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COMMUNICATION FROM THE COMMISSION

TO THE COUNCIL, THE EUROPEAN PARLIAMENT,
THE ECONOMIC AND SOCIAL COMMITTEE
AND THE COMMITTEE OF THE REGIONS

**on the implementation of measures to combat
child sex tourism**

i) The scale and the seriousness of the problem of child sex tourism led the European Commission, as part of the general contribution of the European Union to strengthening the fight against the sexual abuse and exploitation of children, to adopt on 27 November 1996 a Communication devoted specifically to the fight against this scourge¹.

Apart from the practical interest of identifying concrete elements in response to the above-mentioned problem, the main purpose of the Communication from the Commission is to provide a reference framework for Community action on combating child sex tourism, placing this in a medium- and long-term perspective.

The overall strategy set out in the document is twofold²: on the one hand, to reduce demand, in particular through co-operation with the tourist industry and the non-governmental organisations concerned (co-ordination of information and awareness-raising campaigns, strengthening codes of conduct and self-regulatory schemes for the industry, etc.); on the other, attacking sources of supply in tourist destination countries by all appropriate means, including Community policies on external relations and development cooperation.

The importance of this second line of action was reiterated by the Commission when it drew up its support strategy for the development of sustainable tourism in the developing countries. This explicitly states that work should be carried out in order to further the taking into account of the specific problem of child sex tourism within the framework of structured political dialogue with the countries most affected, particularly at regional level³.

ii) The European Commission's initiative at the end of 1996 appears all the more timely since this is an area in which measures by the European Union are considered both desirable and necessary by the vast majority of the citizens of Europe.

Moreover, the Resolution of the European Parliament of 6 November 1997⁴ and the Declaration of the Council of (Tourism) Ministers of 26 November 1997 revealed broad institutional agreement on the main thrust of the Commission's Communication, as does the Opinion of the Economic and Social Committee of 2 July 1998⁵. These are encouraging signs⁶ to intensify efforts aimed at contributing effectively, through specific

¹ OJEC No C 3 of 07.01.1997, pp. 2-12

² In this context, see in particular the reply dated 10 October 1997 given by Mrs Gradin, on behalf of the Commission, to Written Question E-2622/97 from Mrs Christine Oddy on the *international exploitation of the victims of sex tourism in Asia*, OJEC No C 102 of 03.04.1998, pp. 75-76.

³ COM(1998)563 final of 14.10.1998

⁴ OJEC No C 358 of 24.11.1997, pp. 37-43

⁵ OJEC No C 284 of 14.09.1998, pp. 92-110

⁶ This encouragement has been reiterated, as in its resolution of 7 October 1998, the European Parliament "welcomes the initiatives launched in implementation of the measures envisaged" in the Commission Communication of 1996 (OJEC No C 328 of 26.10.1998, p. 110), while the Council of (Development) Ministers' Resolution of 30 November 1998 on Sustainable Tourism in Developing

measures, to ensuring that tourism emerges the winner from the struggle against child sex tourism.

In financial terms, support for the Commission's initiative is reflected in the creation of a new budget line B7-663 entitled "Combating sex tourism in third countries", with a budget of 500 000 ECU in 1998⁷. The budget available, which was doubled in 1999⁸, is intended "for setting up and co-ordinating public awareness campaigns to combat sex tourism affecting children". In addition, further funds are available under Community policies, programmes and initiatives with an interest in the problem. The Commission works to ensure the coherence and co-ordination of these various programmes and budget lines.

Beyond the welcome for the Commission's approach, these measures reaffirm the Community's ability "to mobilise a greater political and financial commitment, both within Europe and in its relations with third countries", as specifically stated in the 1996 Communication.

iii) The measures proposed to combat child sex tourism were launched in 1997 and have been maintained at a sustained pace since then. Their implementation has provided the Commission with an opportunity, not only to mobilise its various Services and strengthen internal coordination, but also to promote open and effective partnership as a precondition for its action.

In this context, mention must be made both of the inter-service meetings to monitor implementation of the Commission's Communication and of the meetings of the working party set up specially under the initiative to strengthen co-ordination at European level of national information and awareness-raising campaigns against child sex tourism.

The inter-service meetings allowed the various Commission Services with an interest in the issue to hold regular exchanges of views on their respective measures taken under the reference framework laid down by the Commission, to systematically strengthen the co-ordination of those measures relevant to combating child sex tourism and to make periodic assessments of the state of progress in implementing the measures provided for in the Communication.

The working party meetings - thanks to the participation of not only the various Commission Services concerned, but also of experts nominated by the representatives of the Member States in the Tourism Advisory Committee and of experts invited by the Commission - also made it possible to ensure the successful "steering" of the projects selected for cofinancing⁹. These meetings of the working party also promoted the exchange of information and helped to improve dissemination of the results of various measures undertaken to combat child sex tourism. Finally, they fostered moves towards partnership on measures of common interest.

Countries specifically refers to the fight against "sexual tourism", especially that concerning children, referring in that context to the (Tourism) Council Declaration of 26 November 1997.

⁷ For budgetary comments, see OJEC No L 44 of 16.02.1998, p. 1167.

⁸ For budgetary comments, see OJEC No L 39 of 12.02.1999, p. 1150.

⁹ In accordance with the terms of the call for proposals and the related invitation to tender, published in the Official Journal of the European Communities of 31 July 1997.

The considerable work achieved in the above-mentioned meetings is behind the "significant efforts [by the Commission] to increase co-ordination of various measures", with a view to reducing the risk of isolated efforts, again, as stated in the 1996 Communication.

iv) In operational terms, particular attention was paid to drawing up and adhering to transparent arrangements, as well to the strict application of the rules of good administrative and financial management. This approach helped to ensure appropriate use of the resources available with the rigour and concern for efficiency which are particularly necessary in view of the ethical aspects of this issue.

In this context, emphasis was placed on a limited number of targeted objectives responding to the need to dissuade and punish sexual abusers of children, to stem the flow of sex tourists from the Member States, and to contribute to the fight against child sex tourism in third countries.

v) The following presentation, which gives a report on implementation of the measures planned and the progress achieved in the fight against child sex tourism for the period 1997-1998¹⁰ also incorporates, where necessary, the operational follow-up to be undertaken in the context of launching and/or implementing new measures in 1999.

1. IMPROVING KNOWLEDGE OF THE PHENOMENON OF CHILD SEX TOURISM

In this context, particular attention was paid to collecting and exchanging information on the major trends in the development of child sex tourism at world level, as well as on the principal causes and consequences of this phenomenon. Better information on Europeans' perception of the problem was also obtained.

1.1 Because of the importance - particularly for organising information and awareness-raising campaigns - of being able to rely on the results of previous opinion polls, the European Commission launched a **survey of Europeans' views on the phenomenon of child sex tourism**.

The results of this survey at European Union level, carried out between 7 April and 27 May 1998, are useful points of reference for all those involved in the fight against the scourge of child sex tourism. They have been made available to all those involved in this fight and should be of considerable help in shedding light on the choices to be made in terms of intervention strategies.

For this purpose, a summary presentation of the results of this survey¹¹ was disseminated from July 1998, both electronically and on paper. The final report based on this survey,

¹⁰ For an overview of the implementation of the Agenda for Action adopted at the first World Congress against Commercial Sexual Exploitation of Children (Stockholm, Sweden, August 1996), see ECPAT International, *Moving to Action*, 1998, 105 p.

¹¹ European Commission - DG XXIII. *Europeans and their views on child sex tourism*, Summary presentation of the results of a Eurobarometer survey, July 1998, 29 p.

published by the Office for Official Publications of the European Communities¹², was for its part made available in September 1998. Access to the raw data from this survey has been authorised on a case to case basis, particularly for research centres or individual researchers, whose completed and/or planned work is of interest in terms of improving knowledge of child sex tourism¹³, on condition that the data is processed in accordance with professional ethics and professional best practice.

The results of this survey show, in particular, that:

- a large proportion (85%) of the population questioned is "aware" of the problem, which it considers to be "widespread" (63%) and "on the increase worldwide" (55%);
- although the phenomenon also affects the territory of the European Union, it is perceived by a majority of Europeans as particularly acute in Asia (83%), Latin America (69%), central and eastern Europe (68%) and Africa (67%);
- in general, child sex tourism is seen in Europe as being linked to poverty (72%), child sex abuse (55%), international trafficking in children (49%), social exclusion (37%) or extreme forms of child labour (25%);
- there was almost universal moral condemnation (92%) of the practice, which was deemed "illegal" by 88% of Europeans, with a slightly smaller number (74%) including in this definition acts committed outside the territory of the Member States;
- to combat child sex tourism, seen as a largely "avoidable" problem by 63% of the European citizens responding to the survey, priority is given to punitive measures (38%) and prevention (36%), ahead of help for the child victims (22%);
- while a majority of those questioned expressed dissatisfaction with national initiatives in these three areas, 85% felt that EU intervention was desirable and 88% that it was essential.

Quite apart from the numerous conclusions which will undoubtedly be drawn from these initial indications of public opinion, there is already one obvious consequence, namely, the need to step up efforts to find tangible responses to the concerns clearly expressed by European citizens regarding the perversion of tourism which child sex tourism represents.

In order to complement this survey of European opinion on child sex tourism, the Commission took advantage of its participation in international tourism events to make a specific analysis - on various occasions and in various places - of tourism professionals' awareness of this problem. This approach also had the additional advantage of helping to

¹² European Commission - DG XXIII, *L'opinion des Européens sur le tourisme sexuel impliquant des enfants*, Rapport final d'une enquête Eurobaromètre, Office for Official Publications of the European Communities, September 1998, 149 p.

¹³ See for example Carter, S. (1998) *Levels of uncertainty amongst Europeans about 'sex tourism' involving children: an analysis of the Eurobarometer survey*. In this further analysis of the basic patterns reported by this survey, Carter has focused on those respondents expressing "uncertainty" in response to some of the questions asked. He argues that those people who express uncertainty may be an important sub-group who need to be targeted by future information and awareness-raising campaigns.

assess the impact on these professionals of Community initiatives to combat this appalling problem.

The opportunity provided by the gathering of tourism professionals at the 23rd *Brussels Travel Fair* (24-26 November 1998) was used to carry out an initial survey, particularly since the Commission had decided to become actively involved in this trade fair, both by its presence with a stand, and by organising the First European Meeting of the Main Partners in the Fight against Child Sex Tourism (conference). A survey team therefore conducted interviews with 249 tourism professionals present in Brussels, primarily from Belgium, with a small minority of professionals from other European countries. The results of these interviews were presented in a study report¹⁴ which was mainly disseminated electronically.

The importance of the *Internationale Tourismus-Börse* in Berlin (6-10 March 1999), with several thousand exhibitors from more than a hundred countries, justified that a second survey be carried out, especially since the Commission had decided to give the subject of child sex tourism a certain visibility in its presence at the fair, particularly through a series of ten information panels on its stand. A survey team therefore conducted interviews with 162 tourism professionals present in Berlin - most of them from European countries, principally Germany. The results of these interviews were presented in a study report¹⁵ which was mainly disseminated electronically.

Of the main results obtained relating to tourism professionals' awareness of the problem of child sex tourism, at least two are worthy of particular mention, namely: the professionals say they are largely willing to join in measures to combat this problem, and that the involvement of the European Commission in this would support them enormously in their specific commitments.

Operational conclusion No 1 - The planned participation of the Commission in other international tourism events, and in particular the 1999 World Travel Market to be held in London next November, could be an opportunity to deepen the existing analysis, eg by holding focus groups for discussion, to supplement the face-to-face interviews, if appropriate.

1.2 In parallel, emphasis was placed on **surveying and disseminating existing information on topics of common interest and major importance** identified in the Commission's 1996 Communication.

Two of these were dealt with specifically at the First European Meeting of the Main Partners in the Fight against Child Sex Tourism, organised by the Commission¹⁶.

¹⁴ European Commission - DG XXIII, *Etude de la sensibilité des professionnels du tourisme à la problématique du tourisme sexuel impliquant des enfants, réalisée à l'occasion de la Brussels Travel Fair (BTF) 1998*, coordinated by Strat & Com, Brussels, November 1998

¹⁵ European Commission - DG XXIII, *Etude de la sensibilité des professionnels du tourisme à la problématique du tourisme sexuel impliquant des enfants, réalisée à l'occasion de l'Internationale Tourismus-Börse (ITB) 1999*, coordinated by Strat & Com, Brussels, March 1999

¹⁶ For an overall presentation of the main research work carried out elsewhere, refer to the publication coordinated by Stephen Clift and Simon Carter, *Tourism and Sex*, Cassell Academic, 1999, 224 p.

This event thus provided an opportunity to draw up a detailed report on the "identity, motivation and behaviour of sex tourists" and the "links between tourism and prostitution in general, and child prostitution in particular", to use the language of the 1996 Communication.

It must be pointed out that the results of the research put paid to a number of misconceptions.

It was emphasised that, contrary to a widely-held view, "most child prostitutes of whatever age are actually integrated into the mainstream prostitution market serving *all* prostitute users, rather than working in some discrete 'market niche' that caters solely to the desires of 'paedophiles' or child molesters. ... While some of their clients are paedophiles, a great many of them, probably the majority, are first and foremost *prostitute users* who become child sexual abusers through their prostitute use, rather than the other way about"¹⁷.

Operational conclusion No 2 - The launch, via the "STOP" programme, of studies and research to examine the links between the phenomenon of child sex tourism and the growth of trafficking in very young women was explicitly included amongst the proposals in the Commission's Communication for further measures in the fight against trafficking in women¹⁸. Priority could be given to defining the principal topics of study and lines of research with a view to encouraging their implementation as soon as possible.

By analogy, some Community action programmes in the area of public health could be requested, in order to contribute to developing an analysis of the phenomenon of child sex tourism, as regards evaluating the consequences of this scourge in terms of public health, or, at least, to develop tools to undertake this evaluation.

1.3 In accordance with the terms of the 1996 Communication, the scope for supporting the carrying out and dissemination of further studies aimed at providing a **better understanding of world trends in the phenomenon** was also examined.

Of particular concern to the Commission is the rise in cases of sexual exploitation of children in the countries of eastern and central Europe, which in some cases involve cross-border trafficking. In this context, a sensitive understanding is necessary of the changing dynamics of child sex tourism, as leading not only to flows of "clients" to central and eastern Europe, but also to flows of child "prostitutes" to western Europe.

Operational conclusion No 3 – Launch of a study on current aspects of child sex tourism in central and eastern Europe, with the aim of providing:- a detailed analysis of the nature and extent of child sex tourism in this area and of the measures taken by the countries concerned to combat such practices; recommendations on the kind of support that could be given by the Community, and how it could be provided most efficiently; information on potential partners

¹⁷ Extract from the presentation of Ms Julia O'Connell Davidson at the First European Meeting of the Main Partners in the Fight against Child Sex Tourism, November 1998.

¹⁸ COM(1998)726 final of 09.12.1998, p. 23

who could contribute most effectively to implementing Community victim protection programmes.

Carrying out such a study on the development of child sex tourism in the countries of central and eastern Europe would also be fully in line with the European Parliament Resolution of 6 November 1997, which underlined "the need to involve the CEEC and CIS countries closely with the various measures undertaken in the European Union to combat this type of crime".

The Commission has already paid particular attention to the situation of children in the countries of central and eastern Europe in its Opinions on their applications for membership of 1997 and its Regular Reports of 1998. These have focused, for example, on problems such as abandoned children and the inadequacy of laws on child prostitution and sexual abuse of children. The Commission will continue to cover these matters in its future Regular Reports.

2. STRENGTHENING THE EFFECTIVENESS OF LAWS AND LAW ENFORCEMENT, INCLUDING EXTRATERRITORIAL CRIMINAL LAWS

The Eurobarometer survey carried out in 1998 showed that, in order to combat child sex tourism, respondents gave priority to punitive measures and prevention, ahead of help for child victims. Having said that, only 17% are very or fairly satisfied with what was being done in their countries to suppress this scourge, while six out of ten Europeans (59%) are barely or not at all satisfied with the present situation.

Hence the importance of the progress made by the European Union in the "effective deterrence of child sex abusers and of appropriate punishment for their actions", to use the terms of the Commission's Communication of 1996. Experience does show that the development of police and judicial cooperation in Europe has had a positive effect on suppressing child sex tourism.

2.1 A primary point of reference in this respect is **the Joint Action of the Council of 24 February 1997 concerning action to combat trafficking in human beings and sexual abuse of children**¹⁹, which states that each Member State undertakes to review its national laws on measures relating to types of behaviour such as the sexual exploitation of children or submitting them to sexual abuse.

It is stated that each Member State shall review its existing law and practices in order to ensure, on the one hand, that such types of behaviour are classified as criminal offences and, on the other, that these offences and participation in or attempt to commit them are, without exception, punishable by effective, proportionate and dissuasive criminal penalties.

Above all, the fact that the requirement of double criminalisation remains possible in exceptional cases should not conceal the essential contribution of this Joint Action to the

¹⁹ OJEC No L 63 of 04.03.1997, pp. 2-6

fight against child sex tourism, i.e. the affirmation of the principle of extraterritorial jurisdiction over "a national or habitual resident of that Member State".

It is significant that the Council, asked in more general terms about implementation of child protection measures, stated in its reply, as regards the foregoing: "As a rule, this criminalisation will have extraterritorial effects, e.g. as regards so-called 'sex tourism'".²⁰

Operational conclusion No 4 - The Council's assessment "on the basis of appropriate information [of] the fulfilment by Member States of their obligations under this Joint Action, by the end of 1999" could provide an opportunity, with particular regard to the suppression of child sex tourism, for a review of developments in national legislation and its application in the European Union.

Quite apart from any findings which might be obtained as to the reliability and effectiveness of current arrangements in Europe, it can already be established that "extraterritorial criminal laws on the part of the countries of origin should not be seen as a substitute for effective laws, policies and law/policy enforcement in the destination countries of paedophiles or child sex tourists. Rather, extraterritorial criminal laws are a complement to the laws, policies and law/policy enforcement of destination countries."²¹

2.2 It must also be stressed that the Council had previously adopted two other Joint Actions which are also relevant to the fight against child sex tourism.

2.2.1 The Council's Joint Action of 29 November 1996 sets up an exchange programme for the training of persons competent in the field of combating trafficking in human beings and the sexual exploitation of children²².

The aim of this action, and of the "STOP" programme, which it sets up, is to establish a framework for training, information, study and exchange measures for persons responsible for action against trafficking in human beings and the sexual exploitation of children.

The programme covers the period 1996-2000. It has a budget of 6.5 million ECU, to be used for projects of European interest and involving more than one Member State. The annual appropriations must be authorised by the budgetary authority. The Commission is responsible for implementing the projects set out in the Joint Action and reports annually to the European Parliament and the Council on implementation of the programme.

Of the projects of interest to the fight against child sex tourism which are funded under the "STOP" programme, two should be briefly presented here:

- Case studies on the effectiveness of laws and procedures to protect children against commercial sexual exploitation – A project focusing on

²⁰ Answer given on 4 July 1997 by the Council to Written Question P-2693/96 by Mr Clive Needle, on *Council implementation of measures to protect children*, in OJEC No C 391 of 23.12.1997, pp. 1-2.

²¹ Vitit Muntarbhorn, *Extraterritorial Criminal Laws against Child Sexual Exploitation*, United Nations Children's Fund, 1998, p. 91

²² OJEC No L 322 of 12.12.1996, pp. 7-10

extraterritorial legislation as a way to combat child sex tourism (Organiser: Defence for Children International, the Netherlands).

► Training courses for Philippine police officers with special reference to victim support, with a view to assisting the law enforcement agencies in the Philippines in combating child sex tourism, prostitution and child abuse (Organiser: Ministry of the Interior, Technical International Police Cooperation Department, France, in cooperation with the United Kingdom).

Other projects aimed at combating sex tourism are being examined under the framework for the 1999 budget of the STOP programme.

Operational conclusion No 5 – In view of the need to improve mutual understanding of legal systems, to promote awareness of the similarities between them and, hence, to reduce any existing obstacles to increased cooperation between countries in the field of combating child sex tourism, there could be a priority project to associate the applicant countries, or other third countries particularly affected by this scourge, with the measures initiated by the European Union. Moreover, the Commission will help the applicant countries to introduce the legislative measures needed to bring them into line with the Union's *acquis* in this field, and particularly the Joint Action of February 1997 on the criminalisation of traffickers and sexual abusers of children.

2.2.2 The Europol Drugs Unit was already entrusted with certain activities to assist Member States in their fight against certain forms of transnational crime. The Council's Joint Action of 16 December 1996 extended this unit's mandate to include trafficking in human beings²³.

Since then, the Council Decision of 3 December 1998 has supplemented the definition of the form of crime known as "traffic in human beings" found in the Annex to the Europol Convention²⁴. As defined in that Annex, "traffic in human beings" means "subjection of a person to the real and illegal sway of other persons by using violence or menaces or by abuse of authority or intrigue, especially with a view to the exploitation of prostitution, forms of sexual exploitation and assault of minors or trade in abandoned children. These forms of exploitation also include the production, sale or distribution of child-pornography material".

Operational conclusion No 6 - From the point of view of trafficking in human beings, child sex tourism could receive greater attention in Europol's work, the aim being, on the basis of developing exchanges of information by intensifying cooperation between the authorities responsible for applying legislation, to identify the factors in the success or failure in implementing the punitive aspect of the fight against this scourge and, if necessary, to draw any operational conclusions.

In this context, it has also been stressed that: "Many countries have posted liaison officers at their Embassies – initially to fight drug crime, in liaison with the national police. A good strategy is definitely to extend their mandates so as to fully involve the

²³ OJEC No L 342 of 31.12.1996, p. 4

²⁴ OJEC No C 26 of 30.01.1999, p. 21

liaison officers of the European Embassies in the countries most affected by the problem of sex tourism, to also deal with this.”²⁵

2.3 Finally, it should be pointed out that the **DAPHNE initiative** has provided support to the activities of non-governmental or non-profit organisations involved in combating violence against women, young people and children covering all forms of sexual and non-sexual violence both within and outside the family²⁶.

Three million ecus were allocated to this initiative in 1997, and slightly more in 1998. Five million euro are available for 1999. The Commission will support actions, which give added value to the work already going on at national level. Actions should, as a rule, include at least two Member States, and should promote the exchange of best practices. They could include training, support for networks of NGOs, support to pilot projects, studies, research and the dissemination of information and cooperation between NGOs and public authorities.

Of the many projects, which have received Community funding under this framework²⁷, several are relevant to the fight against child sex tourism, particularly the following one:

- Co-ordination of hotline providers to reduce child pornography on the Internet by promoting networking and exchange between these providers and law enforcement authorities throughout Europe – Internet Hotline Providers in Europe Forum (INHOPE Forum).

In this respect, it should be born in mind that the Conclusions of the General Affairs Council of 5 October 1998 on the fight against child pornography stressed the need to fight, in particular, “child prostitution linked to sex tourism and, in particular, child pornography on the Internet”.

Operational conclusion No 7 –. In the first call for proposals for 1999 under the **DAPHNE initiative**²⁸, the Commission is aiming to design and implement a project in the specific field of emergency hotlines for children and young people, involving the fifteen Member States, the results of which must be transferable and usable in the applicant countries. In this context, measures could be considered to raise the hotline operators’ awareness on identifying child sex tourism issues, thus opening the way to more active search and follow-up activities.

The adoption of the Community action plan to promote safer use of the Internet by combating illegal and harmful content on global networks²⁹, with a budget of 25 million

²⁵ Extract from the presentation by Mr Roar Gronnerud (Head of General Crime Branch, Secretariat-General, INTERPOL) at the *First European Meeting of the Main Partners in the Fight against Child Sex Tourism*, November 1998.

²⁶ See the reply dated 10 October 1997 given by Mrs Gradin on behalf of the Commission to Written Question E-2776/97 from Ms Marjo Matikainen-Kallström on the *protection of children*, in OJEC No C 82 of 17.03.1998, pp. 141-142.

²⁷ For a summary, see the European Commission, Spokesman’s Service, *Press Information* dated 23 December 1997 (IP/97/1181) and 21 January 1999 (IP/99/40).

²⁸ OJEC No C 60 of 02.03.1999, pp. 22-24

²⁹ OJEC No L 33 of 06.02.1999, pp. 1-11

euro for the period 1999-2002, could provide scope for supplementary initiatives in this respect³⁰.

3. INTENSIFYING EFFORTS TO STEM THE FLOW OF SEX TOURISTS FROM MEMBER STATES

There is no lack of reasons justifying regulatory or self-regulatory measures, amongst them being the "concern for long-term preservation of the business's activities (own objectives and aims, preservation of the brand image, long-term profitability, increasing awareness of the problems posed by sex tourism, the need to avoid downgrading certain tourist destinations)"³¹.

In this respect, the Eurobarometer of Europeans' opinions on child sex tourism indicates that, for 54% of Europeans, the mere fact of knowing that such practices are taking place at a tourist destination is enough to dissuade them from going there; that 69% would demand that the services offered there should not be linked in any way to them, and 74% would be particularly careful if they went to any holiday destination known as the site such of practices.

It is therefore not surprising that the common denominator of the various measures initiated by the European Union to stem the flow of sex tourists from the Member States has been: "to "encourage responsibility", to use the wording already selected for the reference to the fight against this scourge in the Commission report on Community measures affecting tourism (1995-1996)³².

3.1 The initiative in favour of **strengthening co-ordination at European level of national information and awareness-raising campaigns** on child sex tourism was launched at the start of 1998.

3.1.1 The first **communication projects carried out that year with funding from the European Commission** were selected following a very strict assessment and selection procedure, which itself followed a call for proposals and a very rigorous invitation to tender, both published in July 1997³³. These projects involved the participation of a team of experts in communication and the development of two mutually complementary projects.

The *terre des hommes* project - covering three Member States (Germany, Belgium and France) and Switzerland, and involving the *terre des hommes* network and some airlines - aimed to design, produce and disseminate an in-flight video spot for flights to so-called high-risk destinations, to be accompanied by information for airline staff.

³⁰ For example, in the context of the call for proposals on the establishment of a European network of hotlines as part of the implementation of the action plan. See OJEC No C 92 of 01.04.1999, p. 11.

³¹ See the presentation by Mrs Monique Canto-Sperber (Director of Research at the CNRS), at the *First European Meeting of the Main Partners in the Fight against Child Sex Tourism*, November 1998.

³² COM(97)332 final of 02.07.1997, point 2.4

³³ OJEC No C 232 of 31.07.1997, pp. 23-24 and OJEC No S 147 of 31.07.1997, pp. 37-38.

The objective of the project was - and remains - to make the passengers of the various airlines aware of the problem of child sex tourism.

To achieve this, the spot entitled "Toys" (playing on the idea that children are not "toys") produced by terre des hommes is made available to airlines upon request for showing on their long-haul flights.

Lufthansa was the first airline to decide to show this spot, for three months as from 20 November 1998 on all its long-haul flights. Olympic Airways and Air Europa have since joined this initiative. Other airlines have also shown interest. Negotiations are currently under way through terre des hommes sections in the Netherlands, Italy and Switzerland.

This project also gave rise to considerable media coverage, particularly in Germany. There were 29 million media contacts in total, of which 14 million on TV. This is all the more remarkable in that the very nature of the project, and its medium, make it *a priori* a vector aimed only at airlines and their passengers.

These initial successes by Terre des Hommes should help to publicise this innovative project and attract more airlines to the moves initiated with the support of the European Commission and the German Ministry of Youth³⁴.

The Groupe Développement project - covering four Member States, Germany, Belgium, France and the Netherlands) and involving Europe-wide associations (ECPAT and ECTAA networks) - aimed to design, produce and disseminate leaflets for travellers to so-called "high-risk" destinations, as well as resource material on sex tourism for training tourism professionals.

Preliminary work was done on researching Community projects carried out in the last five years, giving a view of the fight against sex tourism in the information and awareness campaigns already implemented³⁵.

Information for travellers - the first part of the project - was provided by distributing a leaflet, including "luggage tags" which the travellers were asked to put on their baggage or hand luggage to show their commitment to the fight against child sex tourism. Since July 1998, almost 400,000 of these leaflets have been handed to travellers in Germany, Belgium, France and the Netherlands. In these four countries, the tourism professionals who are in direct contact with the target group amongst the general public have played an essential role in distributing the leaflet to their customers. The project leader is currently encouraging other NGOs, tour operators or governmental bodies to join this "luggage tag" initiative³⁶.

³⁴ This support was recently reflected in a joint letter from the Presidency of the Council and the Commission to the Ministers for Youth of the Member States of the European Union.

³⁵ *Research Report on European Communication Actions for Travellers and Trainers to Combat Child Sex Tourism (1993-1998)*, Research carried out by Groupe Développement and ECPAT Netherlands, March 1999.

³⁶ *Guidelines on developing a luggage tag against Child Sex Tourism - Experiences from Belgium, Germany, France and the Netherlands*, March 1999.

Training of tourism professionals - the second part of the project - was encouraged by the development of teaching tools for tourism trainers. The existing French teaching resource kit has been adapted for use in Belgium, Germany and the Netherlands³⁷. The various training resource kits were tested in pilot courses involving tourism trainees. Here again, by its very nature, the project is suitable for extension to other countries in Europe.

Despite certain weaknesses in the internal coordination of the various partners in the Groupe Développement, the interest aroused by this project supported by the European Commission should encourage others to continue in this vein, with stronger and wider cooperation.

3.1.2 In addition to these two projects, a **communication project in the name of the Commission** was launched in the second half of 1998. It was decided to concentrate on a targeted operation because of the usefulness and suitability of this approach and its potential impact at European level. In this context, it appeared particularly appropriate to consider organizing an "event" at a tourism fair.

The first European meeting of the main partners in the fight against child sex tourism was thus held at the *Brussels Travel Fair (BTF)*, a trade fair for tourism which took place in Brussels from 24 to 26 November 1998. The participation of the Commission as a guest of honour at the fair, which focused on the topic of the fight against child sex tourism, was a genuine new departure. The size of the stand, at the "heart" of the fair, on this topic, and the size of the conference dedicated to it, ensured that the issue had a high profile. The presence of prominent persons, the foremost being H.M. Albert II. and the participation of recognised experts, contributed greatly to the quality of the work and to the success of this "event". Particular attention is being paid to ensuring the appropriate follow-up to this meeting³⁸.

The invitation to the Commission, following the *Brussels Travel Fair*, to take part in other specialised events at which the problem of child sex tourism could also be raised led to the assembly of an "itinerant" exhibition (a series of panels and the corresponding documentation) devoted to Community action in the area. The *Feria Internacional de Turismo (FITUR)* in Madrid (27-31 January 1999), which was attended by more than 100,000 people, was the first to host this exhibition. It was also incorporated into the Commission's stand at the *Internationale Tourismus-Börse (ITB)* in Berlin (6-10 March 1999), the largest meeting of tourism professionals in the whole world.

Moreover, the mobilisation of several networks for disseminating Community information on this topic led to the distribution of an information leaflet on European Union action to combat child sex tourism. Production of this document provided the opportunity to define a consistent design for all the media used by the Commission, thereby giving Community action an easily recognised identity in all communications.

The European Commission's involvement in planning projects "in its own name" seems *a posteriori* to be an important element in the fight against child sex tourism. It also gives

³⁷ *Training Kit for Tourism Trainers against Child Sex Tourism – Experiences from Belgium, Germany, France & the Netherlands*, March 1999.

³⁸ The speeches and contributions of the participants are the subject of a publication entitled *First European Meeting of the Main Partners in the Fight against Child Sex Tourism*, November 1998.

greater control - essential in view of the necessary differentiation of the various initiatives - in terms of both yield and returns from the information and awareness-raising campaigns carried out elsewhere.

Operational conclusion No 8 – The evaluation of the two projects supported by the Commission indicates that this type of action should be further pursued on the basis of a new call for proposals and invitation to tender, thereby preparing the way for new initiatives to extend and/or supplement those already implemented, with a view to strengthening co-ordination at European level of national information and awareness-raising campaigns. If necessary, the Commission should also continue to draw up other communication projects of its own.

In this context, particular attention should continue to be paid to initiatives in the area of initial education and ongoing training which can contribute effectively to information and awareness-raising amongst tourism professionals and trainees about the "ethical dimension of responsible tourism, which seeks to preserve the dignity and physical and moral integrity of the child", as stated in the Commission Communication of 1996.

Attention will also be paid to initiatives by media professionals aimed at ensuring the most appropriate treatment - particularly as regards application of their professional ethics - of the topic of child sex tourism. The International Federation of Journalists has already had occasion to stress, in this respect, that information campaigns should also aim "to support media efforts to raise professional awareness and to improve media-performance beyond reportage, which is sensationalist and often portrays children only as helpless victims. Greater care needs to be taken to ensure that the positive and active voice of children is heard in the debate about defence of child rights"³⁹.

3.2 Other Commission initiatives aimed at increased involvement of professional circles have also produced tangible results, particularly in terms of **drawing up and strengthening codes of conduct and other self-regulatory schemes for the tourism industry**.

For information, a dozen resolutions, declarations, charters or codes of conduct have already been adopted by organisations representing employees in tourism (ETLC), or by professional associations in the tourism industry, e.g. for air passenger transport (IATA), organising or selling trips or holiday stays (IFTO, UFTAA, ECTAA), hotels and restaurants (IHRA, HOTREC) - including certain specific forms such as youth hostels (EUFED).

The declaration by ECTAA against child sex tourism, adopted on 28 November 1996, is a good example of the efforts already undertaken by certain branches of the tourist industry. The fact that all the national associations of travel agents and tour operators that are members or observers in ECTAA have undertaken, in particular, "to exclude immediately any member whose involvement in activities linked to sex tourism is proved" shows the determination of the tourism industry to contribute, within the limits of its means of action, to the fight against this scourge.

³⁹ Extract from the presentation of Mr. Aidan White (General Secretary of the IFJ), at the First European Meeting of the Main Partners in the Fight against Child Sex Tourism, November 1998.

The pronouncements and proposals for action coming from professional circles - and in particular those featuring in the contributions produced by the European tourism industry associations which were consulted by the Commission following the adoption of its Communication of 1996 - were the subject of an exchange of views at a technical meeting with the tourism industry on 30 June 1997 which concentrated on measures to stem the flow of sex tourists from Member States. In this respect, the attention of the professional representatives present was drawn, in particular, to drawing up and strengthening codes of conduct and other self-regulatory schemes which the Commission intends to encourage, as set out in the 1996 Communication.

Since the Commission had explicitly come out "in favour of a basic minimum of commitments to be met by the various branches of the tourism industry, it has noted with interest the various projects launched in this regard and is following their progress. One example is the "Code of Conduct against Child Sex Tourism for Tour Operators" drawn up ECPAT Sweden.

Operational conclusion No 9 – In view of the need to ensure the effectiveness of the codes of conduct and other self-regulatory schemes in the tourism industry, the proposal is maintained that the Commission may "involve itself in evaluating the implementation of these codes of conduct, which is the weak point of any such provisions", to quote the 1996 Communication.

If that were to be the case, use could be made of the experience gained on this issue at Community level, in areas such as the environment and social affairs⁴⁰, where recourse to professional ethics, while not losing sight of economic facts, appears an essential condition for the success of "socially responsible" businesses.

3.3 The 1996 Communication also referred to **"a concerted approach in relation to [...] an initiative at international level"**, i.e. the World Tourism Organisation proposal to set up a Task Force entitled "Tourism and Child Prostitution Watch".

The participants in the meetings of this Task Force have been regularly informed in detail of the exact state of work at European level, in order to achieve full transparency with regard to actions undertaken to combat child sex tourism and to avoid any possible overlap in supporting efforts to eradicate this practice. As from November 1997, an item entitled "cooperation with the European Commission" has been a regular item on the agenda of these meetings, which are normally held twice a year.

It was in this forum that the possibility was raised of the handing-over, at international level, of tools and "products" deriving from projects implemented with financial support from the European Commission. Such an approach offers *a priori* the advantage of increasing, on the one hand, the impact of initiatives whose effectiveness has been demonstrated and, on the other, the yield from funding already made available or currently available - including private funding made available as a supplement to public money, and not "in competition" with it.

⁴⁰ As regards adherence to fundamental working standards, see in particular the reply given on 2 March 1998 by Sir Leon Brittan on behalf of the Commission to Written Question E-0086/98 from Mr Carlos Robles Piquer on a *code of conduct for EU enterprises*, in OJEC No C 323 of 21.10.1998, p. 21.

Operational conclusion No 10 – A study should therefore be made of the conditions and means of giving tangible form to the cooperation initiated with the WTO Task Force, as well as with those international organisations particularly active in the field of protecting children, the foremost being UNICEF. Efforts could be made to raise the profile of the issue of “child sex tourism” in the context of the 10th anniversary of the adoption in 1989 of the UN Convention on the Rights of the Child.

4. DEVELOPING MEASURES TO COMBAT SEX TOURISM IN THIRD COUNTRIES

The importance which the European Union attaches to respect for democratic principles and human rights is reflected, in particular, in its contribution to the work of various international organisations and bodies. One notable consequence of this is the inclusion of the problem of child sex tourism in various documents and position statements, particularly those described below.

- ▶ The Progress Report prepared by the Commission for the 42nd session of the United Nations Commission on the Status of Women (March 1998), whose work was devoted to the problem of violence against women. The European Union was represented there and adopted a declaration condemning all form of violence against women⁴¹.
- ▶ The Commission's working document on the “Measures adopted by the European Union to combat extreme forms of child labour”⁴², prepared for the Conference of the International Labour Organisation (June 1998). The Commission was pleased to note that the initial discussions on that occasion led to the adoption of “conclusions proposing a convention and a recommendation for adoption in 1999 on the worst forms of child labour”⁴³.
- What is more, the question of child labour in tourism, and the links between the latter and child sex tourism, is the subject of increasing attention⁴⁴.
- ▶ The Chairman's Statement at the end of the second Asia-Europe Summit (ASEM) in April 1998, referring to an initiative aimed at promoting the well-being of children⁴⁵ and preparing the way for the meeting of experts

⁴¹ See the reply by the Council dated 28 May 1998 to Written Question E-0614/98 from Mrs Maria Izquierdo Rojo on *violence against women*, in OJEC No C 304 of 02.10.1998, p. 140.

⁴² SEC(97)1265, of 24.06.1997

⁴³ See the reply dated 16 July 1998 given by Mr Van den Broek on behalf of the Commission to Written Question E-1786/98 from Mr Joaquín Sisó Cruellas on the *International march against the exploitation of child labour*, in OJEC No C 50 of 22.02.1999, pp. 92-93.

⁴⁴ For further information, see the presentation by Mrs Christine Plüss (Ak Tourismus und Entwicklung) at the *First European Meeting of the Main Partners in the Fight against Child Sex Tourism*, November 1998.

⁴⁵ The aim of this initiative is to develop co-operation on issues relating to child welfare, including the fight against commercial sexual exploitation of children, of which child sex tourism is only one of several aspects.

held on this topic a few months later (London, October 1998). Work is underway regarding the three follow-up actions agreed at this meeting, namely: an ASEM resource centre website, a meeting of police and law enforcement agencies and an exchange scheme for social and civil society workers dealing with child welfare.

► The synthesis paper on the position of the European Union regarding a draft decision on sustainable tourism, in the framework of the April 1999 meeting of the UN Commission on Sustainable Development. The decision finally adopted incorporates the essential concerns expressed by the European Union regarding the fight against exploitation of children.

In this context, it should be remembered that the Community strategy of support for the development of sustainable tourism in the developing countries stresses, as regards the fight against child sex tourism, that "the need for specific action in this field to supplement the measures to support the tourism sector must be taken into account from the outset in drawing up national and regional strategies". Moreover, it explicitly provides for work to continue "on addressing this matter as part of a structured political dialogue with the countries most affected, and particularly at regional level". The adoption by the ACP-EU Joint Assembly of a resolution on the situation of children in the ACP countries⁴⁶, calling upon "the ACP countries to introduce more stringent national laws against ... sex tourism ... and to ensure that they are respected", calling for close bilateral and international judicial cooperation between the EU and ACP countries which are sex tourism destinations, as well as international cooperation with law-enforcement agencies in third countries in combating ... sex tourism" and calling on "the Union, the Member States and the ACP countries to provide effective education on ... sex tourism ... and to involve the international tourism industry in these efforts".

Nevertheless, the contribution to the fight against sex tourism in third countries, in the context of external relations and development cooperation, may have appeared relatively slow to develop, despite major organizational efforts.

4.1 This is particularly the case as regards **rationalising the methods of intervention and co-ordination of Community resources available** for protection of the child victims of sex tourism.

In this respect, the need for the following was reiterated:

- to examine the possibility and assess the scope for using existing financial instruments to provide more specific support for the fight against child sex tourism;
- to agree on a "common body" of references, in particular for identifying and processing applications for funding for the protection of the victims of child sex tourism in third countries.

Operational conclusion No 11 - Identification visits to certain "sensitive" destinations, in order to survey the situation and formulate recommendations for

⁴⁶ Resolution adopted by the ACP-EU Joint Assembly during its XXVIIIth session, held in Strasbourg (France) from 29 March to 1 April 1999.

action. Amongst the indicators mentioned for selecting such target destinations were: the preponderance of flows of tourists and travellers to the area in question, the scale of sex tourism (compared, in particular, with other forms of exploitation) in the area in question, and the degree of involvement of the third country/countries concerned in the fight against this scourge.

4.2 Consideration of respect for human rights in contractual relations between the Community and third countries has not been given particular attention in relation to the problem of child sex tourism.

However, in general terms, the European Union has pursued its policy of developing and strengthening democracy and the rule of law, as well as universal respect for human rights and fundamental freedoms. By making each agreement the instrument of a global approach to political, social and economic development, it has continued to make respect for democratic principles and human rights an essential element of its agreements with third countries. In this respect, important decisions were taken, including the Council Decision of 11 March 1999 on the procedure for implementing Article 366a of the fourth ACP-EC Convention⁴⁷.

As regards the links between working standards and international trade, mention must be made of certain signs of progress, such as the inclusion of "incentive clauses" for respect of fundamental social standards, in the generalised system of preferences granted to developing countries⁴⁸.

The important question of better integration into the CFSP policies to ensure respect for fundamental rights has also been raised. In this context, it should be pointed out, by way of example, that the demands for economic sanctions - particularly in the field of tourism - against the Burmese authorities guilty of serious violations of human rights led to the extension of restrictions on the issue of visas to those responsible for tourism in Burma, as well as to a reminder that tourists from Europe were advised not to visit Burma.⁴⁹

Operational conclusion No 12 - Information and awareness-raising programmes on this subject could also be developed for the delegations, representations and external offices of the European Commission and, if necessary, for the consular and diplomatic staff of the Member States, or even for the officials most directly concerned in their immigration services.

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⁴⁷ OJEC No L 75 of 20.03.1999, pp. 32-33

⁴⁸ Regarding this "system of social encouragement", see in particular the reply dated 24 September 1998 given by Mr. Pinheiro on behalf of the Commission to Written Question E-2024/98 from Ms. Laura De Esteban Martin on a *code of conduct for Community businesses operating specifically in developing countries*, in OJEC N° C 118 of 29.04.1999, pp.16-17.

⁴⁹ Cf. the reply dated 16 November 1998 given by the Council to Written Question E-2526/98 from Mr. Graham Watson on *political oppression in Burma*, in OJEC N° C 135 of 14.05.1999, p.69.

Finally, as foreseen in the 1996 Commission Communication, the Member States of the European Union have been called upon to close ranks against child sex tourism.

Particular attention was therefore devoted in 1997 to informing and raising the awareness of the representatives of the Member States in the Tourism Advisory Committee, particularly with regard to the measures proposed in the Communication which were of direct concern to them, and primarily a possible "Position Statement" from the Council on the fight against child sex tourism.

The meetings of 4 March 1997, 17 June 1997 and 21 October 1997 were all occasions for exchanges of views on this question between the Commission and the representatives of the Member States in that Committee, on the basis of contributions produced by the latter, in response to consultation on the Commission Communication.

These exchanges of views proved extremely useful when preparing the Council of (Tourism) Ministers on 26 November 1997, the agenda of which included an exchange of views on the Commission Communication, and which ended with the adoption of a Declaration.

Conclusion

The Commission is carrying out with determination the task with which it was entrusted. Over the last two years, the Commission has implemented the ensemble of operational proposals decided upon in 1996 in order to fight child sex tourism.

The results appear encouraging, to the extent that they reflect a firm political commitment to resolve a major social problem which everyone has a responsibility to address.

Nevertheless, the commercial sexual exploitation of children is unfortunately still a reality which, in certain regions of the world, appears to be worsening.

It is therefore necessary that the Commission and the Member States pursue unremittingly their efforts to combat this scourge, which is an attack on human dignity.

Schematic presentation of the measures implemented during the reference period
1997-1998 and having received "specific" funding

1. Improving knowledge of the phenomenon of child sex tourism

1.1 Survey of Europeans' views on the phenomenon of child sex tourism

The technical specifications of this survey, carried out by INRA(EUROPE), on the basis of 16.165 interviews, are provided in the annexes of the corresponding publications.

The cost of the poll was 267.194.50 ECU, plus the cost of 3.421 ECU - not initially foreseen - for the summary presentation of results. 14.500 copies of the summary presentation of results were printed, for a total cost of 5.535 ECU (restricted call for tenders). 1.200 copies of the final report were printed, for a total cost of 2.930 ECU (restricted call for tenders).

1.2 Surveying and disseminating existing information on topics of common interest and major importance

1.3 Better understanding of world trends in the phenomenon

2. Strengthening the effectiveness of laws and law enforcement, including extraterritorial criminal laws

2.1 Joint Action of the Council of 24 February 1997, concerning action to combat trafficking in human beings and sexual abuse of children

2.2 Other Joint Actions also relevant to the fight against child sex tourism

2.2.1 Joint Action of the Council of 29 November 1996 (STOP programme)

2.2.2 Joint Action of the Council of 16 December 1996

2.3 DAPHNE initiative

3. Intensifying efforts to stem the flow of sex tourists from Member States

3.1 Strengthening co-ordination at European level of national information and awareness-raising campaigns

3.1.1 Communication projects carried out with funding from the European Commission

Service provision contract for a total amount of 90,530 ECU for the team of communication experts (Strat & Com). Grant of 96,375 ECU, representing 60 % of the total planned cost of 160,625 ECU, for the project of terre des hommes. Grant of 139,977 ECU, representing 58,74 % of the total planned cost of 238,295 ECU, for the project of Groupe Développement

3.1.2. Communication project undertaken in the name of the Commission

The First European Meeting of the Main Partners in the Fight against Child Sex Tourism, as part of the *Brussels Travel Fair* (BTF) 1998. Stand (240 m²) et conferencee (+/- 300 people, over two days) on this subject, for an amount disbursed of the order of 100,000 ECU.

Information leaflet on the European Union communication projects to combat child sex tourism. Printing of 21.600 copies for a total cost of 1.108 ECU (restricted call for tenders).

- 3.2 Drawing up and strengthening codes of conduct and other self-regulatory schemes for the tourism industry
- 3.3 « Concerted approach in relation to [...] an initiative at international level »
- 4. Developing measures to combat sex tourism in third countries
 - 4.1 Rationalising the methods of intervention and co-ordination of available Community resources
 - 4.2 Consideration of respect for human rights in contractual relations between the Community and third countries