



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.11.1996
COM(96) 547 final

COMMUNICATION FROM THE COMMISSION

on combating child sex tourism

Introduction

1. The widespread development of child sex tourism is a relatively recent phenomenon, which is partly linked to the considerable increase in the number of business travellers and international tourists in the second half of the 20th century.

In this context, tourism is seen as one of the channels for the commercial sexual exploitation of children. At the same time, it is becoming increasingly clear that the growing contribution of the tourist industry in combating this affliction is a key element in the solution to the problem.

2. The sexual exploitation of children in tourism is perpetrated not only by paedophiles, who constitute the hard core of child sex abusers, but also by preferential abusers and occasional abusers.¹

This distinction between different types of child sex abusers, which is based on various scientific studies, is of practical interest not only as regards targeting information and awareness-raising campaigns (mainly aimed at occasional abusers), but also in the treatment and rehabilitation of the victims, to be adapted in function of the stage in the child's development and the types of abuse suffered. However, the distinction should in no way disguise the unacceptable nature of any such practices.

Considerable progress has been made in identifying the reasons - psychological, social and cultural - which may lead a tourist to exploit children sexually (see Annex 1). It is therefore possible to draw up and implement measures to combat such practices in spite of some uncertainty surrounding the identity, motivation and behaviour of the sex tourist.

3. As the preparatory work for the Stockholm World Congress held in August 1996 has shown, the sexual exploitation of children in tourism is a real "business" on an international scale. It knows no geographical, cultural or social boundaries. It is often a highly organized phenomenon, which is extremely profitable and carries only low risks of prosecution and punishment.

However, there are still some uncertainties, because, while there is little doubt that the sexual exploitation of children is on the increase, it is difficult, owing to the absence of qualitative and quantitative studies, to form a precise idea of its nature and its extent. Nevertheless, it is recognised that not only is the practice increasing, it is also spreading geographically.

It is clear that the number of child prostitutes is constantly on the increase. While the figures from different sources should be handled with the greatest caution, according to current estimates, each year throughout the world, one million children join the ranks of the victims of sex tourism and organized prostitution.

¹ The term "preferential abuser" is used to designate individuals who have a sexual preference for children who have reached or passed the age of puberty. The term "occasional abuser" is used to designate individuals who exploit children sexually without being specifically interested in children. With regard to these concepts, reference should be made to the document *The sex exploiter*, submitted by ECPAT for the World Congress against Commercial Sexual Exploitation of Children (Stockholm, August 1996).

The phenomenon also appears to be spreading. The flows of sex tourists are mainly from the economically developed countries of Western Europe, North America and Australasia to the poorer countries in other regions. Initially concentrated in South East Asia, child sex tourism has now spread to many countries in Asia itself, South America, the Caribbean and Africa. There are, however, also individuals in certain less developed countries who engage in sex tourism. Similarly, there are a number of destinations for sex tourism in developed countries. Moreover, certain countries in Eastern Europe are also beginning to attract sex tourists and export child prostitution to other countries.²

The internal organization of sex tourism, particularly in the main destination countries, is usually linked to organized crime networks. At international level, the promotion and organization of sex tourism involving children - marginal practices compared with the bulk of tourist activity - operate in different ways (see Annex 2).

4. In combating this phenomenon, neither tourism and the tourist industry nor the tourist destinations affected by this affliction should be discredited, but attention should focus on encouraging the drawing up and application of standards of conduct likely to eliminate practices which are not in line with the tourism ethic.

Indeed, the spread of child sex tourism is in flagrant contradiction of the spirit and the letter of the provisions of the World Tourism Organization's (WTO) *Tourism Bill of Rights* and *Tourist Code*, adopted by the General Assembly of the WTO at its sixth session (September 1985).

Hence, the declaration by the WTO on the prevention of organized sex tourism, adopted by the General Assembly at its eleventh session (October 1995), which "*denounces and condemns in particular child sex tourism, considering it a violation of Article 34 of the Convention on the Rights of the Child (United Nations 1989), and requiring strict legal action by countries sending and receiving tourists*".

5. The Commission is fully aware both of the extent and seriousness of the problem and of the fact that European public opinion in general, and tourists and the tourist industry in particular, are becoming increasingly sensitive to this affliction.

As the Commission considers that it has as duty to ensure that the vulnerability exploited which is making children easy prey should also entitle them to special care and protection, it has taken the initiative to draw up this communication specifically on combating child sex tourism.

In this connection, it should be recalled that the proposal for a Council Decision concerning the first multiannual programme to assist European tourism "PHILOXENIA"³, adopted by the Commission in April 1996, had already made specific reference to the problem of child sex tourism.

² Helena Karlén and Christina Hagner, *L'exploitation sexuelle des enfants à des fins commerciales dans certains pays de l'Europe de l'Est*, ECPAT, 1996.

³ COM(96) 168 final, of 30.04.1996.

This communication incorporates the findings of the Stockholm Congress held in August 1996 against the commercial sexual exploitation of children, particularly the various references made to sex tourism or the tourist industry in the Stockholm *Agenda for Action*. As part of the general contribution of the European Union to the efforts to combat the sexual abuse and exploitation of children, it gives specific, concrete responses on how to combat child sex tourism.

The aide-mémoire entitled *The European Union's contribution to reinforcing the prevention of the sexual abuse and exploitation of children*, presented by the Commission at the informal meeting of the Ministers of Justice and Home Affairs on 26 and 27 September 1996, gives an overall picture demonstrating the Commission's wish to give greater cohesion to all its work on the problem of protecting children.

It includes detailed information on the Commission's action in this area, setting out the various measures already carried out, in progress, and planned. Some of these have already borne fruit. For instance, in October 1996, the Commission adopted both the communication on *Harmful and illegal content on the Internet*⁴ and the Green Paper on the *Protection of minors and human dignity in audiovisual and information services*⁵.

These two specific contributions, which are in line with the Commission's overall approach, are of interest in connection with other areas. For example, the link with combating child sex tourism is particularly clear if all the new opportunities offered by technological progress are considered, particularly for the exchange of information between sex tourists and the promotion and organization of sex tourism.

The contents of the communication on *Trafficking in women for the purpose of sexual exploitation*, adopted in November 1996⁶, are also particularly relevant to combating the sexual exploitation of children.

The Commission is of the opinion that, while children will always remain the main focus of attention, a number of solutions to the problem of child sex tourism relate to deterrence and punishment of child abusers.

It is all the more necessary to pay attention to the demand aspect as this is a frequently neglected aspect of child protection. Attention is usually unequal, focusing on the abused rather than the abuser, seeking solutions addressing the source of supply without corollary measures to stem the demand for children.

The Commission is aware that, although the tourist industry can contribute to combating child sex tourism, the means at its disposal are nevertheless limited. To be effective, measures taken by the industry must be part of a wider approach, combining increased action by the countries involved and by the relevant international organizations, and the many measures taken by civil society and non-governmental organizations with recognized experience in this area.

Community action in this field is justified on more than one count. First, there is the transnational nature of the phenomenon and its effects, which considerably limits the impact of isolated reactions or piecemeal measures. There is also the risk that measures will be spread too thinly, particularly if no significant effort is made to increase

⁴ COM(96) 487 final, of 16.10.1996.

⁵ COM(96) 483 final, of 16.10.1996.

⁶ COM(96) 567 final, of 20.11.1996.

coordination. Finally, the Community has the ability to mobilize a greater political and financial commitment both within Europe and in its relations with third countries.

The set of proposals for action should be seen as a reference framework for the prevention of child sex tourism, placing it in a medium and long term perspective, with the focus on a limited number of targeted objectives responding to the need to:

- deter and punish child sex abusers;
- take action in relation to the demand and the supply of sex tourism involving children;
- encourage the Member States to take a common stance against this affliction.

Deterring and punishing child sex abusers

The Commission shares the opinion that *“There should be no ambivalence in declaring the illegality and immorality of commercial sexual exploitation of children. Neither should there be any doubt that, on this particular aspect, children are never the perpetrators of the offence, but the victims thereof”*⁷.

In reality, in the case of authors of certain acts, the fact that they can be prosecuted, or alternatively, that they can profit from a legal void, is an important consideration. Consequently, greater attention should be given to the panoply of texts capable of helping to combat child sex tourism, and to their implementation.

All the more so as, under pressure from humanitarian associations and public opinion, laws are being enacted⁸ which provide for example for sanctions against child molesters for offences and crimes committed abroad. Several Member States have taken⁹ or are in the course of taking¹⁰ this line. The Commission welcomes the measures taken by these countries to combat child sex tourism¹¹.

Obviously, it is a matter for the Member States to determine, if they have not already done so, whether or not they wish to enact such provisions in their own countries and, if so, to ensure that they are implemented. That being said, it appears opportune to draw their attention to two key elements in combating child sex tourism - namely, the possibility of giving national courts extra-territorial jurisdiction for offences and crimes committed against children abroad, even where the presumed offence or crime is not provided for under the laws of the country in which it was committed.

⁷ Keynote speech of Ofelia Calcetas-Santos, UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography (World Congress against Commercial Exploitation of Children, Stockholm, August 1996).

⁸ An overall view is given in the document *The International Legal Framework and Current National Legislative and Enforcement Responses*, submitted by ECPAT for the World Congress against Commercial Sexual Exploitation of Children (Stockholm, August 1996); see also ECPAT *Enforcing the Law against the Commercial Sexual Exploitation of Children*. Nitiporn Printing Co. Ltd., 1996.

⁹ Sweden, Germany (1993), France (1994) and Belgium (1995).

¹⁰ Italy, Ireland and the United Kingdom.

¹¹ Cf. in particular the reply given by Mrs Gradin to Written Question E-1594/95 by Alexandros Alavanos on the *Commission initiative to eradicate child prostitution*, OJ C 270, 16.10.95, p. 37.

As far as the Commission is concerned, its action will focus on stimulating and promoting both an effective deterrent to the sexual abuse of children and appropriate penal sanctions for such acts.

i) The first task will be to make a regular evaluation of progress in this field, particularly the implementation of the legal reforms and legal practices concerned.

Within the limits of its competence, and in accordance with the wishes expressed by the European Parliament, the Commission has already undertaken to study this question in more detail. This is why, for instance, the representatives of the Member States, meeting as the Advisory Committee in the field of tourism, were invited in 1995 to make a detailed report on measures adopted or planned to combat child sex tourism.

It is clear from the information available that increased judicial cooperation between the Member States is essential: Differences in definitions of crimes is sufficient reason for this, for example the age up to which a person may be considered as a child as regards sexual exploitation, the fact that not all Member States prosecute nationals or residents who commit sexual offences against children abroad. At a more general level, experience shows that a number of special difficulties are encountered in the treatment of cases with an international dimension. This situation calls for concrete multidisciplinary solutions, based primarily on increased cooperation between the competent authorities.

The Council is currently studying joint action aimed at extending the responsibilities of the Europol Drugs Unit, by including combating trafficking in human beings. The Unit will also draw up a register of authorities in the Member States that specialize in combating international organized crime. The register will include specialists in the field of combating trafficking in human beings. Furthermore, a multiannual action programme to combat the trafficking in human beings and the sexual exploitation of children is currently under discussion in the Council. It provides for research and training activities and exchanges of persons involved in this field.

In addition, a joint action project to increase legal cooperation in combating trafficking in human beings and the sexual abuse of children was put before the Justice and Home Affairs Council in September 1996. The project, which is currently being discussed by the Council, provides specifically for extra-territorial competence allowing acts of paedophilia committed outside the Union to be prosecuted in the Member States.

The Commission welcomes these initiatives, which it considers as initial steps along the way towards increased cooperation in penal and police matters.

ii) At the same time, the collection and exchange of information other than that of a legal nature, should improve knowledge both to combat the hidden nature of the sexual exploitation or abuse of children and to prevent children remaining vulnerable to such treatment.

Although most countries have high-quality statistics and research instruments for other social matters, little data has been collected on the various aspects of child sex tourism.

An initial step would be to collect and make available existing information on topics of common interest and of major importance, such as:

- the links between tourism and prostitution in general and between tourism and child prostitution in particular;
- the identity, motivation and behaviour of sex tourists;
- information on sex tourism in tourist guides and prospectuses and in the audiovisual media used by the industry for disseminating information;
- the implications of sex tourism for public health.

The question of supporting the carrying out and the dissemination of supplementary studies on these issues is for consideration at a second stage.

The Advisory Committee in the field of tourism¹², which is composed of members designated by each Member State and has the task of “*facilitating exchanges of information, consultation and, where appropriate, cooperation on tourism*”, provides an appropriate framework for carrying out the tasks to be undertaken in that context.

iii) Independently of their specific purposes, both the assessment of progress achieved in the implementation of legal reforms and the judicial practices concerned, and the collection and exchange of information other than that of a legal nature, could also open the way to a concerted approach in relation to measures taken at national level together with a suitable initiative at the international level.

For instance, these measures could initially facilitate the action of the Member States to encourage the national tourist authorities to take preventive measures against child sex tourism, particularly as regards information to travellers.

As has been stated many times, travelling in a foreign country is not a trivial experience. This is why travellers going abroad should be made aware of possible differences (economic, social, cultural, social, religious, etc.) between that country and their own. More specifically, their attention should be drawn to the need to comply not only with the values of the country being visited, but also with certain basic rules of behaviour.

Measures to dissuade could usefully concentrate on giving appropriate information to travellers in the context of travel formalities, such as checks by the police, customs or health authorities. Each type of check could be used as an opportunity for providing specific information¹³, in each case providing a warning to the traveller against child sex tourism.

Second, such measures could make it easier to obtain a coordinated response at European Union level - both from Member States and the tourist industry - to the recent proposal by the World Tourism Organization on the constitution of a Task Force against sex tourism, “*composed of groups from the tourist industry [...] as well as UNICEF, ECPAT [...] and several member countries of the WTO*”, which, inter alia, “*would assemble [...]*”

¹² Council Decision of 22 December 1986 establishing a *Consultation and cooperation procedure in the field of tourism*, OJ L 384, 31.12.86, pp. 52-53.

¹³ Including information of a dissuasive nature on the risks involved (e.g. prosecution and health problems).

information on sex tourism and measures which have succeeded in preventing it, so that they can then be disseminated among firms in the tourist industry world-wide”.

The Advisory Committee in the field of tourism and the consultation meetings with the tourist industry provide an appropriate framework for carrying out the tasks to be undertaken in this area.

Stemming the flow of sex tourists from the Member States

The causes of the phenomenon of child sex tourism are as numerous as they are complex, and they are closely interconnected. Poverty is often quoted as factor in the sexual exploitation of children for commercial purposes. However, while it is true that this is a fundamental reason for the exploitation of children, its effects are linked to the supply aspect and do not sufficiently explain the phenomenon of the demand at world level.

In this context, and given that most of the tourists that sexually exploit children come from industrialized countries, including some from the EU Member States, the Commission considers it essential to take measures to stem the flow of sex tourists from these countries.

It shares the concerns of the European Parliament, which has called on the EU institutions to denounce the practices of European “consumers” as clear infringements of the fundamental rights and individual liberties of under-age victims and, therefore, to take all the necessary measures to ban advertizing for sex tourism from the Member States¹⁴.

The European Parliament has also called on the Commission to devise an information campaign on the consequences of sex tourism, and other measures to prevent this form of tourism¹⁵.

i) Information and awareness-raising campaigns against child sex tourism play an essential role in this respect.

The Commission believes that greater coordination of campaigns at European level would increase their impact and awareness of the underlying problems.

To increase effectiveness, attempts to coordinate these campaigns at European level should give priority to defining common guidelines, drawing up and implementing the resulting operational strategies, and assessing the results of the action taken.

¹⁴ Resolution on *the freedoms and fundamental rights of women*, 6 May 1994, OJ C 205, 25.7.1994, pp. 489-492. See also the Resolution on *trafficking in human beings*, 18 January 1996, OJ C 32, 5.2.96, pp. 88-93 in which the Parliament calls “for rules to be introduced on extra-territorial jurisdiction in order to allow the prosecution and punishment of individuals who have committed offences involving sexual exploitation of children and adolescents outside the Community territory”.

¹⁵ Resolutions on *tourism in the approach to the year 2000*, 18 January 1994, OJ C 44, 14.2.94, pp. 61-65 and on the *Report from the Commission on Community measures affecting tourism*, 15 December 1994, OJ C 18, 23.1.95, pp. 159-165.

Having regard to the ease with which the tourist can "procure" a child for sexual purposes is in itself such a powerful incentive that some are easily tempted by this kind of experience, information and awareness-raising campaigns should be aimed not only at tourists but also more generally at public opinion in Europe.

Community funding in this area, within the limits of the available resources, would not only enable the Community to act as the driving force behind coordination but would also promote raising of essential financial support from other sources.

Community support would be dependent on the joint involvement of both the tourist industry and non-governmental organizations working in this field, in defining, initiating, implementing and monitoring information and awareness-raising campaigns.

This is based on the fact that such joint involvement has proved its worth in combating child sex tourism and this partnership approach is in line with the guidelines defined by the Commission in its proposal for a Council Decision on a first multiannual programme to assist European tourism, "PHILOXENIA". Although the explanatory memorandum to the proposal provides for dealing with the question of combating child sex tourism, it does so in a specific context, namely that of increasing cooperation between the Member States, industry, and the other parties involved.

In this regard, it is encouraging to see that in several branches of the tourist industry a real sense of collective responsibility is now emerging which is likely to increase the industry's contribution.

These campaigns could also provide opportunities for encouraging the media to develop strategies to strengthen their role, "*in providing information of the highest quality, reliability and ethical standards concerning all aspects of the commercial sexual exploitation of children*"¹⁶.

Apart from any financial support from the Community for the coordination at European level of information and awareness-raising campaigns against child sex tourism, the Commission is envisaging the possibility of mobilizing the various Community information networks on this subject.

ii) The Commission also believes that initiatives could be directed at the tourist industry, to make available, in particular through training programmes and schemes, guiding principles on combating child sex tourism.

The objective would be to ensure that persons working - or likely to work - in the tourist industry have guidelines on the question as soon as possible.

Training modules could be drawn up¹⁷ including both information on the objectives and mechanisms for combating child sex tourism and more general considerations on the problem of sex tourism. The ultimate aim would be to include in training programmes

¹⁶ Cf. the document entitled *Prime Time for Children: Media, Ethics and Reporting of Commercial Sexual Exploitation*, submitted by the International Federation of Journalists for the World Congress against Commercial Sexual Exploitation of Children (Stockholm, August 1996), p.32.

¹⁷ Under programmes such as *Leonardo* and *Socrates*.

and schemes the ethical dimension of responsible tourism, which seeks to preserve the dignity and physical and moral integrity of the child.

In this context and more especially in the case of students receiving initial vocational training in tourism, the possibility could also be examined of granting, in conjunction with trade associations in the tourist industry, support for organizing competitions¹⁸, so as to make them more motivated, drive the message home to them and make them feel involved.

iii) Finally, the Commission intends to encourage the drawing up and reinforcement of codes of conduct and self-regulatory mechanisms in the tourist industry with a view to combating the practice of child sex tourism.

The drawing up and reinforcement of codes of conduct and self-regulatory mechanisms in the tourist industry to combat the practice of child sex tourism is both the logical extension and the practical implementation at Community level of the declaration of principle adopted at international level by various professional associations in the tourist industry¹⁹.

All persons working in tourism who are in contact with tourists during the preparation for their journey and during the journey itself should be approached, with a view either to reviewing their information methods and commercial practices concerning the countries visited, or to acting as disseminators of information on the problem of child sex tourism.

The Commission will strive for a basic minimum of commitment to be met by the various branches of the tourist industry, on a voluntary basis. They will be asked:

- to prohibit any explicit or implicit oral, written or graphic encouragement of sex tourism;
- to include, as part of their various activities, objective information for customers on sex tourism;
- to use, as part of their business practice, all appropriate measures to contribute to the practical application by the tourist industry of the prohibition of child sex tourism;²⁰

¹⁸ Along the lines of, for instance, the competition organised by ECPAT-France "Say No, to the exploitation of children by sex tourism". This is based on the fact that *students in tourism schools today will be those working in the sector tomorrow. They should react today and offer the world their ideas for disassociating the word "sex" from tourism.*

¹⁹ For example, the Universal Federation of Travel Agents' Associations (UFTAA) and the International Hotel Association (IHA) adopted - in November 1993 and January 1995 respectively - resolutions supporting the ECPAT campaign against child prostitution. The UFTAA is also the originator of the Charter concerning travel agents and children, under which the members and affiliates of the organization, as signatories to the Charter, undertake to combat child prostitution linked to "sex" tourism and to protect the children who fall victim to these tourists. The International Air Transport Association (IATA) also adopted a Resolution on this matter in November 1996

²⁰ An example of professional self-regulatory measures can be found in the agreements concluded between German tour operators and the Terre des Hommes Association, which go so far as to provide for cancellation clauses for contracts concluded with hotels which prove to be involved in cases of child prostitution.

- to specify, to both employers and employees, the extent of the obligation and the practical procedures for informing the competent authorities of cases of child sex tourism.

The Commission, in cooperation with the Member States, could also involve itself in evaluating the implementation of these codes of conduct, which is the weak point of any such provisions.

The Advisory Committee in the field of tourism and the consultations meetings with the tourist industry provide an appropriate framework for carrying out most of the work aimed at stemming the flow of sex tourists from the Member States.

Helping to combat sex tourism in third countries

The European Union attaches particular importance in its activities to the observance of democratic principles and human rights as stated in Article F of the Treaty on European Union.

At a general level, the Council has on many occasions stated that it continues to attach great importance to human rights and particularly the rights of children, both within and outside the Union²¹. In this connection, the European Union is pursuing its efforts to ensure that all governments implement the Convention on the Rights of the Child and the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography. It is also active in the UN Commission on Human Rights Working Group, which is currently drawing up a draft Additional Protocol to the Convention on the Rights of the Child on this subject.²²

Furthermore, the communications from the Commission on *The inclusion of respect for democratic principles and human rights in agreements between the Community and Third Countries* and on *The European Union and the external dimension of human rights policy from Rome to Maastricht and beyond*, open the way to taking more systematic account of aspects relating to child sex tourism in relations with third countries.²³

The Community is already supporting countries in which there is a particular problem with regard to the economic exploitation, abandonment and/or prostitution of children, through special projects aimed at fostering social assistance, protection, well-being, reintegration and education.

However, further efforts are necessary in order to provide greater protection for the victims of sex tourism in third countries through preventive measures among families and communities, penal measures against abuse at local level or the treatment and rehabilitation of sexually abused children.

²¹ In particular the Council Reply to Written Question E-3528/95 by Roberto Mezzaroma on *Safeguarding children in South-East Asia who are victims of sexual violence*, OJ C 183 of 24.6.96, p. 4

²² Reply by the Council to Written Question E-8/95 by Clive Needle on *Child Prostitution*, OJ C 139 5.6.95, pp. 47-48.

²³ Cf. European Commission, *The European Union and Human Rights in the World*, European Union Bulletin, Supplement 3/95.

i) Accordingly, particular attention will be given to rationalizing methods for action and coordinating the Community resources available for the protection of children who are victims of sex tourism.

Several financial instruments can be used to pursue the objective of making the observance of democratic principles and human rights a cornerstone of the Union's policy on cooperation with third countries (see Annex 3).

Since some of these instruments already enable support to be given to promoting and protecting the rights of the child, the Commission is considering also using them specifically to support measures to help children who are victims of sex tourism.

It appears particularly appropriate, therefore, to engage in political dialogue with the developing countries most affected. As regards the ACP countries in particular, such a dialogue could encourage them to use existing EDF resources for measures aimed at combating child sex tourism.

In any event, a more detailed analysis must first be made of the nature and extent of child sex tourism in third countries and of the measures taken by these countries to combat such practices. This should make it possible to specify the kind of support which can be given outside the Community on this matter, and how it can be provided.

This kind of analysis, in cooperation with the third countries concerned, is all the more important since victim protection programmes are often expensive and difficult to implement, and do not always produce the results expected. This is particularly the case with rehabilitation, mainly because of the serious trauma the children have undergone, the great difficulties they encounter in reintegrating into communities ready to receive them, the considerable health risks to which they have been - and often remain - exposed, and the situation of dependence that has been imposed on them.

As regards programmes for the rehabilitation of sexually abused children, efforts have been made to ensure, on the one hand, that the beneficiaries are involved in the definition, management and assessment of such programmes, and on the other, that there is cooperation with the families and communities, which must be made aware of the particularly devastating effects of the sexual exploitation of children. In addition, particular attention should be given to the experience acquired by non-governmental organizations which are particularly active in protecting children in third countries who have fallen victim to sex tourism²⁴.

However, the Commission feels that the existence of child sex tourism should not call into question the important contribution of tourism to the economic and social development of the countries concerned, particularly as a growing number of tourist destinations which are particularly affected by this affliction are introducing strategies to counter it, since they are aware of the potential negative effects of tourism linked to the sexual exploitation of children for commercial purposes, and the long-term costs which it might entail.

²⁴ A number of significant articles on this matter will be found in a publication by the NGO Group for the Convention on the Rights of the Child, *A Right to Happiness - Approaches to the Prevention and Psycho-social Recovery of Child Victims of Commercial Sexual Exploitation*, 1996.

In these circumstances and given the growing importance of tourism development projects in developing countries, the Commission feels that measures to assist the development of tourism in the destinations concerned should aim to offer a genuine alternative in terms of balanced, sustainable development, largely on the basis of measures to improve the quality of the tourist services offered in these countries, together with measures for diversification, where appropriate. The transfer of know-how and the exchange of good practice could play a useful role in this context.

For the Commission, the use of the financial resources available to combat child sex tourism will also be seen as an opportunity to promote an integrated response to the more general problem of the sexual exploitation of children for commercial purposes in countries affected by this affliction, and to increase coordination between the European Union and third countries on the question of cooperation in general.

ii) In addition, the respect of democratic principles and human rights constitutes an essential element in the contractual relations between the Community and third countries.

The Council of Ministers adopted in May 1995 “a uniform clause” allowing the Union to suspend agreements concluded with third countries if these countries are seen to be violating human rights. The Commission has stated in this respect that the “essential element” clause should be invoked to suspend agreements only in cases of very serious violations of human rights by governments.

More specifically, the consolidation of democracy and the rule of law, along with the observance of human rights and fundamental freedoms, are essential elements of the policy of development cooperation. Moreover, the Lomé Convention provides for a consultation procedure, through which discussions could be held on human rights. Good coordination between Community initiatives and the measures taken by the Member States is necessary, at both political and operational levels.

The sexual exploitation of children for commercial purposes is not *a priori* perpetrated by governments but by individuals and various groups at all levels of society. However, this does not mean that there are not wide differences in the degree to which the host countries are involved in organizing sex tourism. A number of these countries are under economic and political pressure to promote tourism as a source of foreign currency. In certain cases, this policy goes so far as to accept officially that “tourism” is practically synonymous with “sex tourism”, with child sex tourism being seen as an unfortunate but inevitable part of tourism development.

The Commission does not share this opinion and does not therefore rule out the possibility of applying the necessary pressure - through dialogue conducted in the context of external relations - on countries which appear to be over-complacent regarding the sexual exploitation of children through sex tourism.

Encouraging the EU Member States to take a united stand against child sex tourism

The Member States of the European Union are concerned by the tragic growth in child prostitution in several respects.

- The Member States are concerned because most of the tourists who exploit children sexually come from the industrialized countries, of which a certain number come from Europe.
- The Member States are concerned because child prostitution exists in Europe and, while it is not yet primarily linked to sex tourism, this phenomenon could soon develop.
- The Member States are concerned as they have ratified the Convention on the rights of the child and are bound by Article 34 of that text to *protect children against all forms of sexual exploitation and violence*.

It can be argued therefore that the Member States need to take steps to combat child sex tourism, which go beyond simply denouncing this affliction.

The Commission, aware of this evidently serious situation, and also of the growing wish for action demonstrated by several Member States, can only encourage all of them to go further along this road.

Having regard especially to the resolutions of the European Parliament on this topic and to this communication on combating child sex tourism, the Commission considers it highly desirable to that the Council should define its position, and calls upon the Member States to dispel any doubt as to their willingness and ability to combat this affliction.

*

* *

The Commission intends to produce, within two years of the adoption of this communication, a report to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, on the implementation of the measures planned and the progress made in combating child sex tourism.

ANNEX 1

When the tourist is away from home there is an element of anonymity which releases him or her from the usual social restraints which determine behaviour in the home country. Thus, a man who would have never contemplated visiting a brothel in his home town will often do so in a foreign country where there is little likelihood of being recognized. Many countries have noted this phenomenon.

In “exotic” tourist destinations visitors usually cannot understand the language or the cultural nuances in the society. This leads them to make assumptions which are probably incorrect but which enable them to rationalize the change in their behaviour. It is common for tourists who sexually exploit children to explain their behaviour by saying that sex with children “is more acceptable in this culture, and the people here do not have the same sexual hang-ups as we have in our country”.

Tourism not only changes behaviour, it can also reinforce prejudice. Visitors who, consciously or unconsciously, are firmly convinced of the inferiority of other ethnic groups usually have their racist attitudes reinforced in foreign countries. They see what they want to see. Such people have no scruples about exploiting others because they consider them to be inferior

The experience of economic superiority in a poorer country tempts some visitors to sexually exploit and abuse local people. Modern tourists from industrialized nations may hold quite menial positions in their own country but the disparity in earnings can mean they are comparatively wealthy when they travel in a poor country.

Tourists are sometimes fleeing from an unhappy sexual relationship at home and are open to new sexual experiences. Aspects of this have been noted among men from western industrialized societies. As the traditional privileges of patriarchal society disapeal slowly in many western countries, some men feel inadequate in coping with the change.

Finally, one of the most important reasons why child sex exploitation is taking place among tourists is because the children are readily available. The ease with which tourists in some countries can obtain a child as a sexual partner is, in itself, a powerful incentive for some to try the novelty of a child sex partner.

Source: document entitled *Tourism and Children in Prostitution*, submitted by ECPAT for the World Congress against Commercial Sexual Exploitation of Children (Stockholm, August 1996).

ANNEX 2

There are individual men and groups of men who appear to view the sexual exploitation of people in 'third world' countries as a harmless pastime, and are glad to provide information for like-minded individuals for free. This can simply involve the exchange of information between sex tourists visiting the same hotels, or in bars and pubs back home. It can also be via the Internet, where some men give pornographic accounts of their sexual exploits, and supply details of brothels etc. in various tourist destinations, sometimes with descriptions of children and/or information about how to obtain child prostitutes.

There are individuals and companies that write and publish travel guides which promote sex tourism at least by implication. Some guides cater simply and solely for the sex tourist market and provide a wealth of information for the child abuser.

Although there are very few tour operators that explicitly arrange child sex tours, there are still various small companies in Europe, Australia, North America and Japan which promote and facilitate sex tourism by identifying resorts where prostitution is widespread; negotiating deals with local hotels to ensure that their clients will not be charged for "inviting" companions back to their room for the night; arranging 24-hour female "guides" for clients and providing on-the-spot 'holiday reps' with an intimate knowledge of the prostitution scene.

Source: document entitled *Tourism and Children in Prostitution*, submitted by ECPAT for the World Congress against Commercial Sexual Exploitation of Children (Stockholm, August 1996).

ANNEX 3

The following are some of the financial instruments which could be used to pursue the objective of making the observance of the principles of democracy and human rights a cornerstone of the Union's policy on cooperation with third countries:

- Budget Item B7-6000: Community contribution towards schemes concerning developing countries carried out by non-governmental organizations
- Budget Item B7-7000: Programme for democracy in the countries of central and eastern Europe
- Budget Item B7-7001: Community measures to help democracy and support the peace process for the Republics formerly part of Yugoslavia
- Budget Item B7-701: Support for democracy in the Independent States of the former Soviet Union
- Budget Item B7-702: Human rights and democracy in the developing countries
- Budget Item B7-703: Democratization process in Latin America
- Budget Item B7-7040: Subsidies for certain activities of organizations pursuing human rights objectives
- Budget Item B7-705: MEDA programme for democracy
- Budget Item B7-707: Support for rehabilitation centres for torture victims and for organizations offering concrete help to victims of human rights abuses
- European Development Fund resources (subject to a specific request from and the agreement of the ACP partner)
- Funding from the resources allocated for financial and technical assistance to, and economic cooperation with, the countries of Asia and Latin America
- Counterparts funds generated by various Community instruments within the framework of development financing cooperation with the ACP countries

(*) The Commission will check whether it is possible and opportune to use these financial instruments specifically to support the fight against sex tourism involving children.

ISSN 0254-1475

COM(96) 547 final

DOCUMENTS

EN

06 11 05

Catalogue number : CB-CO-96-625-EN-C

ISBN 92-78-12833-3

Office for Official Publications of the European Communities
L-2985 Luxembourg