to register and update information is a felony under the <i>Act</i> .		Public Law 109-248, 42 US Code Section 16911 and sequential.	
<b><i>US Government Cooperation Mechanisms</i></b>				
The National Strategy for Child Exploitation Prevention and Interdiction (National Strategy). <sup>33</sup>	The National Strategy is to prevent child sexual exploitation from occurring and to protect every child’s right to have a childhood free from sexual abuse, trauma and			The Strategy focuses on leveraging assets across the US federal government with all stakeholders that have an interest in the fight

<sup>30</sup>United States Children’s Internet Protection Act of 2000, [accessed 2013-04-16] from: <http://www.llrx.com/features/cipabiblio.htm>.

<sup>31</sup>United States Supreme Court Decision: *US v. American Library Association, Inc. (02-361), 539 US 194 (2003), 201F.Supp. 2d 401, reversed*, [accessed 2013-04-17] from: <http://www.law.cornell.edu/supct/html/02-361.ZO.html>.

<sup>32</sup>United States Adam Walsh Child Protection and Safety Act of 2006, [accessed 2013-04-17] from: [https://www.childwelfare.gov/systemwide/laws\\_policies/federal/index.cfm?event=federalLegislation.viewLegis&id=81](https://www.childwelfare.gov/systemwide/laws_policies/federal/index.cfm?event=federalLegislation.viewLegis&id=81).

<sup>33</sup>United States Department of Justice. (2010). *The National Strategy for Child Exploitation Prevention and Interdiction: A Report to Congress*, Washington, D.C., August 2010: 280, [accessed 2013-04-18] from: <http://www.justice.gov/psc/docs/natstrategyreport.pdf>.



**Table 5: Mechanisms Established to Combat the Commercial Sexual Exploitation of Children**

<i>Name</i>	<i>Purpose</i>	<i>Treaty</i>	<i>Legislation</i>	<i>MOU/Informal arrangement</i>
	exploitation.			against child exploitation.
National Center for Missing and Exploited Children (NCMEC) and US Immigration and Customs Enforcement (ICE). <sup>34</sup>	MOU expanded the partnership between NCMEC and ICE on two levels. (1) NCMEC provides ICE with evidence that it receives on child pornography and suspected child sex predators through its Cyber Tipline; and (2) ICE provides NCMEC access to the child pornography images and identifying information in its data system to assist NCMEC in locating missing and exploited children.			MOU signed in January 2004.
FBI Innocent Images International Task Force (IIITF). <sup>35</sup>	IIITF has allowed for the real-time transfer of information from and to the FBI, and between task force members and their countries. Task Force Officers stay in the US for several weeks and remain an integral part of the task force once they return to their home countries. The FBI's IIITF brings together law enforcement globally to address the crime problem of online child exploitation.			IIITF became operational in October 6, 2004, and includes law enforcement officers from countries such as: United Kingdom, Norway, Finland, Ukraine, Belarus, Australia, Thailand, the Philippines, Croatia, Latvia, Germany, the Netherlands, New Zealand, Canada, Sweden, Fiji, Cyprus, Iceland, Denmark, Panama, and Europol.
ICE and the FBI work closely with foreign law enforcement agencies facilitated by the ICE Attaché offices.  For example, the ICE Attaché in Vienna, Austria;	International investigation was conducted by US ICE domestic and foreign law enforcement.			The example shows how these informal working relationships function, as in the arrest of the US citizen Anthony Mark Bianchi.

<sup>34</sup>National Center for Missing and Exploited Children, Cyber Tipline (Online website), [accessed 2013-04-18] from: <http://www.missingkids.com/CyberTipline>.

<sup>35</sup>United States Federal Bureau of Investigation, FBI Innocent Images International Task Force (Online website), [accessed 2013-04-18] from: [http://www.fbi.gov/about-us/investigate/vc\\_majorthefts/innocent/innocent-images-international-task-force](http://www.fbi.gov/about-us/investigate/vc_majorthefts/innocent/innocent-images-international-task-force).



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the ICE Cyber Crime Center in Virginia, the Romanian Organized Crime Police, the Romanian Prosecutor’s Office, Moldovan Police assigned to the Ministry of Internal Affairs/Center for Combating Trafficking in Persons and the Polish Police.				
ICE and FBI conduct training programs for law enforcement officials globally.	The training session focused on improving investigation techniques and treatment of victims of commercial sexual exploitation.			For example, the FBI trained representatives of the Costa Rican and El Salvadorian law enforcement agencies in 2005.
US Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) conducts capacity-building projects in developing countries. <sup>36</sup>	OPDAT has conducted many training sessions globally and has been active in conducting sessions on responding to trafficking in persons and child sex tourism.			For example, OPDAT assisted Brazil in drafting of a child pornography law, enacted November 2008.  OPDAT provided technical assistance and training to Russia to address its serious child exploitation and pornography problems. This led to the Russian MVD’s (Interior Ministry) participation in the FBI’s Innocent Images Global Task Force. Russian child pornography investigations increased tenfold. In July 2009, Russia enacted legislation with severe penalties for crimes against minors, including sexual abuse.

<sup>36</sup>United States Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training (website), accessed 2013-04-18] from: <http://www.justice.gov/criminal/opdat/worldact-programs/>.

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The G-8 Lyon-Roma Group (2007) finalized two documents related to the commercial sexual exploitation of children. <sup>37</sup>	US drafted two documents related to commercial sexual exploitation of children.			The first was a Justice and Home Affairs Ministers' statement <i>Reinforcing the International Fight Against Child Pornography</i> . The second addressed <i>Experience in the Implementation of Extraterritorial Jurisdiction for Sex Crimes</i> .
DOJ CEOS trial attorneys regularly perform extensive overseas training programs for foreign judges, police, prosecutors and attorneys on topics related to human trafficking and child sex tourism. <sup>38</sup>	Provide an overview of US laws, a discussion of appropriate investigative techniques			CEOS team members have conducted training programs in Cambodia, Nepal, Thailand, Morocco, Nigeria, Armenia, and Indonesia. In 2009, CEOS attorneys went to the Philippines, Panama, Morocco, Brazil, Colombia, and the Dominican Republic to provide child sex tourism training.
CEOS and ICE partner in the ICE's sex tourism initiative to identify 'hotspot' locations to partner with foreign governments. <sup>39</sup>	CEOS and ICE in collaboration with foreign governments develop a proactive strategy to identify and prosecute offenders.			
INTERPOL Washington, US DOJ and DOS joined with G8 members and funded the INTERPOL International Child Sexual	The ICSE DB allows investigators to compare newly seized images of child pornography to those already known to the international law			INTERPOL Washington, G8 members (Canada, France, Germany, Italy, Japan, Russia, the

<sup>37</sup>United States Department of Justice. (2010). *The National Strategy for Child Exploitation Prevention and Interdiction: A Report to Congress*, Washington, D.C., August 2010: 280:102, [accessed 2013-04-18] from: <http://www.justice.gov/psc/docs/natstrategyreport.pdf>.

<sup>38</sup>Ibid, 280:104.

<sup>39</sup>Ibid, 280:103.

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Exploitation Image Database. <sup>40</sup>	enforcement community to identify new victims and rescue them from ongoing abuse.			United Kingdom, the United States and the European Union).
Virtual Global Task Force (VGT). <sup>41</sup>	The VGT seeks to build an effective, international partnership of law enforcement agencies, non-governmental organizations and industry to help protect children from online child abuse.			Member countries include Australia, Canada, EUROPOL, INTERPOL, New Zealand, the United Arab Emirates, the UK and the US.
<b><i>US Non-Governmental Organizations Cooperative Efforts (not-inclusive)</i></b>				
World Vision's Child Sex Tourism Project. <sup>42</sup>	The project aims to deter potential child sex tourists before they harm children, and provides assistance to US and other law enforcement agencies in their work to identify and prosecute offenders.			World Vision is working in collaboration with the US Departments of State, Immigration and Customs Enforcement and Health and Human Services. Funding from private sources (USD 300,000), and from US government (USD 1.6 million).
ECPAT-USA's Protect Children in Tourism (PCT). <sup>43</sup>	ECPAT (PCT) project has a three-part approach: awareness raising, training and resource provision.			Current ECPAT-USA projects to prevent child sex tourism include the Code of Conduct, Protect Children in Tourism: Brazil, and TASATAG.
International Justice Mission (IJM). <sup>44</sup>	IJM seeks to make public justice systems work for victims of abuse and oppression that need the protection of the law.			IJM investigators, lawyers and social workers intervene in individual cases of abuse in partnership with state and local authorities.

<sup>40</sup>INTERPOL, International Child Sexual Exploitation Image Database (Website), [accessed 2013-04-18] from: <https://secure.interpol.int/Public/Children/Default.asp>.

<sup>41</sup>Virtual Global Task Force (Website), [accessed 2013-04-18] from: <http://www.virtualglobaltaskforce.com/>.

<sup>42</sup>World Vision – Child Sex Tourism Prevention Partners (Website), [accessed 2013-04-18] from: <http://www.worldvision.org/content.nsf/learn/globalissues-stp-partners>.

<sup>43</sup>ECPAT-USA, Child Protection in International Tourism (Website), [accessed 2013-04-18] from: <http://ecpatusa.org/what-we-do/protect/>.

<sup>44</sup>International Justice Mission, Website, [accessed 2013-04-18] from: <http://www.ijm.org/>.

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Shared Hope International's Predator Project. <sup>45</sup>	Shared Hope International (SHI) works to identify victims and expose predators using the expertise of the Predator Project.			SHI uses undercover surveillance and many victims' interviews to increase awareness and efforts to combat commercial sexual exploitation of women and children.

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<sup>45</sup>Shared Hope International, Website, [accessed 2013-04-18] from: <http://sharedhope.org.gravitatehosting.com/WhoWeAre/SharedHopesHistory.aspx>.

## 7.0 Endnotes

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<sup>1</sup>International Bureau for Children's Rights Canada. *Combating Child Sex Tourism by involving the Canadian Private Sector of travel and tourism and the Canadian public: 2009-2012*, International Bureau for Children's Rights (IBCR), Montreal, QC, 2012:22:i, [accessed 2013-04-02] from: [http://www.ibcr.org/editor/assets/Tourisme%20sexuel\\_AN\\_int\\_lowres.pdf](http://www.ibcr.org/editor/assets/Tourisme%20sexuel_AN_int_lowres.pdf).

<sup>2</sup>Berkman, E.T. "Responses to the International Child Sex Tourism Trade," *Boston College International and Comparative Law Review*, 19(2), 8-1-1996:397-422:397.

<sup>3</sup>Beddoe, C., Hall, C. M. and Ryan, C. *The Incidence of Sexual Exploitation of Children in Tourism*, World Tourism Organization, 2001:165:12, [accessed 2013-03-25] from:

<http://dtxqt4w60xqpw.cloudfront.net/sites/all/files/docpdf/incidenceexploitation.pdf>.

<sup>4</sup>The Protection Project. *International Child Sex Tourism: Scope of the Problem and Comparative Case Studies*, John Hopkins University, Paul H. Nitze School of Advanced International Studies, January 2007:190:32-35, [accessed 2013-03-18] from: [http://www.protectionproject.org/wp-content/uploads/2010/09/JHU\\_Report.pdf](http://www.protectionproject.org/wp-content/uploads/2010/09/JHU_Report.pdf).

<sup>5</sup>Hammerstrøm K, Wade A, and AMK Jørgenson. (2010). "Searching for studies: A guide to information retrieval for Campbell Systematic Reviews," *Campbell Systematic Reviews 2010: Supplement 1*, DOI: 10.4073/csrs.2010.1.

<sup>6</sup>Tier 1 countries fully comply with the Act's minimum standards for the elimination of trafficking, Tier 2 countries do not fully comply with the minimum standards but are making significant efforts to bring themselves into compliance, and Tier 3 countries neither satisfy the minimum standards nor demonstrate a significant effort to come into compliance (Cotter 2009, 505).

<sup>7</sup>*Criminal Code*, R.S. 1985, c. C-46, subsections 151 and 152.

<sup>8</sup>Legislation increasing the sexual age of consent from 14 to 16 in 2008 was not the point of the 2004 article.

<sup>9</sup>Council of Europe, Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, October 25, 2007, CETS No. 201, [accessed 2013-03-01], from:

<http://conventions.coe.int/Treaty/EN/treaties/html/201.htm>

<sup>10</sup>Perrin, B. "Taking a Vacation from the Law? Extraterritorial Criminal Jurisdiction and Section 7(4.1) of the *Criminal Code*," *Canadian Criminal Law Review*, Volume 13, 2009:175-209:176.

<sup>11</sup>US Department of State, *Trafficking in Persons Report* (June 2008), United States Department of State Publication No. 11407, 295:86, [accessed 2013-05-09], from: <http://www.state.gov/documents/organization/105501.pdf>.

<sup>12</sup>*R. v. Klassen*, 2008 Carswell, BC 2747, 2008 BCSC 1762 (BC SC), paragraph 95, [accessed 2013-05-09], from: <http://www.canlii.org/eliisa/highlight.do?text=R.+v.+Klassen%2C+2008++S.C.%29%2C+at+para.+95+%5BBCSC%5D&language=en&searchTitle=British+Columbia&path=/en/bc/bcsc/doc/2008/2008bcsc1762/2008bcsc1762.html&searchUrlHash=AAAAAQAUUi4gdi4gS2xhc3NlbiwgMjAwOAgUy5DLiksIGF0IHBhcmEuIDk1IFtCQlNDXQAAAAAAAE>

<sup>13</sup>*R. v. Hape*, 2007 SCC 26, [2007] 2 SCR 292, [accessed 2013-05-09], from:

<http://www.canlii.org/eliisa/highlight.do?text=R.+v.+Hape&language=en&searchTitle=Canada+%28Federal%29&path=/en/ca/scc/doc/2007/2007scc26/2007scc26.html&searchUrlHash=AAAAAQAKUi4gdi4gSGFwZQAAAAAAAE>.

<sup>14</sup>Perrin, B. "Taking a Vacation from the Law? Extraterritorial Criminal Jurisdiction and Section 7(4.1) of the *Criminal Code*," *Canadian Criminal Law Review*, Volume 13, 2009:175-209:177.

<sup>15</sup>Song, S. *Global Child Sex Tourism: Children as Tourist Attractions*, Youth Advocate Program International Resource Paper, no date: 5:4, [accessed 2013-04-02] from: <http://www.yapi.org/rpchildsextourism.pdf>.

<sup>16</sup>International Bureau for Children's Rights Canada. *Combating Child Sex Tourism by involving the Canadian Private Sector of travel and tourism and the Canadian public: 2009-2012*, International Bureau for Children's Rights (IBCR), Montreal, QC, 2012:22:19, [accessed 2013-04-02] from:

[http://www.ibcr.org/editor/assets/Tourisme%20sexuel\\_AN\\_int\\_lowres.pdf](http://www.ibcr.org/editor/assets/Tourisme%20sexuel_AN_int_lowres.pdf).

<sup>17</sup>United States Department of State. *Trafficking in Persons Report: June 2008*, Washington, D.C., 2008:295:86-88:86, [accessed 2013-05-09] from: <http://www.state.gov/documents/organization/105501.pdf>.

<sup>18</sup>*Declaration and Agenda for Action*, World Congress Against Commercial Sexual Exploitation of Children, Stockholm, Sweden (August 27-13, 1996), paragraph 2, [accessed 2013-04-03] from:

[http://www.csecworldcongress.org/PDF/en/Stockholm/Outome\\_documents/Stockholm%20Declaration%201996\\_EN.pdf](http://www.csecworldcongress.org/PDF/en/Stockholm/Outome_documents/Stockholm%20Declaration%201996_EN.pdf).

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<sup>19</sup>International Labour Organization. *A Global Alliance against Forced Labour: Global report under the follow-up to the ILO Declaration on Fundamental Rights and Principles and Rights at Work 2005*, Report 1(B), International Labour Conference 93<sup>rd</sup> session 2005, Geneva, 2005:95:12,15, [accessed 2013-04-03] from: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_081882.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081882.pdf).

<sup>20</sup>Refer to Subsection 7(4.1) of the *Criminal Code*.