



# CHILD SEX TOURISM

## -Thailand

### **What is child sex tourism?**

Child-sex tourism (CST) is the commercial sexual exploitation of children by people who travel from one place to another and there engage in sexual acts with minors. Often, they travel from a richer country to one that is less developed, but child sex tourists may also be travellers within their own countries or region.<sup>1</sup>

### **The role of tourism in combating sexual exploitation of children:**

The tourism industry is an important player and can be a valuable ally in the protection of children from sexual exploitation in tourism.<sup>2</sup> As is the case with many other countries with booming tourism industries, it is important for the tourism industry in Thailand to collaborate with law-enforcement officials and NGO's working on CST to eliminate the problem within the country. According to the International Labour Organization, the child trafficking industry is estimated at 22 billion dollars and the number of children involved in this phenomenon exceeds five million. Criminal networks in Thailand take advantage of prostitution (including child prostitution) as a major source of income in tourism as it brings in 15% of the Gross Domestic Product.<sup>3</sup>

### **Who are the victims of child sex tourism?**

Thailand is a source, transit and destination country for trafficking in children and women for sexual purposes and labour. According to the Ministry of Social Development and Human Security, the general trends show a decline of Thai children being exploited into the local sex businesses. These Thai children are now being trafficked abroad to countries such as Japan and Australia, while the number of foreign children being trafficked into Thailand for sexual exploitation is reportedly increasing.<sup>4</sup> Boys and girls from Cambodia, China (Yunnan Province), Lao PDR, Myanmar, and Vietnam,<sup>5</sup> as well as ethnic minority groups living in northern Thailand are trafficked to larger Thai cities for sexual exploitation.<sup>6</sup>

### **Who creates demand for child sex tourism?**

Some child-sex tourists (preferential abusers and paedophiles) target children specifically. Most child-sex tourists, though, are situational abusers who do not usually have a sexual preference for children, but take advantage of circumstances in which children are made available to them. They may try to rationalise their actions by claiming sex with a child is culturally acceptable in the place they are visiting or that money or goods exchanged benefit the child and community.<sup>7</sup>

### **Who are the sex tourists?**

The distinctive feature of child-sex tourism – as opposed to child prostitution – is the movement of perpetrators from their place of origin to a different destination, where the purchase of sex with a child can occur more anonymously, on trips that can include leisure, business or repeated travelling between different locations, as is

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<sup>1</sup> ECPAT International, "Forms of Commercial Sexual Exploitation of Children", 2008, available at <[www.ecpat.net](http://www.ecpat.net)>.

<sup>2</sup> Ibid.

<sup>3</sup> Asharq Alwasat, "Saudi Non-Profit Organization to Tackle Child Trafficking in the Middle East", available at <<http://www.aawsat.com/english/news.asp?section=1&id=5177>>.

<sup>4</sup> National Operation Centre on Prevention and Suppression of Human Trafficking (NOCHT), Ministry of Social Development and Human Security. Thailand's *Country Paper on Prevention and Suppression of Human Trafficking* presented in the Workshop on Civil Society and Government Collaboration to Combat Trafficking in Persons in the Greater Mekong Sub-Region. 22-24 May 2006. Bangkok, Thailand, organised by Vital Voices Global Partnership.

<sup>5</sup> Ibid.

<sup>6</sup> ECPAT International, "Global Monitoring Report on the status of action against commercial sexual exploitation of children", 2007, available at <[http://www.ecpat.net/A4A\\_2005/PDF/EAP/Global\\_Monitoring\\_Report-THAILAND.pdf](http://www.ecpat.net/A4A_2005/PDF/EAP/Global_Monitoring_Report-THAILAND.pdf)>.

<sup>7</sup> ECPAT International, "Forms of Commercial Sexual Exploitation of Children", 2008, available at <[www.ecpat.net](http://www.ecpat.net)>.

the case with lorry-drivers and other staff of transport companies.<sup>8</sup> While the international and Thai media may focus on Western offenders, it is clear that Asian exploiters, including Thai nationals are also responsible for the sexual abuse and exploitation of children.<sup>9</sup> The growing number of reports of CST suspects from the USA, Canada, Italy, UK, Germany and Australia, being arrested indicates the increasing presence of Western offenders in Thailand.

### *Case Studies*

#### **USA man jailed for sex with Thai minors**

In 2007, an American man who worked as an English teacher in Bangkok was sentenced to 10 years in federal prison for travelling to Thailand to have sex with children. In pleading guilty, the man admitted that he had oral sex with a boy he knew was about 15 in April 2005. The accused paid the 15-year-old boy 200 baht (about \$6), according to his plea agreement. He also acknowledged engaging in sex acts with minors during another trip to Thailand the previous year.<sup>10</sup>

#### **Canadian arrested on suspicion of paedophilia**

In November 2007, a Canadian man was arrested after his flight from Japan landed in his home country. The man was accused of paying 600 baht to an eight-year-old boy for oral sex. Police said they believe the accused had also abused at least three other boys. The man allegedly stayed in the same hotel as another Canadian who was detained in Thailand two weeks earlier, following a worldwide manhunt for which he was wanted on suspicion of sexually abusing young boys. The Thai police warrant for the Canadian's arrest was accompanied by photos of the accused taken by security cameras at a hotel in Pattaya, a sex-trade hub 110 kilometres south of Bangkok.<sup>11</sup>

#### **German paedophile jailed**

In November 2007, the Thai Criminal Court sentenced a German paedophile to four years and eight months in jail for having sex with two Thai girls under 13 years old. The man was found guilty of having bought sex from the two girls at a hotel in November 2002. The court initially sentenced him to seven years in jail but commuted the jail term by one third after he confessed having bought sex from the two girls.

#### **Three Australians charged with CST offences**

In March 2009, three Australians were charged with child-sex tourism offences in Thailand, in a joint operation involving Australian, Thai and British police. Two men from Sydney, a 40-year-old from Russell Lea and a 23-year-old from Eastwood, were arrested by the Australian Federal Police after raids on their homes. The third man, a 68-year-old Australian residing in Thailand, was arrested by Royal Thai Police the same day. They all face charges of child sex, child-sex tourism and child pornography. Thai authorities had also laid some charges, the AFP said. Britain's Child Exploitation and Online Protection Centre assisted in the operation.<sup>12</sup>

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<sup>8</sup> Giorgio Berardi, "Emerging Trends in the sexual exploitation of children and adolescents in tourism and travel in Southeast Asia," ECPAT International, 2009.

<sup>9</sup> Education: UN Regional Report: Schools are violent places, Bangkok Post (English-language newspaper), 20 October 2006, Section 1, page 4.

<sup>10</sup> The Bangkok Post, "US jails man for sex with Thai minors", 18 September 2007, available at <[http://www.bangkokpost.com/breaking\\_news/breakingnews.php?id=121773](http://www.bangkokpost.com/breaking_news/breakingnews.php?id=121773)>.

<sup>11</sup> The Bangkok Post, Wanted paedophile arrested in Canada, 33 November 2007, available at <[http://www.bangkokpost.com/breaking\\_news/breakingnews.php?id=123225](http://www.bangkokpost.com/breaking_news/breakingnews.php?id=123225)>.

<sup>12</sup> The Herald Sun, "Three Australian men charged with sex tourism offences", available at <<http://www.news.com.au/heraldsun/story/0,21985,25214626-661,00.html>>.

### **Key locations for child sex tourism in Thailand:**

According to the *Global Monitoring Report on the status of action against commercial exploitation of children*, Thailand has marketed itself as a popular tourism destination in Asia, and as such, related entertainment businesses have flourished, including sex shops and shows where not only adults, but boys and girls provide sex services. The cities that suffer most notably from the impacts of sexual exploitation of children in tourism are Bangkok, Pattaya, Chiang Mai, Chiang Rai and Phuket.<sup>13</sup>

A study conducted by the Institute for Population and Social Research at Mahidol University, reported that children from ethnic minorities such as the Karen and Akha, travel from Mae Sai to Bangkok and Pattaya to stay temporarily in houses provided by operators who cater to the demand from foreigners, many of them regular 'clients', for sex with children.<sup>14</sup> While sex establishments and hotels are the main venues for this exploitation, a number of cases<sup>15</sup> suggest that, increasingly, tourists and foreign residents rent long-term accommodation to abuse children and produce child pornography materials more freely, as doing so in hotels and brothels would entail greater exposure and risks.<sup>16</sup>



<sup>13</sup> ECPAT International, "Global Monitoring Report on the status of action against commercial sexual exploitation of children," 2007, available at <[http://www.ecpat.net/A4A\\_2005/PDF/EAP/Global\\_Monitoring\\_Report-THAILAND.pdf](http://www.ecpat.net/A4A_2005/PDF/EAP/Global_Monitoring_Report-THAILAND.pdf)>.

<sup>14</sup> Bangkok Post, The. 'Academic says 'open houses' needed to help street children'. 16 September 2006. P.2,section 1.

<sup>15</sup> ScanAsia. Thailand. Finnish men molest Thai boys. Accessed on 6 September 2006 from <[http://www.scandasia.com/viewNews.php?news\\_id=1482&coun\\_code=th](http://www.scandasia.com/viewNews.php?news_id=1482&coun_code=th)>.

<sup>16</sup> Nation Newspaper, The. 28 July 2006, <[http://www.nationmultimedia.com/2006/07/28/headlines/headlines\\_30009838.php](http://www.nationmultimedia.com/2006/07/28/headlines/headlines_30009838.php)>.

**Optional graphic:**

<b>International Conventions/Laws</b>	<b>Date of Ratification in Thailand</b>	<b>Date of Reports Submitted</b>	<b>Committee Recommendations for Thailand</b>
Convention on the Rights of the Child (CRC)	Ratified in 1992	Initial Report – 1996 Second Report – 2004  Next report due April 2009	The Committee urges the State party to strengthen its efforts to provide adequate assistance and social reintegration services for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.
Optional Protocol on the sale of children, child prostitution and child pornography (to the CRC; Optional Protocol)	Acceded to in 2006	Initial report due 11 February 2008 has not yet been submitted	N/A
The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	Signed in 2001 but not yet ratified.	N/A	N/A
ILO Convention No. 182 on the Worst Child Labour	2001	N/A	N/A

**Extra-territorial laws on child sex tourism:**

Thailand has enacted extra-territorial laws and as such, law enforcement agencies are able to prosecute its citizens for crimes (against children) even if they are committed outside of the country. Many laws do not require that the act for which they are charged within their own country be a crime in the country where the act was committed.<sup>17</sup>

**What can be done to combat child sex tourism?**

**LAW AND LAW ENFORCEMENT**

- The Thai Government needs to put in more effort to reduce demand for child-sex services by engaging and working in close collaboration with the private sector, for example by encouraging the private sector to adopt and implement the Code of Conduct for the tourism and travel industry.
- The Government needs to establish effective mechanisms to monitor the movement of child-sex offenders – both locals and foreigners – to increase the protection of children from commercial sexual

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<sup>17</sup> Tourism authority of Thailand, "Thailand in the global fight against the commercial sexual exploitation of children", 2009, viewed at <[http://www.tatnews.org/special\\_interest/1487.asp](http://www.tatnews.org/special_interest/1487.asp)>.

exploitation, such as the establishment of a child-sex offender registry and effective collaboration with relevant authorities in other countries on sharing of this information.

- Thai authorities, and especially law-makers, the judicial system and the police need to make sure that the procedure of arrest, investigation, prosecution and imprisonment of abusers is not liable to gaps that may hinder its unfolding and run counter to the rule of law at any given point.
- The Government must take urgent action to address the vulnerability to trafficking of ethnic minorities born in the Thai territory to ensure that all children receive the same rights as other Thai citizens. This includes the needs to improve their accessibility to applying for citizenship, education, health services, social welfare and employment, etc.

## TOURISM AND COMMUNITIES

- There is a need for an intensified engagement of the private sector, to be facilitated and supported by international organisations and NGOs that assist in the implementation of corporate social responsibility tools and independent monitoring. The importance of leadership of the tourist industry should also be highlighted, as there is extensive work to be carried out to curb child-sex tourism. There is in particular, a need for the inclusion of child-protection considerations among CSR policies and intensification of the unification and engagement of the private sector in order for the best results to be achieved.<sup>18</sup>
- Tourism development should be tackled more holistically and include proactive collaboration with the private sector and stakeholders concerned with child protection. In addition to signifying a change of pace for well-established holiday spots and resorts in Southeast Asia, this should also apply to emerging destinations in the region. For example, it would be appropriate for the development of new tourism destinations (seaside resorts, stopover villages along ecotourism trails, etc.) to be preceded by impact evaluation studies that not only analyse consequences on the environment and economic returns on investments, but also encompass an investigation of potential social repercussions that directly originate from the arrival of tourists' flows.<sup>19</sup>
- The provision of comprehensive support to child victims through multi-agency referral mechanisms. In this respect, the prevailing situation in Southeast Asia appears to be that of a slow growth in the provision of support to victims of sexual exploitation, albeit with little co-ordination and exchange of information between the agencies involved.<sup>20</sup>

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<sup>18</sup> Giorgio Berardi, "Emerging Trends in the sexual exploitation of children and adolescents in tourism and travel in Southeast Asia," ECPAT International, 2009.

<sup>19</sup> Ibid.

<sup>20</sup> See, for example, the country-specific publications on Cambodia, Indonesia, the Philippines, and Thailand of the ECPAT International *Global Monitoring Report on the Status of Action against Commercial Sexual Exploitation of Children*, available online at <[http://www.ecpat.net/A4A\\_2005/eap.html](http://www.ecpat.net/A4A_2005/eap.html)>.