

DECLARATION

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This thesis entitled: **“Combating Child Sex Tourism in a new tourism destination”** is submitted in partial fulfilment for the requirement for the Unitec New Zealand degree of Master of Business.

CANDIDATE’S DECLARATION

I confirm that:

- This thesis is my own work
- The contribution of supervision and others to this thesis is consistent with Unitec’s Regulations and Policies
- Research for this thesis has been conducted with approval of the Unitec Research Ethics Committee Policy and Procedure, and has fulfilled any requirements set for this thesis by the Unitec Ethics Committee.

The Research Ethics Committee Approval Number is: 2011-1211

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ABBREVIATIONS AND ACRONYMS

ASEAN	Association of Southeast Asian Nations
AFESIP	Agir pour les femmes en Situation Precaire
CST	Child Sex Tourism
CSEC	Commercial Sexual Exploitation of Children
CRC	Convention on the Rights of the Child
ECPAT	End Child Prostitution, Child Pornography & Trafficking of Children for Sexual Purposes
IO	International Organisation
LWU	Lao Women Union
LYU	Lao Youth Union
MoLSW	Ministry of Labour and Social Welfare
MoFA	Ministry of Foreign Affairs
MoAF	Ministry of Agriculture and Forestry
MoIC	Ministry of Information and Culture
MoE	Ministry of Education

MoH	Ministry of Health
MoPS	Ministry of Public Security
MoJ	Ministry of Justice
MoCI	Ministry of Industry and Commerce
NAPT	The National Authority of Posts and Telecommunication
NCMC	The National Commission for Mothers and Children
NGO	Non-Government Organisation
SEA	South East Asia
UN	United Nations
UNICEF	United Nations Children’s Fund
WTO	World Tourism Organisation

ABSTRACT

This thesis investigated the current situation of child sex tourism (CST) at global, regional and national levels, while commercial sexual exploitation of children (CSEC) is also frequently mentioned and discussed throughout this thesis. This is partly because the scale limitations of a master thesis have led the researcher to focus on CST, and partly because CST is one of four forms of CSEC that are closely linked to each other (Pimonsaengsuriva, 2008). These forms of CSEC can be found in a later section.

In parallel with the increasing trend of the tourism industry at national, regional and global levels (Child Wise Australia, 2009; United Nations World Tourism Organisation, 2011), it is argued that sexual exploitation of children in the tourism sector might also increase, especially in developing countries in the Southeast Asian region. Therefore, the Lao People's Democratic Republic (Lao PDR) was chosen as a case study site in order to help the country in preventing and combating CST.

The literature review in this research was focused on the current situation of CST at global, regional and national levels, and potentially useful activities and mechanisms to prevent and combat this issue were also reviewed.

In order to carry out the research, a qualitative research approach was adopted. 13 interviews were conducted, 8 of which were conducted with representatives of Lao government agencies and the other 5 were conducted with international organisations. In order to carry out the interviews and collect data, 10 fundamental interview questions were created.

After analysing the findings, the researcher can conclude that developing countries, Laos in particular, can do better to prevent and combat the issue of child sexual exploitation if they can learn from past experiences in other countries. To achieve this, all forms of CSEC, which include child labour, child trafficking, child pornography, child sex tourism and child sexual abuse have to be combated as well as prevented

simultaneously. Child protection, prevention and rehabilitation, and reintegration initiatives should be in place, and these initiatives should be effectively implemented if the fight against CST is to be achieved. Moreover, co-operation in terms of financial and human resources from all sectors concerned, at all levels from global to local, is crucial for the sustainability and effectiveness of the intervention. More research is needed concerning the effectiveness of the existing child protection mechanisms and initiatives.

It is expected that the results of this research could valuably contribute to strengthen these mechanisms to reach an optimal outcome. This research is expected to give a broader picture of the issue to any shareholders concerned, especially in Laos, and to better understand and work together in order to combat and protect children from the sexual exploitation phenomenon.

1. CHAPTER ONE: INTRODUCTION

1.1 Introduction

While the tourism industry has brought great financial benefits to many developing countries, there are also numerous undesirable impacts. Apart from environmental destruction, tourism has also brought some unhealthy issues to the communities' members, especially to children (Ferran, 2008). Many tourists travel to other regions or countries exclusively to seek sex, and this has led to the formation of sex tourism (Cullen, 2010). Sex has been traded on a global market and is heavily driven by the sex tourism segment (Leheny, 2000). During the Vietnam War from the 1960s to the 1970s, 40% of Thailand's total export income came from the tourism industry, boosted by entertainment related to prostitution (Clift & Carter, 2000).

Although having sex with adult prostitutes might not be a crime in some countries, having sex with children is a crime against their rights in any circumstances under international legislation (Tepelus, 2008; United Nation Children's Fund, 2011). Nevertheless, large numbers of children around the world are being trapped in the sex industry (ECPAT International, 2009a; Tepelus, 2008).

Having said that children have been severely affected by sex tourists, not many countries, if any in the world, are able to avoid this issue (Zitze, 2007). Tourism destinations in many countries, developing ones in particular, were and are being destroyed by child sex tourists. Vietnam, Cambodia, Costa Rica and Mongolia, for example, have been adversely affected by child sex tourists (ECPAT International, 2008, 2010; NBC News, 2005). Even though the tourism development strategies in these countries aim to promote the unique cultural traditions, stunning natural scenery and heritage sites as the underlying tourism products (Dasenbrock, 2002; Ministry of Nature Environment and Tourism Mongolia, 2010), these countries are already being perceived as child sex tourism destinations.

The sexually affected children are physically and mentally damaged and this can lead to lives with little or no future. Moreover, human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) can be widely spread because of a lack of protection (Roffman, n.d). Another profound impact of CST is that tourists, who prefer the natural and cultural heritage of a country known to be a CST destination, turn away from visiting it because they fear their own reputation will be ruined (Ferran, 2008). The damage created by CST can be aligned with and sorted into short and long-term impacts on economic development of those countries as well as social dysfunction (Ferran, 2008).

How is Laos, where the tourism industry is rapidly expanding, going to prevent or minimize the impacts of CST? While Laos is already recognized as a new target of CST (Zitze, 2007), very little research is being undertaken on this subject. This important issue gives rise to the main purpose of this research. Therefore, the main question which this research seeks to answer is:

What can we learn from the experience in other countries in relation to child sex tourism in order to create the most appropriate recommendations to combat child sex tourism in Laos?

The evidence from this study might give important information, not only to the Lao government, which is eager to conduct research to understand the holistic phenomenon of CST, but also to international organisations who need information to help Laos to prevent and combat CST in that country. Therefore, this research topic is proposed because it is such an important project, and one that might play a significant role in preventing and combating CST in Laos and other parts of the world.

Aims, objectives and the primary research question, as well as the sub research questions, are identified in this chapter. Literature is reviewed in chapter two, which gives a broader picture of the situation of child sex tourism and its related issues. This

review also gives some detail of child sex tourism in the Southeast Asian Region. In particular, child sex tourism as well as its related issues in Thailand, Cambodia and Vietnam is studied in order to understand the appropriate mechanisms used to address these issues. Research methodology can be found in chapter three, which highlights the importance of the qualitative approach used in this research. The interviews used to produce important data for this research, plus the data analysis process, are also described in this chapter. The research findings are projected in chapter four, and are followed by discussion in chapter five. Finally, this report closes with conclusions and recommendations in the final chapter, chapter six.

1.2 Research aims

One of the main aims of this research is to investigate and learn about child sex tourism from different dimensions of the child sex tourism movement in other countries, in order to understand the holistic phenomenon of it. Investigating and examining the perspectives and reactions of child sex tourism-related government agencies towards the current situation of child sex tourism in Laos is the second purpose for this study. This is particularly appropriate because the perspectives and visions of government agencies such as the Tourism Authority, Social Welfare Department and Lao Youth Union significantly contribute to the policy making to end child sex tourism in Laos. These perspectives can reflect willingness to cooperate with international organisations to overcome the CST issue.

In addition to the second purpose, opinions from international organisations or non-government organisations, such as United Nation Children's Fund (UNICEF) and International Friends, based in Laos should be investigated because they play an important role in combating CST through financial funding and technical assistance. Their willingness to provide funds or donations is even more important at this current time of a global financial crisis (Abolian, 2009).

The last and most important aim of this research is to use the information gained from researching child sex tourism in other countries to identify and create a best model for recommendation to the appropriate sectors in Laos that are concerned with preventing and combating CST in that country. It is important to note that, while the complete prevention of this issue might not be achieved, that is no excuse for not attempting to do so.

1.3 Research objectives

- To investigate the development of a world-wide CST industry
- To study the child sex tourism situation in countries surrounding Laos
- To examine the perspectives of Lao government agencies and organisations related to child sex tourism prevention
- To investigate what strategies are being used to combat this type of tourism in Laos
- To determine the most appropriate recommendations and approach to CST prevention in Laos

1.4 Primary research question and sub-questions

The primary research question is:

What can we learn from the experience in other countries in relation to child sex tourism in order to create the most appropriate recommendations to combat child sex tourism in Laos?

Sub-questions are:

- How has the child sex tourism industry developed at a global level?

- What do child sex tourism-related government agencies and non-government organisations in Laos perceive the child sex tourism situation to be in Southeast Asia?
- How can this situation inform tourism development in Laos?
- What activities have been attempted or will be introduced in order to prevent and combat CST in Laos?
- Regardless of any obstacles, what is the best way to combat or prevent child sex tourism in Laos?

1.5 Chapter summary

Chapter one provides an overview of tourism development and its impact on the children of community members, particularly where tourism destinations have been attacked by sex tourists. Though it is important to acknowledge that not all tourism is sex tourism, it is argued that the sex tourism issue is serious, especially for the developing world in general and for Laos in particular. Therefore, Laos is the target for this research. In addition, research aims, objectives and questions are identified, and the structure of this research is also given in a logical fashion. The literature review and research methodology can be found in chapter two and three respectively, while research findings are presented in chapter four, discussion is provided in chapter five. The conclusion and recommendations are projected in the last chapter, chapter six.

2. CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction and definitions

In chapter one, the introduction and structure of this research was given. In order to understand and capture a holistic overview of child sex tourism and its components, a comprehensive literature review is presented in this chapter. This review enabled the researcher to identify the existing research undertaken by high profile researchers. The gap in any particular aspect of this literature is highlighted and used as the beginning point for this research. It is vital to note that this is a tourism management thesis, not a sociology one, hence the focus on tourists rather than all abusers of children.

To make it easy to follow, the scope for this review is set up into four different but interrelated levels. The review firstly looks at the situation of CST at the international or global level, before narrowing down to the South East Asia regional level in the second part. The third section presents the review of this literature focusing on the Mekong Sub-Regional countries, as this geographical area is where Lao People's Democratic Republic (Lao PDR) is located. The situation of CST and CSEC is studied in the last section of this review. In addition, CSEC does not exist in any one particular form but relates to five different but interconnected forms including:

1. child sexual abuse
2. child prostitution
3. child trafficking
4. child labour
5. child sex tourism.

It is important for this study to provide a definition of these forms, especially child sex tourism (CST) which this research is all about. In order to strengthen the protection of children from being sexually exploited, especially in the tourism sector, the term child

sex tourism ought to be distinguished and defined from sex tourism, adult sex tourism as well as tourism in general. This is mainly because CST is only a narrow segment of the broader issue of sex tourism and partly because, while adult sex tourism is legal in some countries, CST is an international crime which no single country has legalised (Tepelus, 2008).

O'Connell Davidson (2004, p34) also emphasizes that CST, "Whether involving pedophiles or ordinary tourists, can be meaningfully separated from sex tourism or from tourism more generally". Thus, to differentiate CST from sex tourism or adult sex tourism, its definition should be sought. While there is no international standard definition of CST, and while the term itself is not in universal use, for the purposes of this thesis it can be defined as "the sexual exploitation of children by a person who travels from his or her home region in order to have sexual contact with children" (Johnson, 2011, p.56).

Sex tourism and CSEC are also important terms which needed to be defined. While sex tourism can be defined as "tourism which has its primary purpose the effecting of a commercial sexual relationship" (Rao, 1999, p.96), CSEC refers to "using a child for sexual purpose in exchange for cash or in-kind favour between the client/customer and intermediary or agent who profit from such a trade" (Desai, 2008, p.64). Since CST and child prostitution are closely linked, a definition of child prostitution should also be sought, and it can be defined as "the use of a child in sexual activity for remuneration or any form of consideration" (Desai, 2008, p.65).

Furthermore, as the 'child' is the key individual directly affected by CST, this term must also be defined. A child, as defined by the UN Convention on the Rights of the Child (CRC), is anyone aged under 18 years (United Nations Children's Fund, 2001). However, this definition is not universal, and is changeable from individual country to individual country. In fact, in order to keep prostitution operating legally, some countries reduce the age of consent to as young as 12 years (Johnson, 2011). The differences in definition of child between countries have made the prevention of, and protection

against, CST more challenging and complicated, especially for extraterritorial law enforcement (Svensson, 2007). This point will be elaborated in a later section.

Being able to define child sex tourists is also an important component when designing a model intended to combat CST. Child sex tourists can be grouped into three categories:

1. situational child sex tourists
2. preferential child sex tourists
3. paedophiles (Ferran, 2008).

The term 'situational child sex tourists' refers to any tourists who commit sexual crimes with minors when and where vulnerable children are on offer. These people do not have a particular purpose to exclusively travel to have sexual relations with children.

However, they might seek sexual exploitation where they can purchase sex with prostitutes, regardless of whether these prostitutes are under or over 18 years of age (ECPAT International, 2008).

Unlike the situational sex tourist, the terms 'preferential child sex tourists' or 'paedophiles' refer to tourists who travel exclusively to look for sexual exploitation with minors. The difference between these two sex tourists is that the targets for the former are pubescent or adolescent, and the gender of the children is important; while the later travel exclusively to have sex with children who are pre-pubescent and the gender of the children does not matter (ECPAT International, 2008).

There are a number of factors fuelling child sex tourism, and identifying, understanding and defining the main factors contributing to the existence of CST are crucial. The main factors needing to be defined are globalization and poverty (Poulin, 2003). Globalization can be defined as "a process of interaction and integration among the people, companies, and governments of different nations, a process driven by international trade and investment and aided by information technology" (The Levin Institute, 2011). Poverty can be defined, according to the World Bank (n.d.), as the lack of necessary

basic needs such as food, shelter, land and other important resources which can help generate income. Though this definition reflects the concept of absolute rather than relative poverty, it is important to note that poverty also relates to the lack of voice, power and independence which places individuals in vulnerable conditions and open to various forms of exploitation, including sexual exploitation (World Bank, n.d).

2.2 Situation of CST at international level

While the tourism industry has economically contributed to countries, especially the developing countries in many parts of the world, it has also been used as a vehicle by child sex tourists to gain access to the global communities' members, vulnerable children in particular. Originally, tourism was basically to be present in the forms of food hunting, land discovering, traditional trading, cultural and knowledge exchange within restricted areas (Edgell, 2006). It was also viewed as an unimportant industry as it had little impact on economic development (Ryan & Kinder, 1996). During the 1950s and the 1960s, the majority of popular tourist destinations were developing countries but most of the tourists were from wealthy countries (Hundt, 2006). However, not long after the beginning of its development, tourism quickly became a global lucrative industry. Edgell (2006) illustrates this impressive growth by stating that 222 million jobs worldwide were created by the tourism industry during the 1970s.

The reasons behind this rapid growth are numerous. Hundt (2006) rationalizes that the considerable expansion of the tourism industry throughout the world came about largely because of the change in tourists' attitudes towards tourism destinations. Tourists started looking for new and inexpensive tourism destinations, more adventure holidays, unique culture, nature and lifestyle in the developing world. However, Hjalager (2007) claims that the introduction of globalization is what has transformed tourism, from being economically unimportant in the past to the global industry phenomenon it now is. Hjalager continues by asserting that the emergence of globalization, which has provided all necessary elements for tourism expansion such as capital investment in tourism,

cross-border and international connectivity and information communication technology, has contributed to the rapid growth of the tourism industry.

From the opposing point of view, Poulin (2003) argues that the immense growth of tourism has actually been driven by the considerable increase of sex tourists who take advantage of the facilities offered by globalization. This has led to a massive sex trade and prostitution growth over the last few decades worldwide. Children in many parts of the world, the third world in particular, have been driven into this sex trade and prostitution. Globalization has made travelling much cheaper and easier than ever before. This has encouraged huge numbers of tourists from all walks of life to make their journey to explore the world of beautiful nature and culture and also for sex tourists to gain sexual gratification (Peric, 2005; Poulin, 2003). Desai (2008) elaborates that globalization has brought unhealthy impact to society, as it accelerates the volume of international organized crime in relation to sexual exploitation of children.

Zitze (2007) states that, in order to understand the root cause of today's sex or child sex tourism, research has to begin in the 1960s and the 1970s when United States servicemen came to invade Vietnam, commonly called the Vietnam War. The story of sex tourism began when the US servicemen were allowed to spend their free time within Vietnam and neighbouring Thailand as well as the Philippines (Clift & Carter, 2000; Zitze, 2007). Thailand and the Philippines have been the most common countries cited in the literature in relation to sex or child sex tourism (Lau, 2008; Tepelus, 2008; Zafft & Tidball, 2010).

While a number of researchers such as Ryan and Kinder (1996), Jeffrey (1999) and Tepelus (2008), have conducted extensive research on sex and/or child sex tourism related issues in these countries, the spread of child sex tourists has now reached most parts of the world. According to Zitze (2007), sex and child sex tourism was commonly found in countries such as Thailand, Cambodia, Mexico, Brazil and Costa Rica, but now the new child sex tourism destinations are Honduras, Guatemala, Kenya, Russia, Eastern/South-east Europe and Vietnam.

This serious phenomenon has drawn the attention of governments around the world. The first official and prominent recognition of this issue was made in 1996 when the First World Congress on Commercial Sexual Exploitation of Children took place in Sweden (ECPAT International, 2009b). This Congress aimed at raising awareness of the sexual exploitation of children issue, and urged all the attending states to initiate actions to combat this phenomenon. The United Nations Convention on the Rights of the Child (CRC) was ratified by 187 countries at the time of this Congress. This Convention has provided basic and broad guidelines for those signatory countries to develop and protect their children (ECPAT International, 2009b).

To follow up and revise the commitment of the member states in relation to combating sexual exploitation of children, the Second and the Third World Congress on the Commercial Sexual Exploitation of Children took place in Japan and Brazil in 2001 and 2008 respectively (ECPAT International, 2009b). Progress in combating the issue of sexual exploitation of children had been made during the period between the First World Congress and the Second. The outstanding progress made included the development and ratification of a number of Conventions, such as The International Labour Organisation (ILO)'s Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (November 2000) (International Labour Organisation, 2000); the United Nations Convention against Transnational Organized Crime (2000) (United Nations Crime and Justice Information Network, 2000); a supplementary Protocol to the above, to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the Palermo Protocol) (2000); and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC) (January 2002) (UN General Assembly, 2012). These Conventions have developed in order to provide specific guidelines for member states in combating the specific element of CSEC.

While international governments have worked together to strengthen child protection mechanisms and legislation, new and sophisticated approaches used by child sexual

exploiters have to be taken into account. ECPAT International (2010) has identified and recognized that the availability of information and communication technology such as the internet and mobile phone has significantly exposed children to sexual exploitation, especially in the tourism sector. The World Congress III on Commercial Sexual Exploitation of Children reported that child pornography materials are available in commercial websites which thousands of child sexual exploiters have access to (ECPAT International, 2009b). Approximately 50,000 attempts are made to access these websites each day in Sweden (ECPAT International, 2009b). To effectively address this issue, many states have comprehensively collaborated with private sectors such as internet service providers who can block those websites.

In addition, banks and credit card companies have co-operated with law enforcement agencies to fight together against CSEC (child pornography in particular). These companies support this work by making the purchase of child pornography by using credit cards more complicated (ECPAT International, 2009b). Detected child pornography abusers can be reported to law enforcement agencies, which lead to arrests. The Financial Coalition against Child Pornography is a good example of an organisation that has taken successful actions to combat child pornography (ECPAT International, 2009b). Moreover, because of the complexity of the issue, the participation of different agencies from different sectors is urgently needed to fight against this issue.

A positive factor regarding this is that actions taken in the fight against CSEC and CST have increased. While ECPAT international in Asia and Europe, and Universal Federation of Travel Agents, were recognized as the earliest campaigners, the International Organisations, United Nations World Tourism Organisation, UNICEF, International Labour Organisation, travel and business entities operated under the tourism industry are seen as the new active players joining the child protection works (ECPAT International, 2009b). All the staffs of Accor Group, for instance, have been trained to raise their awareness about CSEC and CST in particular. The Pan Pacific Hotel Group is also a good example of an organisation joining in the fight against CSEC

through the provision of vocations to vulnerable youngsters under the Youth Career Initiatives (ECPAT International, 2009b).

Progress to prevent and combat the issues of CST and CSEC has been made, as illustrated by international organisations. However, many academic researchers, who have done extensive and comprehensive work to understand the issue and assess the effectiveness of many international initiatives used to combat the issue of sexual exploitation of children, claim that more effort from all sectors concerned is still required if child protection is to be achieved and effective initiatives to combat the sexual exploitation of children created. Rao (1999) argues that, while WTO has made some effort to ban and fight against CST, it has not yet produced any guideline which reflects the implementation of the ban. In the absence of firm guidelines, the campaign against CST might have limited ability to protect children on the ground. Similarly, Svensson (2007) claims that, while regulation has been created to protect global vulnerable children from all forms of CSEC, it does not have much impact on the fight against CST, as it offers only a broad framework, and specific guidelines on how to create law to protect children is not provided.

In addition, the World Congress III on Sexual Exploitation of Children reported that the commitment to protect children and to combat child sex tourism is still low. Strategies and programmes to address the issue are still short term, and not comprehensively included in national tourism policies. Co-operation at the national and international levels is still ineffective, and law enforcement to combat CSEC and CST is still weak (Child Wise, 2009; Svensson, 2007). The current extraterritorial legislation (EL), for instance, which over thirty countries have passed, is considered to be a successful effort to combat sexual exploitation of children, CST in particular (O'Connell Davidson, 2004). However, in practice it is still seen as an insufficient and difficult instrument to be implemented on the ground (Svensson, 2007).

There are a number of obstacles hindering the enforcement of this law. The reasons that make it difficult to prosecute those committing sexual exploitation of children abroad

include but are not limited to linguistics, culture, difficulty in obtaining witnesses and other necessary physical evidence needed to carry out the prosecution. Furthermore, double criminality requirement makes EL even harder to be enforced. The United Kingdom, for example, requires the country where its citizens commit crimes of child sexual exploitation to have legislation protecting children from sexual exploitation. This gap in the law might encourage the United Kingdom's child sex tourists to focus on the countries where child sexual exploitation is not recognized in the law. Nepal is one of many countries that do not have legislation to protect its children from sexual exploitation (Svensson, 2007).

The inconsistency of definition of the age of a child in national law in different countries also poses a challenge in the implementation of the EL. While the Convention of the Rights of the Child defines a child as an individual who is under 18 years of age, some countries such as Australia, Cambodia and the United States of America define child as one who is under 16 years of age. The reasons given above demonstrate the gaps in the EL and more needs to be done if the world's countless vulnerable children are to be free from sexual exploitation.

The creation of the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Abuse (COE Convention) is recognized as one of many important instruments. It is also being perceived as a gap-filling convention, as it expressly addresses the issues of using the services of a child prostitute and the possession of child pornography – these are not clearly stated in the Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (OPSC) (Johnson, 2011). However, the COE Convention fails to define an age for consent to involve in sexual activities, nor does it provide a definition of 'sexual activities'. This Convention has little impact in seeking to standardize the age of consent.

The engagement of the private sector in protecting and preventing children from child sexual abuse is crucial, and the effectiveness of this contribution should be assessed. The Pan Pacific Hotel Group is a good example of an organisation joining in the fight

against CST, through the provision of vocations to vulnerable youngsters under the Youth Career Initiatives. However, this may not be enough to prevent children entering into the sex trade, as the target group of this vocational training is those who are 18 to 21 years of age (Youth Career Initiatives, 2012). Most children targeted by child sex tourists, or those who operate as sex workers, are under 18 years of age (Desai, 2008; Rao, 1999). If Pan Pacific Hotel Group truly seeks to help unemployed or vulnerable children, its policy makers should take the matter of the most vulnerable age group into consideration.

All in all, one of many obstacles hindering efforts to combat child sex tourism, and sex tourism in general, is the low commitment of governments (Rao, 1999). Most of the time governments invest resources in order to support the growth of tourism, while showing little concern about its impact (Rao, 1999). Furthermore, governments' international debt, particularly in developing countries, might indirectly contribute to the sexual exploitation of children. Instead of spending money to meet local people's basic needs, such the improvement of schools and health care centres, governments heavily invest in business sectors in order to generate money to cover their debt (Wabwile, 2010; O'Connell Davidson, 2004). Children who live in communities where schools are not available are mostly illiterate, and many finally end up as prostitutes.

From the information given above, while international organisations have made progress in the fight against CSEC, more must be done when confronting a specific issue like CST. Therefore, to truly and effectively address the issue of CST, policy makers at many different levels and sectors should take not only broad but also specific views in order to come up with realistic and holistic approaches.

2.3 Tourism and child sex tourism in Southeast Asia

The Asian continent, particularly the Southeast Asian region, has long been perceived as the hub for child sex tourism. While the exact number of child sex tourists entering this region is only estimated, the influx of large numbers of international tourists visiting

the regions is regarded as a significant contributor to the increasing concern about CST (Child Wise, 2009).

Figure 1: Map of Southeast Asia



The tourism sector in this region welcomed approximately 58 million international visitors in 2008, which represented a 7% increase compared to the previous year, and this generated about US\$50 billion in that year alone (Child Wise Australia, 2009). Even though it is a difficult task for authorities to identify who are child sex tourists and who are not, identifying the countries of origin of those tourists could significantly help with

the more effective monitoring and detecting of child sexual exploiters. This could lead to tighter co-operation between sending and receiving countries, especially in terms of extraterritorial legislation alignment between those countries (Svensson, 2007).

A report from Child Wise Australia (2009) revealed that the countries of origin of tourists visiting the Southeast Asian region can be sorted into three different groups. The report showed that about 45% of visitors were those who lived within the region, while 17% were from other Asian countries such as South Korea, Japan and China, and another 38% were of mixed nationality including Europeans, Americans and Australians. In addition, other groups of individuals who have been occasionally reported as child sexual offenders, such as business travellers, and short and long term expatriates, have increasingly entered into the region. This group of travellers should not be ignored since they are perceived as situational child exploiters, and a strategy to detect and monitor these individuals needs be taken into consideration (Child Wise Australia, 2009).

The exact approaches undertaken by child sexual exploiters to get access to vulnerable children for sexual exploitation purposes are not well known. However, the methods that child sexual tourists or exploiters use have developed and changed over time, especially in the Southeast Asian region. Previously, children were sexually abused by sex tourists through a formal arrangement made with entertainment operators such as bars, brothels or hotel-operators who controlled or knew how to provide children who could give sexual services to these customers (Zitze, 2007). Currently, child sex tourists or exploiters are less likely to use formal arrangements to exploit children, but instead, approach vulnerable children informally. Street children are among the most vulnerable groups for child sex tourists to exploit, and these children can be picked up by simply offering food, new clothes or some pennies in return for sexual intercourse (Pouille, 2011).

In other cases, vulnerable children become victims of sexual exploitation through a long term relationship with child sex offenders. Instead of going to bars and other entertainment venues, child sex exploiters or child sex tourists directly travel to

communities where large numbers of vulnerable children are available (Zafft & Tidball, 2010). Exploiters normally present themselves as helpers, and gradually build trust with vulnerable children's families, by physically staying with them for a long period of time. In some cases parents or guardians agree to give their children to the exploiters through forms of adoption or marriage (Montgomery, 2008). However, Desai (2008) opposes the idea of marriage as an action that should fall under the CSEC label, by saying that child marriage should be separated from CSEC, or CST in particular, as commercial gain is often absent in the marriage scenario.

In some cases, vulnerable children themselves approach and make relationships with foreign tourists who they think might help them gain access to a lifestyle they cannot afford, or who may support them to migrate to richer countries (O'Connell Davidson, 2004). However, O'Connell Davidson (2004) argues that far too often those foreign tourists leave for their home countries not long after marriage and the children are left behind with no further contact from their husbands. Whether the exploiter, as well as the children and parents, view the adoption or marriage as an action that falls into the category of child sexual exploitation or not, the fact is that having sexual intercourse with children less than 18 years of age in any circumstances is a crime against the Convention on the Rights of Child (Tepelus, 2008).

Furthermore, child sex tourists utilize relatives, acquaintances, and other children, especially those who are desperate to obtain consumer materials, to help them exploit target children (Lau, 2008). People who are overwhelmed by materialism will do whatever they possibly can to obtain the material possessions they want; supporting or facilitating child sexual exploiters to have access to other vulnerable children for sexual purposes is one of many ways that those people can get what they want (ECPAT International, 2009b). In addition, former victims of sexual exploiters, beach boys, motorcycle and taxi drivers, hotel and bar owners, and even lawyers are recognized as the facilitators assisting child sex tourists to access to vulnerable children (Lau, 2008). Therefore, in order to improve and ensure the effectiveness of the awareness raising

initiatives or law enforcement, these groups of middle agencies should be taken into consideration.

The availability of information technology in the region, the internet network in particular, has fuelled the extent of sexual exploitation of children. The widespread use of this technology is one of many indicators of greater socio-economic development (ECPAT International, 2010). Yet through it, child sex tourists can now directly contact children through social networks such as internet chat rooms, and are able to negotiate the price and venue where the sexual intercourse can occur. This could be seen to imply that better socio-economic development, through the provision of better infrastructure such as internet accessibility, not only boosts further socio-economic development but also facilitates and accelerates social issues like sexual exploitation of children in particular.

While foreign tourists are seen as the key group contributing to the speed and spread of CST, there are also a high number of local child sexual exploiters who cannot be ignored (Tepelus, 2008). Though ECPAT International claim that child sex tourists are almost exclusively foreigners (most child sex tourists in Guatemala are identified as Europeans, Americans, Canadians and Japanese), there is no doubt that children are not only being sexually exploited by foreign tourists but also by child sex exploiters (Tepelus, 2008). Domestic exploiters are a great threat to children in the places where having sex with prostitutes is a norm – for example, according to Sachs (1994, as cited in Tepelus, 2008), about 75% of Thai men have had sex with a prostitutes. While adult prostitutes are part of the business, children are highly demanded and most of them are likely to be brought from remote areas (Tepelus, 2008).

The Association of South East Asian Nations (ASEAN) has recognized the issue and all ten member nations have jointly agreed to fight against the issue of sexual exploitation of children (Australian Agency for International Development, 2011). At the international level, all member states of ASEAN are signatories to a number of international conventions, which are seen as a foundation steps to combat CSEC, CST in particular. The Convention on the Rights of the Child (CRC) was established to set a universal

standard, and is the first and most prominent international instrument that all member states of ASEAN have ratified - the obligation of the member states is to ensure that their domestic laws and policies meet this standard. Following this convention, six of the ASEAN member countries, including Brunei, Cambodia, Lao PDR, the Philippines, Thailand and Vietnam also ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (OPSC) (Child Wise, 2009). All signatories to this Convention are required to create a national plan of action to combat social issues, especially in relation to sexual exploitation of children (Child Wise, 2009).

As already mentioned in section 2.2 of this chapter, in relation to its scope and its role in protecting children from being sexually exploited, the CRC provides a very broad framework only, and specific guidelines on how to create law to protect children from sexual exploitation is not provided. This ambiguity does not help governments in this region to effectively implement this Convention, and Philippines is the only country in this region to include and clearly outlaw sex tourism in its legislation. The Republic Act No 9208 provides for a number of violations in relation to trafficking, “including to undertake or organise tours and travel plans consisting of tourism packages or activities for the purpose of utilising and offering persons for prostitution, pornography and sexual exploitation” (Johnson, 2011).

In addition, while most countries in this region are Member States of CRC, CST is explicitly being addressed in only Singapore’s Penal Code which was amended in late 2007. Under Section 376B of the current Penal Code, any individuals who have sexual contact with a child under 18 years of age in Singapore will serve up to seven years in prison, or a fine, or both (Johnson, 2011). One of the reasons that the United States of America has not yet ratified the CRC seems to be largely because a majority of its citizens do not believe in the effectiveness of this Convention. Critics assert that, while Sudan, Democratic Republic of the Congo and China are member states of CRC, the level of children being sexually exploited or abused in general in these countries is still high, with little action being taken in response.

At a regional level, agreements have been reached to strengthen co-operation and co-ordination among the ASEAN countries to collectively and effectively combat CSEC and CST. The ASEAN Tourism Agreement, which was established in 2002, is one of the most effective agreements among the member countries in the tourism sector, as it has allowed tourism authorities to work together to combat sexual exploitation in this sector (Association of Southeast Asian Nations, 2003). This agreement is also to reaffirm the United Nations World Tourism Organisation (UNWTO) Global Code of Ethics for Tourism (Child Wise, 2009). In addition, the ASEAN Declaration against Trafficking in Persons, Particularly Women and Children, as well as the ASEAN Treaty on Mutual Legal Assistance in Criminal Matters (Asset Recovery Knowledge Centre, 2004), were ratified by all member states in 2004. However, Cambodia, the Philippines and Thailand have not yet ratified the latter (Child Wise, 2009).

Figure 2: Map of Mekong Sub-Region



These agreements play a significantly important role in enhancing the communication and co-operation among member countries. They have allowed countries with effective mechanisms for combating CSEC and CST to assist potential new tourism destinations for child sex tourists to also use such mechanisms. The assistance is in the form of the provision of technical assistance, training, meetings and study tours. Awareness-raising concerning CST and CSEC, law enforcement enhancement, and modes of communication between member countries were included in the agendas of those co-operations (Asset Recovery Knowledge Centre, 2004; Ferran, Berardi, & Sakulpitakphon, 2008).

In addition, the ASEAN Charter was adopted in 2007 in order to group six countries in the Mekong Sub-Region together (Centre for International Law, 2009). This was to tighten their cooperation, especially through the treaty called the Coordinated Mekong Ministerial Initiative against Trafficking, which was established in 2004 (Human Trafficking Organisation, 2004). This agreement has shown the level of commitment on the part of government decision makers to address these important issues.

At the implementation level, laws have been enforced in the region to some extent. According to Child Wise Australia (2009), 52, 50 and 47 child sex tourists were arrested in 2006, 2007 and 2008 in this region respectively. Though these numbers suggest that the number of child sex tourist offenders has gradually decreased, this decrease might not necessarily mean that the numbers of child sex tourists in the region have declined. Weak law enforcement; poor database systems to clearly identify and record the offenders and the poor rates of reporting have to be taken into account in order to capture the whole picture of the issue (Child Wise Australia, 2009). Reports of the arrest cases were still problematic, as it was unclear whether the child sex offenders were child sex tourists or not. This led to the elimination of those numbers of arrests lacking detail about the offenders.

One very important point is that the number of boys becoming victims of child sexual exploitation has considerably increased throughout the region recently. While 38.5% of the total victims of child sexual exploitation were boys in 2007, the percentage went up to 63.6% in 2008, a 25.1% increase. This figure reflects the concern expressed at the World Congress III on the Commercial Sexual Exploitation of Children (ECPAT International, 2009b), when it was revealed that young boys have become highly vulnerable to sexual exploitation due to a lack of emphasis in the child protection framework to protect those boys. At the present time, both boys and girls are at risk of being sexually exploited, and the child protection strategies and activities in place have to reflect a need to protect both genders of children.

2.4 Child sex tourism situation at national level

In order to better understand the child sex tourism phenomenon, the Mekong Sub-Region, where Lao PDR is located, is considered the best area to study. Due to limitations in secondary data from other countries, the scope of the literature review in relation to child sex tourism will focus only on Thailand. This issue in Cambodia and Vietnam is also reviewed occasionally, but there are little or no data available to support the central theme of this thesis.

2.4.1 Child sex tourism situation in Thailand

While the tourism industry has been recognized as one of the country's major hard-currency income generators, it has also brought about severe negative effects on certain members of its society, particularly children. Each year about 14 million tourists visit Thailand, and approximately 6 to 7% of gross domestic product (GDP) is drawn from the tourism sector (Pouille, 2011). However, impressive growth in this sector has its dark side. As mentioned earlier, the tourism sector started growing when the Government of Thailand signed an agreement with the Government of the United States of America to provide entertainment facilities for American soldiers, who were sent to the war in Vietnam in the 1960s (Zitze, 2007). The majority of soldiers visiting Thailand

at that time were willing to exploit Thai prostitutes, especially the younger ones, and since then Thailand has developed a reputation - not only in the region but around the world - as the well-known destination for sexual exploitation of children (Arnold & Bertone, 2002; Lau, 2008).

As has been noted, at a regional level, the ways that sexual exploiters approach vulnerable children in Thailand have changed over time. In the past, children could easily be found for exploitation in settings such as brothels, bars and massage parlours. But today children can be sexually exploited through prior organisation between the exploiters who control those children. The venues where the exploitation occurs are largely arranged by the exploiters themselves, and the most vulnerable group of children are those children living on the street. Zitze (2007) states that one of the reasons that compels child sexual exploiters to target street children might be because of the stronger law enforcement that exists to combat sexual exploitation of children in entertainment venues.

Furthermore, according to a report by ECPAT International based in Thailand (Pouille, 2011), there are fewer paedophiles and preferential child sex tourists than there have been in the past. Instead, the arrested child sexual exploiters tend to be opportunistic or situational offenders. In addition, while child sex tourists were mostly found in entertainment establishments in Bangkok, currently they appear in newer tourism destinations such as Pattaya, Phuket and Chiang Mai. This movement could be influenced by the concentration of activities to combat CST in the big cities like Bangkok, which was the city most affected by the child sex tourists in the past. Even though Bangkok was previously severely affected by sexual exploiters, children who suffered from this exploitation were drawn from ethnic communities such as hill tribes in the north of Thailand. These people made their way to Bangkok city in search of work, mainly because of poverty and illiteracy (ECPAT UK, n.d).

Today, these communities have relatively improved in terms of the provision of education, health care and alternative jobs to help them gain better economic

development. As a result Thai prostitutes, especially children, have to some extent decreased in number, and some of those prostitutes who provide sexual services in order to meet the remaining demand of sexual exploiters in Thailand have been trafficked from neighbouring countries such as Vietnam, Cambodia, Burma and Lao PDR (UNICEF, 2004). In addition, wherever the internet is available in a country, children are at risk of being inappropriately approached online. Pouille (2011) found that the most at risk children are those who are in their early teens from 12 to 15 years of age, and that these children are frequently being tricked by people they meet online.

Other factors that make children vulnerable to sexual exploitation include the high cost of education, a desire for luxury consumer goods, social tolerance and game addiction (Arnold & Bertone, 2002). Apart from the poverty issue, children might intentionally enter into the sex industry in order to earn money to meet the cost of their education, which has increased over the past years (Pouille, 2011). Arnold and Bertone (2002) found that young girls study in the day time and then work as dancers in entertainment venues at night, and most of them are highly likely to sell sexual services to pay for their living and education. The demand to own luxury items such as a new car, designer label clothing and accessories has also profoundly influenced children to sell sexual services to perpetrators, especially foreign sex tourists, because of the higher value of overseas currency. Children who are addicted to computer games also tend to look for more money which enables them to play the game longer, and selling their body for sexual exploitation might be the fastest way to earn the money (Arnold & Bertone, 2002).

In addition, according to research undertaken by Montgomery (2008) in a community in Thailand, children who have already tried many jobs often turn to providing sexual services to foreign visitors, to the extent that this has become a social norm in some communities. Their parents are not only aware of what their children are doing but also even encourage them to do so, in order to earn for the families, and this action is not viewed as a violation of human rights by either parents or children themselves. As a result of all of this, there were about 60,000 child prostitutes in Thailand in 2007

(Pouille, 2011). Before it is too late to reduce this number, the Government of Thailand has undertaken a number of actions designed to achieve its goal.

2.4.2 Prevention

Unlike the situation a few decades ago, when sexual services were being promoted to attract more tourists to the country, the Government of Thailand has committed itself to eliminate and prevent the sexual exploitation of vulnerable groups, children in particular (Nuttavuthisit, 2007). However, even though child sex tourism is one of the most serious issues in Thailand, more attention has been paid to addressing the issue of human trafficking.

To prevent commercial sexual exploitation, long and short term prevention strategies have been identified that target both vulnerable children and child sexual exploiters. Regarding the long term strategy, the Government of Thailand seeks to improve the status of children, especially those who are most likely to be exposed to any type of CSEC. In spite of the level of poverty being reduced from 32.6% in 1988 (National Economic and Social Development Board, n.d) to just 8% of the population in 2009 (Pouille, 2011), the Government of Thailand still seeks to further reduce and completely eradicate poverty in order to solve the root cause of the CST issues. This strategy also aims to close the gap between the rich and the poor, which currently appears to have generated a significant extent of social inequality.

Regarding its dedication to educational development, the Government developed a policy in 2000 that all children have to undertake nine years of compulsory education. Moreover, a policy of free education for all children was also implemented in 2009 (The Government Public Relations Department, 2009). The expenses of books, facilities, school uniforms and school-related costs were covered in this policy. This initiative enables some of the most disadvantaged groups, such as street and hill tribe children, to access education, which is considered as one of the most important achievements in terms of human development (Human Development Foundation, 2008). In addition, a

Legal Assistance Centre was established in order to help individuals, especially children who live in northern Thailand without citizenship cards, to obtain Thai nationality or legal status (Human Development Foundation, 2008). Without this card, it is difficult for those children to have access to the basic social services such as education, health care and employment, which makes them more vulnerable to sexual exploitation.

Awareness-raising focusing on five groups, including government officials, vulnerable groups, the private sector, tourists and the public in general, was considered to be one of the prioritized activities within the short term strategies (AusAID, 2011). The first priority for the Thai government - together with a number of international organisations and non-government organisations - is to bring their awareness-raising programmes to the attention of government officials, especially those who work in the anti-human trafficking and CSEC agencies. An awareness-raising project called “Stop! Human Trafficking” is one of many projects set up to carry out campaigns to raise awareness about the issue surrounding human trafficking. The campaigns target the vulnerable groups such as children, parents and students from schools and universities in Bangkok (Pouille, 2011).

In the private sector, impressive progress has been made to include this sector in the fight against CST. A number of awareness-raising activities have also been introduced to the private sector including the tourism, travel and hotels sectors. As a result, a large number of these entities actively participate in child protection activities. The hospitality sector became involved in the child prevention initiatives through the signing of a Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. This Code of Conduct requires its members to protect, monitor and report any suspicious behaviours associated with sexual exploitation of children (ECPAT International, 2012). Prominent participants, including the Accor Hotel chain, Centara Group, Samui Villas and Homes, Legend Hotel and ChiangRai Tourism Society, have signed the Code of Conduct and have also shown their commitment through a number of activities (Pouille, 2011). Accor Hotel chain, for example, has trained nearly 6000

staff in order to raise their awareness about child sex tourism and provided information so they can be involved in preventing this issue (Pouille, 2011).

A number of training programmes have also been created to help raise awareness in other hotel chains through the cooperation of this business sector with government and international organisations to encourage them to get involved in child protection activities. Brochures, posters and flyers were produced by these businesses to disseminate to tourists. Brochures called “Travel with Care, Care for Children in Thailand” were produced and distributed to tourists to raise their awareness about CST (Pouille, 2011). Furthermore, vocational training was also introduced focusing on high school students. Children received training through practical experience, especially in the hotel industry, as this industry is viewed as one of the important job creators for such children (United Nations Economic and Social Commission for Asia and the Pacific, n.d). Even though vocational training and employment opportunities might not directly address the issue of CSEC, it gives vulnerable children better job alternatives in the hope of helping them out of work as prostitutes.

2.4.3 Protection

Like many countries in the Southeast Asian region, the Thai government has signed and ratified a number of important international conventions in order to protect its children from many forms of social issues, and commercial sexual exploitation in particular. The most important conventions are the Convention on the Rights of the Child, OPSC and the Convention on the Worst Form of Child Labour. To respond to the increasing trend of sexual exploitation of children in the region, Thailand has signed the ASEAN Declaration against Trafficking in Person, Particularly in Women and Children (Child Wise, 2009). Moreover, it also commits itself to combat trafficking issues through involvement in the Coordination of Mekong Ministerial Initiatives against Trafficking (COMMIT) (United Nations Inter-Agency Project on Human Trafficking, 2010). Having entered into these agreements and treaties allows Thailand to effectively develop its legislation to align with international standards.

The Thai government has demonstrated its commitment to protecting its children through strengthening its legislation to curb CSEC. This strength focuses on addressing the issues of child prostitution, trafficking of children for sexual purposes, and child sex tourism. However, legislation to address the child pornography issue is still at its development stage. The Prevention and Suppression of the Prostitution Act 1996 (International Labour Organisation, 1996) was promulgated to tackle the issue of child prostitution. Under this Act, a child is defined as any person whose age is under 18 years old. This Act provides a clear definition regarding prostitution, which aligns with the definitions used in the OPSC. It also gives clear detail of penalties applying to different offences committed to different aged children. This Act penalizes not only sexual exploiters of child prostitutes, but it can also be used to punish parents or any individuals involved in this exploitation. In addition to the 1996 Act, Thai Criminal Law is also used to protect children and adults from sexual abuses.

Furthermore, trafficking of children has been a big issue in Thailand. Recently, it was perceived as the receiving country and the origin countries mostly were Cambodia, Vietnam and Laos. This is largely because the better economic development in past years has contributed to more education and job opportunities, which help Thailand's children escape from the sexual business cycle. Therefore, in many cases, victims of trafficking are those under 18 years of age from neighbouring countries who are sent to Thailand to meet the remaining demand of sexual exploitation there. To stop this happening, the origin countries have put pressure on the Thai government to take firmer action against the trafficking of children. So, although trafficked children have been helped by many hard-working establishments, many more are still likely to be drawn into the sex trade, which has been fuelled by the tourism sector (Arnold & Bertone, 2002).

Therefore, Thailand has developed its legislation to curb trafficking of children as well as to address the issue of sexual exploitation. In 1997, the Thai government enacted The Measures in Prevention and Suppression of Trafficking in Women and Children Act. However, this legislation was relatively weak and did not meet international standards

(Pouille, 2011). In 2008, the Anti-Trafficking in Person Act B.E 2551 was promulgated, and it aligns with international standards under the OPSC (International Labour Organisation, n.d). In addition, the National Plan of Action against trafficking was created, heavily based on the recommendation of the Rio Declaration and Call for Action (Pouille, 2011). Since human trafficking in Thailand is an issue concerning many countries nearby, collaboration between recipient countries is crucial to effectively and sustainably combating this issue (Mekong Migration Network, 2012).

A number of workshops and conferences have been hosted by the Thai government in order to bring these countries together and help each other. In 2007, a regional training programme was held to provide training to all regional government representatives at the policy making level (Pouille, 2011), allowing participants to exchange information and raise issues in relation to trafficking in their countries and together find common ground to work as a network. Within the same year, another regional seminar took place in order to protect children from trafficking and sexual exploitation in tourism (Pouille, 2011), and this seminar agreed to put together a list of child sex offenders to help each country detect those offenders who might enter member countries to sexually exploit children. This seminar has also brought about a campaign to protect children in the region through an airline and regional hotlines.

The Thai government has also put more effort into dealing with the trafficking issue through bilateral cooperation, working closely with the Lao government to address this issue through a memorandum of understanding (Mekong Migration Network, 2012). A number of meetings and training sessions have been set up which focus on victim identification and repatriation. Thai authorities have provided training to Lao authorities on training skills and have produced radio programmes in relation to trafficking and relevant issues. Furthermore, Thai authorities have worked with Interpol to especially address the issue of child sex tourism (Child Wise Australia, 2009). Whenever a law which directly deals with child sex tourism is not enacted in Thailand, Penal Code is alternatively employed to penalize any individuals committing sexual exploitation of children.

2.4.4 Rehabilitation and reintegration

The Thai government has recognized the importance of treating, recovering and reintegrating victims of sexual exploitation, especially children. Victims of trafficking of children and women for sexual purposes and child sex tourism have received special attention and treatment. The government recognizes that victims might be depressed and need special treatment in a properly established centre in order to repair both physical and mental damage. In 2009, there were 138 centres built throughout Thailand to accommodate and receive these victims (Pouille, 2011). The victims receive physical and mental health checks before further treatment is carried out. In the case of foreign victims, they are deported back to their countries of origin - in most cases, a repatriation programme is agreed between Thailand and the other countries concerned such as Vietnam, Cambodia, Laos, Myanmar and Yunnan province of China (Mekong Migration Network, 2012).

In the case of domestic victims, they are sent to any one of 15 recovery centres depending on their region within the country after identification has been made. The 15 centres consist of eight welfare protection and occupation development centres, three shelters for children (one for girls and two for boys) and four for general male victims which have just opened (Pouille, 2011). Due to the number of the centres dedicated to boys, it can be inferred that boys or males might be at a higher risk of being sexual exploited than girls. If this is the case, more efforts to protect males, especially boys might be needed. In fact, this issue should be taken into account as an urgent matter.

In each of those centres, there is a variety of facilities and services in place to help victims recover and reintegrate into their communities effectively. They include medical care and counselling. Because it is very difficult for the victims to rebound back to their families and communities after having faced such traumatized experiences, the centres also provide vocational training, enabling victims to enter into legitimate work after full recovery. Then assessments are undertaken to identify which victims are ready to be

sent back to their communities. To ensure that they can effectively reintegrate into their communities once being sent back, follow up activities are undertaken by the authorities involved in the reintegration.

2.4.5 Sexual exploitation of children and child sex tourism in Laos

As in many parts of the world, Laos also has social issues of sexual exploitation and violation of women. In order to understand and address the different dimensions of this issue, several research studies have been undertaken in relation to sexual exploitation in that country. Oloth (2007) undertook research to study the relationship between garment factory girls and prostitution. The research found that the majority of these girls were from rural areas who had taken up manual labour in order to help their families and themselves out of poverty. Due to low payment for garment work and the need to earn more money, they sought work as service girls (as prostitutes are called in Laos) at night time after their work in the factories. They normally work in bars, night clubs, beer shops and restaurants where sexual service is likely to occur.

These girls might not always voluntarily migrate from their rural homes in order to seek work; instead, they are often either lured or trafficked. Regarding the trafficking issue, research at a national level through co-operation between the Lao Government and UNICEF was carried out throughout 17 provinces in Laos (UNICEF, 2004). The result showed that the majority (60%) of victims of trafficking were girls who were about 12-18 years of age. They were trafficked to both domestic and cross-border destinations. Thailand was always cited as the recipient country of the trafficked victims, and those trafficked victims were normally forced to work as prostitutes, domestic labourers, factory workers and on fishing boats.

The point to be considered is that the garment factory girls, who also work as service girls, might be trafficked as well. Songbandith (2006) stresses that many service girls have faced various forms of violation. Apart from physical and mental violation, those service girls have been severely affected by sexual abuse, though whether those sexual

abusers or exploiters were foreigners was not documented in any sexual exploitation-related research.

While the issue of sexual exploitation of children or child sex tourism is one of the most serious issues in the region, and there has been some research undertaken in other countries, particularly those in neighbouring Thailand, little research has been carried out in Laos. Thus, in order to effectively combat commercial sexual exploitation and especially child sex tourism in Laos, this research sought to learn from other countries where child sex tourism has been well established for a long time. Therefore the research question for this thesis is: 'what can we learn from the experience in other countries in relation to child sex tourism in order to create the most appropriate recommendations to combat child sex tourism in Laos?'

2.5 Chapter summary

In this chapter, the literature review has covered different dimensions at different levels including the international, regional and local scope of child sex tourism and commercial sexual exploitation of children in general. Literature in relation to sexual exploitation and child sex tourism was also reviewed in order to identify the gap which was used to justify the research question. Before continuing into the next chapter, the research methodology, an explanatory framework is provided in order to summarise this literature review as following.

- Firstly, while there are contrary views, the concepts of CSEC and CST in particular need to be clearly defined and understood. This will significantly inform policy makers and activists in creating and applying the right holistic initiatives to address the issues. All forms of CSEC should be addressed simultaneously as they are interconnected.
- Secondly, efforts at international level should be more specific to the issue of CST. The current CRC, for example, should be revisited in order to more tightly

focus a too broad picture, and to provide guidelines in a more specific manner to advise countries on how to create CST law. In addition, in order to effectively implement the Extraterritorial Legislation, all member countries should adjust their national legislation on CST. Different definitions of a child, and double penalty provisions, should be eliminated and new standards need to be created. Being able to do this will have a great impact on the enforcement of legislation, and will further encourage the engagement of private sector organisations in the fight against CST.

- Thirdly, local governments, in Southeast Asia particularly, are even more important than any entities elsewhere. Governments hold the power and decision making ability on how one particular issue should be addressed, and they need to be urgently lobbied to generate new law on CST. This is because, while some countries have already ratified CRC and OPSC, many have not. All in all, combating CST is a major challenge - but it is not impossible if all stakeholders deeply understand the issue and fight against it.

3. CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

In chapter two, the literature review provided a picture of the situation of commercial sexual exploitation of children in general, and child sex tourism in particular, from the international to the regional to the particular country levels. Some important terms relating to child sex tourism were also defined. In this next chapter, chapter three, the research methodology is discussed. A qualitative approach is adopted for this research and is discussed in the first section. The data collection procedure is introduced and discussed in section two of the chapter, followed by data analysis in section three. The conclusions as well as the limitations and ethical issues can be found in the final section of this chapter.

3.2 Qualitative approach

While quantitative and qualitative are the two primary research approaches, a qualitative approach was chosen for this research. Before discussing the reasons why this approach was selected, definition of these two approaches should be sought. While the distinction between the two has been defined in many ways, Punch (1998 as cited in Hughes 2012, p.2) simply says that “quantitative research is empirical research where the data are in the form of numbers” and “qualitative research is empirical research where the data are not in the form of numbers”. In retrospect to the research question and objectives, this research is all about narrative, and this was one of the reasons contributing to the elimination of a quantitative approach.

Other reasons for this decision can be found as follows. Marshall (1996, p.522) claims that “the choice between quantitative and qualitative research methods should be determined by the research question, not by the preference of the researcher”. In order to get an in-depth understanding about child sex tourism in Laos, qualitative research

was used to allow the researcher to apply interpretative paradigms (Wilson, 2010). More importantly, Tewksbury (2009) asserts that a research project related to crime and the justice system requires a qualitative method as it offers a depth understanding of the issues. A quantitative approach provides statistical data only.

In addition, the researcher believes that knowledge is constructed rather than discovered and fixed (refer to Wilson, 2010; Wisker, 2009). A qualitative approach permitted the researcher to have a close interaction and physical involvement with the subjects (Ospina, 2004); the variety of information obtained through social interaction provided rich information for analyzing; and the qualitative strategy makes better use of social reaction, culture, behaviour and belief which influences the whole research process. Qualitative approaches not only allow the researcher to examine the content of the information or data, but it also permits the researcher to describe participant reactions. These reactions can be seen through participants' facial expression, pause or moment's silence, and other body language or postures which could influence the researcher during the interpretation or analysis of the data. This meaningful extra information cannot be found in the quantitative research (Hughes, 2012; The Science of Improving Lives, 2011; Wilson, 2010; Wisker, 2009).

Eisenhauer, Orb and Wynaden (2001) also emphasize that qualitative approaches not only allow the researcher to examine the content of the information or data, but also permit the researcher to describe participant reactions. These reactions can be seen through participants' facial expression, pause or moment's silence, and other body language or postures which could influence the researcher during the interpretation or analysis of the data. This meaningful extra information cannot be found in the quantitative research.

The complexity and sensitivity of this research topic which is about human sexuality was also taken into consideration at the time of the research approach selection process. In order to gain a deep understanding about this type of issue, qualitative research was considered as the most suitable approach to be adopted. This is because it enables the

researcher to examine how target participants think, feel and engage in the research. Quantitative research on the other hand might not give insightful understanding about the issue since this approach provides merely numeric information (Wilson, 2010). This was seen as unrealistic for this research and resulted in the elimination of this research approach.

Furthermore, based on a number of previous researches, a qualitative approach was used in similar research topics in terms of their complexity and sensitivity. Some important research papers that used qualitative research for the research design are 'Branding Thailand: Correcting the negative image of sex tourism', undertaken by Nuttavuthisit (2007). "Social responsibility and innovation on trafficking and child sex tourism: morphing of practice into sustainable tourism practice"; and "Child prostitution and sex tourism Costa Rica" are other two research papers carried out by Tepelus (2008) and O'Connell Davidson and Taylor (1995) respectively.

In addition to the reasons given above, the nature of this research topic was also taken into consideration before selecting qualitative research as a research approach. The researcher intended to conduct this research in an exploratory way, since the child sex tourism topic has not been studied in the Lao context and only qualitative research would allow the researcher to do so. To do this, an inductive approach was needed and this approach goes hand in hand with qualitative methods (Wilson, 2010). Because of these reasons, qualitative research was appropriate for this research.

3.3 Interview

While there are numerous data collection methods that can be used in qualitative research, the face to face semi-structured interview was considered as the most appropriate method for primary data collection. Choosing a data collection method is one of the most important factors for a researcher, to ensure that information is gathered that will meet the research objectives and address the research question. By and large, the nature of research topics and objectives lead a researcher to adopt

certain data collection methods, and other forms of data collection method are not chosen mainly because their characteristics were not aligned with this particular research topic.

An unstructured interview was not selected for this research because of several reasons. This method is designed to allow interviewees to express their opinion freely without an interview guide (Dublin Institute of Technology, 2010; Robert Wood Johnson Foundation, 2008). The interviewer might have only one single question to start the conversation, and the subsequent questions are then created from the respondents' responses (Dublin Institute of Technology, 2010). This is really challenging for a researcher to control, unless both interviewees and interviewers have a deep and clear understanding about the research topic. Therefore, the unstructured interview method was not chosen since this research focused on such a sensitive and complex topic.

The focus group interview was also eliminated from the data collection method for this research. Even though this method would be the least time-consuming, with a greater variety of ideas and information provided by the group dynamic than other methods (Rabiee, 2004), it was considered as inappropriate for this research. To invite government officials as well as international organisations from different sectors for the group interview was hardly possible. Once again, due to the sensitivity and complexity of this research topic, respondents might hesitate to openly express their perspective about the issue, and this could result in insufficient information.

Therefore, face to face semi-structured interview was adopted for this research. Personal interviews gave the researcher an opportunity to explore the phenomenon, while bias and subjective views were taken into account (Wilson, 2010). In addition, the extent of flexibility in the face to face interview left the researcher some room to focus on certain themes which emerged during the research (Wilson, 2010; Dublin Institute of Technology, 2010). Unlike other methods, this method allows the researcher to create a list of questions (Dublin Institute of Technology, 2010) which would be particularly useful and helpful for this research. More importantly, rapport and trust could be built between

researcher and interviewees during the interview, and this helped to generate deep and accurate information (Wilson, 2010).

3.4 Research sample

Marshall (1996) asserts that one of the most important steps in the research is choosing the right sampling technique, as this will ideally lead to the right study sample. This step is crucial and it can make or break the whole research project, as emphasised by Noy (2008). Thus, random sampling was not chosen for this research, due to the fact that there are few international organisations or government agencies available in Laos to directly deal with CSEC and/or CST. All these important recommendations were taken into consideration, and relevant methods of choosing samples were comprehensively reviewed, before two types of non-probability sampling technique were identified. The first method was judgement sample and the second one was snowball sample.

The researcher firstly chose the judgement sample method, because this method allows the researcher to use one's own knowledge and judgement to choose a sample.

Marshall (1996) notes that this sampling technique is commonly used by researchers, especially in qualitative research, as it allows the researcher to use practical knowledge, knowledge from literature, and knowledge gained from the project study itself to identify a hard-to-find sample, especially those who are able to respond to a complex and sensitive research topic.

However, during the data collection period, the researcher had faced many refusals to participate from targeted organisations, and this was the time when the snowball sampling technique came in to play in order to gain sufficient information. The adoption of this technique at this stage is still valid, and has been justified by Marshall (1996), who states that snowball sampling can occur during the data collection period when subjects introduce other potential candidates for study. Moreover, Atkinson and Flint (2001) emphasise that snowball sampling is the best and most commonly used technique with what they call a concealed sample. This is because this technique is

used to find research subjects through a network of the first few subjects, who then refer the researcher to their internal or external networks for further respondents.

Because of the use of those techniques, the researcher was ultimately able to access a good range of agencies involved with work relating to the protection of children from sexual exploitation, particularly in the tourism sector. But the complex process required in order to achieve this outcome has meant that the researcher was not able to gain access to some intended targets.

First of all, because this research was such a sensitive topic, the researcher had to undertake a long process of obtaining approval letters from the sectors concerned. The research proposal first needed to be submitted to the Ministry of Education, in order to confirm that the researcher is a New Zealand student from Laos who was returning to the country for research purposes. The research topic was also an important issue, and the researcher was required to guarantee that the outcomes will only be used for academic purposes. This process took about one month to complete, and only after having the research proposal approved by the ministry was the researcher able to approach the target organisations.

The process to get approval to access some of the target sample also required an enormous effort. One of the government agencies, for example, directly refused to participate in the research project as the person approached did not want to take the risk of providing such sensitive information. However, this individual referred the researcher to another person who might be in a position to give such information. This way did not work, however, as it took a long time for permission to be granted, and this organisation was eventually removed from the respondent list. Similarly, in another case where the responsible person was willing to provide information, the process to get approval from higher levels also took a very long time – this organisation was also removed from the list. These were very real and practical problems faced by the researcher, and future researchers should be very aware of time frame issues should they seek to undertake research in a similar topic.

3.5 Data collection

As mentioned above, the face to face semi-structured interview method was adopted, and the interviews were carried out during August and September 2011 in Vientiane, Lao PDR. Because of the sensitive nature of the research topic, which is directly in relation to child sex tourism, ethical approval from Unitec's Ethics Committee and permission from the government and international organisations (IOs) concerned were given before each interview could be made. Eight government officials from six government agencies and five interviewees from five international organisations (IOs), whose work is related to child protection and commercial sexual exploitation of children, participated in the interview. Because of the sensitivity of the topic and its confidential status, this study does not provide the full name of these agencies and organisations. However, in order to simplify the data analysis stage, the government respondents were referred to as Lao1, Lao2, Lao3, Lao4, Lao5, Lao6, Lao7 and Lao8; and the respondents from IOs referred as IO1, IO2, IO3, IO4 and IO5.

The ten questions as listed below were used in the interviews to investigate three distinctive dimensions that had emerged during the literature review. The first dimension sought to understand the perspectives of government and IOs regarding the general issue of CST in the Southeast Asian Region and in Laos. The first five questions as listed below aimed at covering this dimension.

- 1. What do you think about the current situation of child sex tourism (CST) in the Southeast Asian Region?***
- 2. Do you think the growth of CST in the region significantly leads to the emerging of CST in Laos?***
- 3. What collaboration exists between the Southeast Asian Region countries to combat or prevent CST within the region?***
- 4. Is CST a serious issue in Laos at the moment? Why or why not?***
- 5. What are the main factors contributing to the presence of CST in Laos?***

These five questions were created particularly from two sources. The first source was the literature review provided in Chapter 2, and the second source was the objectives of this research specified in Chapter 1. These five questions sought to investigate and assess respondents' understanding and knowledge of CSEC and CST, and to compare respondents' answers with the information found in the literature above. While there may well be limitations in the literature review, the respondents' answers should reflect or relate to the information obtained from that source.

The second source of these questions was the stated objectives of this research, particularly question 3 which sought "to examine the perspectives of Lao government agencies and organisations related to child sex tourism prevention". Please also note that, while the literature review covers the international aspects of CSEC and CST, the interview questions actually start within the Southeast Asia Region. This is to narrow the scope of the research and to clarify the objectives of the research as a whole. Thus, once the interviewees' responses to those first five questions were investigated, the existence of current projects or activities addressing this issue was then queried in questions six, seven and eight.

- 6. *What are your organisations' prioritized activities being undertaken in order to prevent or combat CST in Laos?***
- 7. *What are the short and long term plans to overcome this issue?***
- 8. *Does your organisation receive adequate collaboration from other sectors concerned?***

These three questions sought to investigate and examine what activities are being implemented, especially in Laos, in order to address the issues identified in the literature review. The effectiveness of these activities can be examined by comparing respondent comments against those mentioned in the literature review, and recommendations for improvement can then be made as a result of this examination.

The last two questions as listed below sought to record the obstacles that interviewees have encountered in dealing with CST and related issues, and the ideal initiatives they need to put in place to overcome these in the future. The two questions were also created in order to explore new ideas and activities which had earlier been suggested by the literature review.

9. What is the key obstacle deterring your organisation from achieving its goals pertaining to combating and preventing CST?

10. To combat and prevent CST effectively, what are the ideal approaches or activities your organisation seeks to carry out?

The researcher expected that, by critically analysing the information sought from literature review and from interview, he would be able to shed a new light on the agenda of child protection from sexual exploitation, in the tourism sector in particular. The results of this analysis will finally and fully address the research question.

The original questions were written in English, and then translated into the Lao language for interview purposes. Each interview took approximately one hour. At the end of each interview, each participant was asked whether the researcher was allowed to contact him or her later to clarify points, and in order to make sure that important information was correctly understood. Several emails and telephone calls were made in this regard. Because of the sensitive topic, a tape recorder was not allowed for the interviews, and note taking was used instead. Some interviewees suggested that tape recording might not be a good approach, since it could make the respondents reluctant to convey the message and not able to provide a whole picture of the issue. Notes were made in the Lao language during the interview, but translated into English when transcribing, as described in the next section.

3.6 Data analysis

The collected data was analyzed in a logical fashion. Qualitative research was mostly in the form of narrative, and was exploratory in nature. The information gathered from interviews contained both wanted and unimportant parts, and therefore proper steps to analyse data were fundamentally important. There are a number of ways to structure the analysing steps, though the steps suggested by Wilson (2010) were followed for this research and are listed below:

- Transferring data from the (Lao) notes into an (English) Microsoft Word file
- Reading and creating categories, themes and patterns
- Findings interpretation
- Writing up the findings into the report format

When data was transferred into Microsoft Word, the researcher took special care with every word, since the clarity and accuracy of the answer can be lost, which could lead to a change in direction of outcomes as a whole. During this stage, several email and phone calls to interviewees were made to clarify and confirm important points. After the transcribing stage, the researcher started to become familiar with the data by reading it and reviewing notes taken during the interview. A thematic approach was employed in order to classify similar points into groups, and different markers were used in order to identify different important themes. By analysing information into smaller parts, the researcher gains faster and better understanding of it, necessary and relevant data are coded, and unnecessary data are eliminated. Once the reading and understanding had been done, the researcher started to interpret the arranged data, and smaller parts of data were then connected up to make better sense of the whole.

In addition, because of time limitations which did not allow respondents to provide holistic answers to some aspects of the issue, some publications, reports and documents related to child protection and sexual exploitation of children were obtained through the permission of the Departments concerned. These documents enriched the data and were used to better and deeper understand the phenomenon of CST in the country. These data were analyzed as follows. The researcher read through the table of

contents of each article or publication, to find the most relevant and important parts that addressed the research topic. These important parts were marked for further investigation or study in detail later on and the irrelevant parts were eliminated. The analysed information taken from the secondary data was then used to evaluate the relevance and reliability of the information given by the interviewees. This interpretation of the data from the interviews and documents was made in order to reconstruct them in a manner more appropriate to the form of the report.

3.7 Chapter summary

In this chapter, the reasons why a qualitative approach was employed for this research were given. By employing the qualitative approach, the semi-structured interview could be adopted to collect the data. Because of the sensitivity of the research topic, approval of the Unitec Ethics Committee and permission from each participating agency were received before each interview could be made.

To ensure the accuracy of the gathered data, follow-up communication between interviewees and the researcher was made. The researcher sought permission to contact the interviewees after the completion of the interviews and emailed or called only the ones who gave the permission to do so. This action was to respect and avoid any ethical problems. In addition, data was collected not only through interviewing as planned but also through hard copy in the form of reports, official documents, and general publications related to the research topic. This method of data collection was used due to the limited time availability of interviewees.

The gathered data was then analyzed, based on Wilson's (2010) thematic approaches. Even though the data collected were sufficient to respond to the research question and objectives, there were some challenges and limitations encountered by the researcher. Since the issue of child sex tourism is relatively new and sensitive in Laos, practical experience and knowledge was still lacking among participants, and this made them hesitant about giving information. A tape recorder was not allowed due to the sensitivity

of the topic. In addition, a few organisations that the researcher approached declined to take part in the interview process, possibly because of the high sensitivity of the researcher topic. Therefore, researchers who wish to conduct studies related to this topic in the future should take these challenges into consideration. The findings from the use of this research method can be found in the next chapter.

4. CHAPTER FOUR: RESEARCH FINDINGS

4.1 Introduction

This chapter contains the findings of the research carried out, based on the methodology provided in chapter 3. The purpose of this chapter is to report what respondents said only; researcher comment is therefore withheld until the discussion in Chapter 5. The structure of this Chapter fundamentally follows the ten interview questions, and the perspectives of both government and IO respondents are presented separately in respect of each question. Their points of agreement and disagreement on each question are also drawn and summarized. The points of disagreement are then short listed in order to choose the most important ones, which are then used for the discussion in the next section.

4.2 Interview findings

1. *What do you think about the current situation of child sex tourism (CST) in the Southeast Asian Region?*

From the government point of view, eight respondents recognized CST as one of the key commercial sexual exploitation of children (CSEC) issues, and as an important social phenomenon. Three of them said that CST is a high profile issue on a regional and global level, and five of interviewees responded that CST is an international and a cross border crime. All eight people said CSEC and CST are social issues related to poverty and unemployment, and that any increase of CST in the region would have been as a result of rapid tourism growth. Two of interviewees emphasised that not only young girls but also young boys are at risk of being CST victims, as child sex tourists are now targeting both genders.

From the IO view point, five respondents expressed the opinion that CST is a global and serious issue. They explained that the influx of tourists into the Southeast Asian Region is one of the situations leading to the increase of CST in the region. Two respondents stressed that Laos can be the next CST destination if strong law enforcement and collaboration is not in place. Three respondents proposed that awareness campaigns, strong law enforcement, and comprehensive collaboration are needed to end this issue. Five respondents also pointed out that child sex tourists have a strong and well organized network, and target both young boys and girls. In addition, one respondent emphasised that only some people, mainly those who deal with the CST issue, are aware of the problem.

2. *Do you think the growth of CST in the region significantly leads to the emerging of CST in Laos?*

From the government's point of view, three interviewees responded that whether CST exists in Laos is questionable, and four respondents said they doubt that it really does exist. Three respondents expressed that, if CST really exists in Laos, then any increase of CST in the region and in the globe can influence the emergence of CST and CSEC in Laos, since Laos is a member of the regional and global communities. Two respondents said that any growth of CST in the region is the consequence of the regional open-door policy, which makes an increased flow of tourists into the region possible. Two respondents emphasised that Laos is a transit country to many countries where CST has been well established, and the likelihood of those child sexual tourists travelling into Laos might be high. Three respondents expressed the presence of CST in any place of the world is not because of tourism, but because tourism is being used by child sexual exploiters as a legitimate way to get access to vulnerable children. They also said that social networks, materialism, and well established criminal networks could be considered as the major factors of the emergence of CST and CSEC in any country.

Five IO respondents commented that any growth of CST in the region might, to some extent, lead to the emergence of CST in Laos. Two interviewees said that the tourism

sector is considered to be a crucial economic driver for many if not most countries in the region; as such, to maintain and ensure its momentum, governments in the region have collaborated to develop policy that will facilitate and attract more tourists. They also stated that the incidence of child sex tourism tends to increase in parallel with the growth of tourism and its positive economic contribution, though it was important to remember that children are not being sexually exploited because of tourism, but because of child sexual exploiters. For those respondents, child sexual exploitation can happen without tourism, because the exploiters have their own highly effective networks. In addition, two respondents asserted that child sex tourists tend not to sexually exploit children in countries where strong law enforcement and high levels of public sensitivity are in place; as such, child sex tourists might travel to Laos if law is not strongly enforced and the public is not fully aware of the issue. Other factors considered to contribute to the possible emergence of CSEC and CST in Laos might be globalization and materialism, as Laos has already opened itself to this world whether it wants to or not.

3. *What collaboration exists between the Southeast Asian Region countries to combat or prevent CST within the region?*

Most respondents expressed that government and non-government international organisations in every country - not only in the region, but also at the global level - have cooperated to fight against CST and related issues. Three respondents say there are various forms of collaboration within the region and at global levels, and that accessibility of the region and countries to the Convention on the Rights of Children is recognized as collaboration on the global and regional stage. Two interviewees said that countries in the Mekong sub region have also worked together through the collaboration scheme called Coordination Mekong Ministerial Initiative against Trafficking (COMMIT). Furthermore, three interviewees stated that there were various bilateral collaborative programmes to help each country, in the form of technical assistance provision focusing on training, workshops, meetings, returning victims, and study tours in order to exchange experiences and lessons learned.

Two IO respondents highlighted the collaborative document called the Asian Treaty on Mutual Legal Assistance in Criminal Matters as one type of collaboration. They also recognised cooperation between countries, in the form of memoranda of understanding, as a guideline to implement their work. One respondent said collaboration among international organisations in the region is also in place, enabling the exchange of information in order to support their projects, and COMMIT was also mentioned by two respondents.

4. *Is CST a serious issue in Laos at the moment? Why or why not?*

Three respondents from government agencies stated that, when we talk about CST, we normally refer to CSEC which is considered as the umbrella term or issue in Laos. Eight interviewees point out that CST is a new phenomenon for Laos, and its situation may not be serious compared to other Asian countries. Two respondents stressed that the CST situation was not yet serious in Laos, and five respondents said there was no recorded report about any CST case in the country. Two of those respondents specifically noted that their organisations have not received any report regarding children being sexually abused in the tourism sector, though they acknowledge that children's rights were being violated in the forms of family violence and child labour exploitation. Specific mention was made of the inclusion of activities combating CST and CSEC in the National Plan of Action against Commercial Sexual Exploitation of Children 2007-2011.

Three respondents expressed the fact that CST or CSEC is a new issue, but not a serious situation in Laos; mainly because the government of Laos has placed child protection work as one of its highest priorities since it ratified to the Convention on the Rights of the Child in 1992. One interviewee stated that child wellbeing protection is the second most important task included in the national social and economic development framework, and two respondents noted that effective laws and legislation to protect children have been promulgated. Three respondents said child protection networks

have also been established nationwide, from local to central level and with support from all sectors concerned. Participants generally felt that protection initiatives were not new, and that they have been carried out to protect Lao children and youths; however, two interviewees admitted that existing policy and mechanisms to protect children from harmful environments need to be revised and amended, in order to handle current social issues such as CST.

According to five IO respondents, the situation of CST in Laos is not serious, but will become so if rapid tourism growth is not kept under control. Three of them said that a lack of legislation and weak law enforcement might leave a gap for the expansion of CST or related issues in the country.

All respondents agreed that children are vitally important entities in the country, and that the country's future fate is in the hands of its children. They also expressed that government and all other sectors concerned have to make sure that these children are protected and supported in order for them to reach their ultimate development.

5. What are the main factors contributing to the presence of CST in Laos?

From a government perspective, eight respondents said that uneducated children are especially vulnerable to CST or CSEC. Not being present at school, the message about CST and CSEC is seldom heard and, because of their unawareness of these issues, these children were at risk of being trapped into the sex business. Five interviewees said that unemployment and poverty also follows on from low education and, in order to survive, the unemployed will do whatever is offered. Two participants expressed materialism also drags children into CST or sexual business, for families cannot always fulfil the needs of their children to possess the material possessions they want. Without financial support from their families, one of many unlawful ways they can gain material possessions is by selling sex, and by travelling alone or with strangers within the country or across the border.

Five interviewees stated that the key factors might be the open-door policy of the country, weak law enforcement, rapid economic growth, lack of job creation and inadequate tourism management. In addition, two participants said that professional traffickers, increasing sexual demands and robust social networks are considered to be external factors that are difficult to control.

Tourist numbers have rapidly increased since the government launched the open-door policy, for this is seen as a strategy to make travelling easier, to develop the country's economy, and to contribute to poverty reduction through the generation of hard currency for the country. Four interviewees said, when family leaders are not employed, it could be argued that children and youth enter into a sexual service to earn a living and to show their loyalty or goodwill to their parents.

From an IO perspective, various factors can contribute to the emergence of CSEC in Laos. Three respondents said that tourism is a prominent source of income for Laos, but that its benefits can be counteracted by increased criminal activity. Three of the IO interviewees stressed that there were five factors that pushed children into the sex network, and these five push factors are:

1. the willingness of children who want to challenge themselves
2. poverty
3. slow socio-economic development
4. low and/or no education children
5. dysfunctional families

In addition, five participants asserted that there might be other important factors that pull children into the sex business, and the big wealth gap between Lao locals and foreign visitors was seen as an important factor of the issue. As such, four interviewees expressed that globalization; the ease and inexpensive nature of travelling, weak law enforcement in the country, and stronger law enforcement in other countries were other factors that could contribute to the issue of CSEC.

6. *What are your organisations' prioritized activities being undertaken in order to prevent or combat CST in Laos?*

Four respondents said that the main activities their government agencies have undertaken are awareness campaigns, training, victim recovery and integration, and law enforcement. They emphasised that training and awareness raising are very important activities to prevent CST and related issues. The awareness campaign programmes focus on three groups including public, government and private sectors.

One interviewee said the campaigns aim to communicate the law on the Rights and Interests of Children and two other respondents said that CST and CSEC issues and their impacts, along with the consequences to tourists of committing sexual exploitation of children, are the main activities. In addition, two respondents stated recovery and integration services are also provided to victims, seeking to repair the victims' physical and mental health and to ensure that they can integrate back into their communities. They continued by saying that vocational training is also given to victims and possible victim groups to ensure they have the skills needed for employment. Two respondents said they provide training in relation to law enforcement and communication skills to other government agencies, while another two respondents said awareness campaigns also target business sectors such as tour operators, transportation providers, and hotels.

Five IO respondents said that they are responsible for providing funds and technical assistances. The main activities of their sector are to source the funds and set up projects consistent with the government policy and national strategy to protect children and combat CST and CSEC as a whole. Three respondents emphasised that all the activities of the project are mostly undertaken by Lao's partner countries, as this is the most practical way to build capabilities of government staff. Moreover, another two interviewees said technical assistance is provided to the government as necessary in order to carry out project activities effectively.

7. *What are the short and long term plans to overcome this issue?*

Eight respondents from the government agencies responded that training and awareness raising are very important for their organisations and they have to be carried out for both short and long terms. Training will concentrate on vocational training for the victims who are staying at recovery service centres and vulnerable groups who need to acquire the skills necessary to gain access to jobs. Staff in other government agencies will also receive training to build their capacity, which is needed to more effectively implement child protection activities. Respondents added that their short term work-plans are to evaluate their projects' activities implemented during this year and the long term plan will be sorted out after the evaluation is completed. In addition, respondents pointed out that training manuals and traveller guides in the Lao language are important materials, and the production of these materials is considered to be one of the long term activities.

From the IO respondent perspective, some said that their short term plans are to continue providing financial support to their government partners to build up Anti-CSEC teams at all levels, from central to community levels. A baseline survey to assess how much the public understands the CST and CSEC issues, and what needs to be done to alert them to it, is also included in the short term plans. One interviewee said law enforcement and child protection mechanisms will also be assessed in order to identify the gaps, and the right activities to fill these gaps can then be created. The interviewee continued by saying that capacity building and raising awareness amongst government staff are also considered as short term plans. The long term work-plan will be identified and implemented once the baseline surveys have been analyzed. One respondent emphasized that changing people's attitude towards children, and reinforcing their desire to participate in protecting them from CSEC is most important. Therefore, research and awareness campaigns have to be continually carried out.

8. Does your organisation receive adequate collaboration from other sectors concerned?

The majority of government respondents said they were satisfied with the level of collaboration. Three respondents said there was a meeting between the government agencies every three months, six months and yearly to reflect what they have done well and not well in order to seek improvement. Some of the respondents also mentioned that most of the work being carried out was done through teamwork between government and international representatives. Short term evaluation meetings were set up for discussion and solutions development. One respondent said that, while collaboration on the international level was not a problem, it was relatively inadequate at the domestic level. Slow reaction among enforcement teams to report any incident related to sexual acts was mainly due to lack of staff, funds, communication materials and communication systems.

According to the IO respondents, all five respondents said government participation and collaboration is vital for the effective achievement of the projects' goals. The majority of respondents stated that their projects' activities have been carried out effectively resulting from the government's active participation. This is because the people who did the work were government officials who could operate with the necessary levels of financial and technical support from the international organisations. Some respondents said that collaboration was adequate among the international organisations' network, while the cooperation from the government was not quite strong enough. They emphasised that staff shortages were considered as the main cause of this inadequacy.

9. What is the key obstacle deterring your organisation from achieving its goals pertaining to combating and preventing CST?

The key obstacles given by all government respondents are a lack of funds, insufficient staff (qualitatively and quantitatively), inadequate cooperation among sectors concerned, and traditional practice within households in some parts of the country

toward labour exploitation of their sons and daughters. A majority of the respondents explained that activity-operation funds were not enough. This issue, they stated, could lead to an insufficiency of staff in terms of quality and quantity, because staff recruitment and capacity building require financial support. Without funds these activities are inadequately implemented, for example one respondent suggested that weak law enforcement might relate to a lack of funds and vehicles needed for missions. In addition, some respondents clarified the need for stronger cooperation, as no one or two organisations can address a complex issue such as CST. This issue needs all sectors' contribution, and five respondents emphasised a lack of collaboration from all sectors concerned as one of the most critical issues deterring achievement.

Five IO respondents said that the main obstacles that have been facing IOs are the insufficient quantity and quality of government staff. Government staffs still lack an understanding of CST, responsibilities of staff were unclear, and weak legislation and lack of resources are also obstacles. Two respondents expressed that there are not enough resources for the research and activities required to create extra public awareness campaigns, and other respondents suggested the government provide some funds to carry out important activities that might not be covered by IO funding.

10. To combat and prevent CST effectively, what are the ideal approaches or activities your organisation seeks to carry out?

Most of the government agency respondents emphasized that awareness-raising is the most important activity their organisation seeks to use to combat CST and CSEC. Two respondents emphasised that message delivery tools such as television, posters, pictures and short videos should be produced and distributed to every individual throughout the country, including tourists. Training is the second most important action most of the respondents wanted to propose, emphasising that government staff need the type of high capacity to handle complex CST issues that can only be acquired through training programmes. Three interviewees said victims and vulnerable groups have to be educated and equipped with vocational skills, for education and vocational

training can help them to obtain legitimate jobs and immunize themselves to the effects of CST or related issues.

Respondents agree a need to strengthen the cooperation and coordination with all sectors within and outside the country, as a strong and collective collaboration among these sectors can make the country and region resilient places that are able to protect children from CST. Fund raising activities are needed to sustain the various child protection projects, for these projects can help the public become more aware of the issue and support it - not only in terms of finance, but also as informants and reporters of CST incidents.

Raising awareness is also the priority activity for most of the IO respondents. They explained that this activity has to be implemented to sensitize tourists, the public and government about CST, adding that training is also an important activity for government partners and vulnerable groups. Most respondents proposed that collaboration between all sectors concerned has to be strengthened. One respondent requested that more research is needed to identify the root cause of CSEC, CST and its impacts and use the information gained to prove to the public that CSEC is threatening the welfare of children and society as a whole.

4.3 Chapter summary

As already stated in the introduction, this chapter has identified the data gathered from the interviews conducted with government agencies and IOs whose work is related to CST combating. As a result, the findings emerging from the ten interview questions can be grouped into four main themes which, when considered together, reflect what the research project set out to investigate:

1. Key factors leading to emergence and growth of CST
2. Public and private sector awareness of CST
3. Actions undertaken to prevent and combat CST

4. Resources needed to strengthen those actions.

The first theme incorporates commentary from the perspective and understanding of both government and IOs interviewees toward the issue of CST and CSEC in the country, region and the globe. Within this theme, the research findings have generated a range of factors which might contribute to the emergence and/or spread of CST and CSEC in the country. Points of agreement and disagreement between government and IO interviewees, in relation to this factor, are grouped together in Table 1 below.

Table 1: Main factors contributing to CST

Points of Agreement
Low or non-existent education
Unemployment
Lack of job creation
Poverty
Weak law enforcement

Points of Difference	
Government View	IO View
Open door policy	Globalisation
Rapid socio-economic growth	Slow socio-economic development
Inadequate tourism management	Strong law enforcement in other countries
Social network	Willingness of children to challenge themselves
Materialism	Dysfunctional families

The second theme concerns the level of awareness of interviewees about the issue of CST, not only in Laos but also worldwide. Similarly, the points of agreement and disagreement related to this theme are listed in table 2 on the next page.

Table 2: Levels of Awareness of CST

Points of Agreement
Globally, CST is one serious form of CSEC
Child sex exploiters make use of tourism to gain access to vulnerable children
Child sex tourists have strong and well organised networks
Child sex tourists target both girls and boys
Countries in the region have worked together to prevent and combat the issue
CST is new to Laos and not yet serious
The growth of tourism in the region may raise the potential for CST in Laos
There is a lack of legislation and weak law enforcement in Laos

Points of Difference	
Government View	IO View
CST is a high profile issue at a national, regional and global level	Not many people are aware of the issue in Laos
Our major problems are family violation and child labour exploitation	Strong law enforcement in other countries is forcing child sex exploiters to go to countries where law enforcement is weak

The third theme identified in the findings is the existence of current projects or activities that both government and IOs in Laos have been implementing to prevent the emergence of CST in the country. This theme is discussed at some length in Chapter five, as it is important to understand that different organizations and government agencies have each their own role to play in preventing and combating CST – the

impact of actions taken is in this case believed to be more important than levels of agreement, and those actions are more appropriately reviewed in the following chapter.

The fourth and final theme emerging from the interviews concerns the important resources needed to improve the prevention and protection of children from sexual exploitation, and to strengthen the impact of the actions noted under the third theme. As such, discussion of this fourth theme is also presented in chapter five.

CHAPTER FIVE: DISCUSSION

5.1 Introduction

The discussion in this chapter was mainly derived from the identification of themes as presented in the summary section of chapter four. Although originally it seemed that just three themes were relevant, four themes have appeared as a result of the data generated by the interviews.

The first theme was centred around the points of similarity and difference in the views of Government agencies and IO respondents regarding the factors that might contribute to the emerging of CST in Laos. The second theme focused on the awareness and understanding of Government and IOs of CST in Laos, believed to be especially important as information related to CST in Laos is very limited. The third theme is primarily concerned with the actions taken to prevent CST in Laos, and the fourth and final theme discusses the obstacles in place to hinder the achievement of CSEC and CST goals.

Again, it is crucial to note that the discussion seeks to cover all the key points that emerged from the interviews, in order to create a fuller understanding of this phenomenon. Therefore, this chapter discusses each of the four themes in turn, in order to reconcile the points of agreement and disagreement noted at the conclusion of chapter four. In the process of doing so, prominent evidence from relevant literature is used where appropriate in order to contextualise the important points.

5.2 Factors contributing to CST

Understanding the root cause of a problem is a vital component of planning and addressing the problem efficiently and effectively. To prevent CST and CSEC in a country like Laos, the main factors that significantly contribute to the emergence of those practices should be investigated and discussed. The discussion for this first

theme begins with the points of agreement between the government and IO interviewees, and follows with a review of the points of disagreement – here, there is an initial focus on the issue of socio-economic development, and its impact on CST and CSEC, for this is seen to be a highly influential factor whose consequences are not yet fully understood.

According to Table 1 in chapter four, there are five main points of agreement between government and IO respondents, five influences that all respondents agreed as the factors that might contribute to the emergence of CST in Laos. These five factors were considered to be the indirect causes of CST, and they were also believed to be closely linked to each other:

1. Poorly educated and/or uneducated children
2. Unemployment
3. Lack of job creation initiatives
4. Poverty
5. Weak law enforcement

These factors were seen and recognised as the typical issues which force people, children in particular, to enter the sex industry and work as prostitutes. It is extremely difficult for young people in Laos to find employment, especially in a time of high competition in the business world, if they are uneducated or their education level is insufficient to meet labour market requirements. Without legitimate jobs and adequate incomes, children are more likely to be lured (by that situation or by pressure from their families) to undertake alternative activities to earn a living. Very often those activities are illegal, and the selling of sex is one of them.

One might argue that, even in developing countries, there are often jobs available such as farming (plantation) work, garment factory work etc., that do not require high levels of education. Children and younger people could involve in work like this in preference to becoming a prostitute. However, these jobs are often associated with very low wages

and, if this is the case, those children may eventually end up selling sex as well as working - Montgomery (2008) asserts, for example, that some child prostitutes had tried many jobs, but the income from those jobs was not sufficient in their economic situation at that time. It is of course possible that materialism was another indirect factor here, as has been suggested by both government and IO respondents, and this may be where foreign influences are most prominent - while some sex exploiters have been local people, foreign visitors have a major economic advantage compared to locals.

In addition, both government and IO respondents agreed that weak law enforcement might insufficiently protect children from sexual harm. They stressed that while the issue of CST and CSEC is not a major issue in Laos at the moment, it will be a big problem in the near future if law enforcement is not strengthened. The IO interviewees in particular emphasised that strong law enforcement did have a significant impact on the protection of children – these interviewees commented that sexual predators might avoid travel to Thailand, where law enforcement was recently strengthened, but instead make their way to countries like Vietnam, Cambodia, or Laos where child protection law was still weak (Zitze, 2007).

However, it can be argued that to fully and effectively overcome the CST issue, strong law enforcement alone might not be enough. Poverty, poor education, and unemployment, for example, should be also addressed at the same time. This is because once people have decent jobs and are free from poverty, they might then be able to assist in child protection work - not only by refusing to prostitute themselves, but also by being informants who can report any undesirable situation.

Turning now to the issues on which government and IO respondents did NOT agree, five key elements were featured in Table 1:

1. Globalisation and the new Laos open door policy
2. Impacts of socio-economic growth
3. Weak tourism management in Laos and strong law enforcement elsewhere

4. Developing social awareness and willingness of children to challenge themselves
5. Growing materialism and dysfunctional families

Although all of those points are obviously different, they do connect to each other in the sense that they can be seen as symptoms of changing socio-economic conditions in Laos. As such, this element was chosen as a critically important “lead” theme to be discussed in a manner that would help to enrich the data, as well as to capture a whole picture of the issue. In turn, this will help policy makers create the right strategy to prevent and/or combat the emergence of CST in Laos, and will also lead to coverage of other factors mentioned in Table 1 disagreements.

Socio-economic development is an important task for every country, though it has been seen as one of many factors influencing the recruitment of vulnerable children into the sex industry. Giron (2005) believes that, among other factors, socio-economic development has generated considerable concern for the wellbeing of people, children in particular, especially when it creates disparities in society. Zitze (2007) emphasises this point by asserting that socio-economic development, boosted by tourism promotion and growth, is crucial for many countries worldwide, developing ones in particular. However, alongside many economic benefits, he notes that the negative consequences that affect all residents, but particularly vulnerable children, should be carefully reviewed and fully understood.

There are clearly differing perspectives, between government and IO respondents, about the ways in which socio-economic development might be one of the factors causing CSEC and CST issues in Laos. All eight government respondents, on the one hand, stated that the relatively fast growing socio-economic development of Laos might have unintentionally brought about social drawback issues such as CSEC and CST. On the other hand, two IO respondents expressed the opinion that slow socio-economic development is responsible for this issue. In this context, and before any discussion of this difference and how it has impacted on CST can begin, the process and current status of socio-economic development in Laos must be investigated and understood.

In order to provide as clear a picture of this topic as possible, the researcher's interpretation of this theme is not only based on what interviewees said during the interviews, but also on a range of official documents and other secondary resources related to the issue. Please note that, due to limitations of the data gathered from the interviews and secondary sources, there is no intent to claim that the situational analysis presented here is representative of the whole picture of development in the country. However, the available data are argued to be sufficient to produce a sound and reliable discussion in support of the objectives of this thesis.

Going back to 1986, the Government of Laos was at the beginning of a major transition, from being a centrally planned economy to being a market-oriented economy (Quang & Thavisay, 1999). Under the New Economic Mechanism (NEM) of the 1980s (Tan, 1998), one of the main purposes of this liberalization was to grow the country's status out of the "developing country" list by 2020 (Quang & Thavisay, 1999). As the result of this reformation, many reports have shown that the Lao economy has grown relatively quickly over recent years. While the average GDP growth rate from 1975 to 1991 was only 1%, this number had gone up to around 6% or 7% between 2006 and 2010 (International Council on Mining & Metals, 2011). In addition, the Bangkok Post Newspaper (2012) points out that Laos was considered as one of the highest GDP growth rate countries in the world (7.9%) in 2011. Meanwhile, the proportion of Lao people who live below the poverty line has declined from 46% in 1992-1993 to about 27.6% in 2007-2008 (Souksavath & Acharya, 2009).

Even though the social-economic development indicators provided above were limited, they were seen as preliminary evidence of strong socio-economic growth. This growth was mainly driven from investment, especially foreign direct investment (FDI), and was heavily focused on the exploitation of natural resources and tourism development. Thus, it is reasonable to consider the point made by government respondents who claim that socio-economic development has grown relatively quickly. According to those respondents, rapid economic growth can influence community members, children in

particular, into sex trades because of two key factors; the government's relatively recent open-door policy, and the growing power of materialism amongst younger Lao citizens.

According to the government respondents, in order to stabilise as well as to accelerate the socio-economic growth mentioned above, an open door policy was adopted and imposed following the IV Party Congress in 1986. This has meant that Laos has opened itself up to the tourism world, and made it clear that tourists are welcome to the country; as a result of this policy, together with numerous tourism promotion initiatives, the number of tourists has dramatically increased. To illustrate this point, a document published by the Ministry of Planning and Investment (2011) showed that tourist arrivals are growing at 15.8% annually, which represents 1.77 million visitors a year. Comparing the Sixth Five Year Plan (2006-2010) with the Fifth Five Year Plan (2001-2005), tourists visiting Laos grew by 44.5% and income generation doubled (Ministry of Planning and Investment, 2011).

Because of the huge financial benefits contributed by tourism growth, the Lao government continues to heavily invest in the tourism industry in order to attract international tourists. It expects to have 2.2 million and 3 million tourists by 2015 and 2020 respectively (Ministry of Planning and Investment, 2011), and the tourism sector was ranked as the number one export industry from 2000 to 2004 (Lao Association of Travel Agents, 2006). While there was no evidence of any child being sexually exploited by a tourist in the country, the government interviewees were very concerned with the potential for tourism growth to lead to the issue of CST in the future. This is particularly owing to what those interviewees saw as relatively weak child protection mechanisms and insufficient law enforcement to protect children.

The level of recognition expressed by the government respondents is an important step for combating and preventing CST, and in this context the government can learn from countries such as Costa Rica; where there are around one million tourists visiting the country yearly, and where the revenue generation from these tourists is approximately one billion dollars per year (Dasenbrock, 2002). While this country is recognized as one of the more successful countries in ecotourism development, it is also perceived as a well-known destination for sex tourists (Zitze, 2007).

In instances like these, Rao (1999) claims that governments were more concerned with economic growth, and had invested a large proportion of their resources to boost the growth of the tourism and other business sectors, while playing less attention to the wellbeing of people, especially children. However, Wabwile (2010) argues that we should not only place the blame on the government, but also on those international financial institutions who lend money to those developing countries. In order to ensure profitable payback, these institutions directly and indirectly put pressure on the borrower countries to invest in the sectors that can generate income; as a consequence, there is little investment in public sectors such as education, the proportion of uneducated children is therefore increased, and these children become much more likely to become victims of CSEC and CST.

In addition, government respondents also believed that economic growth might also introduce heightened materialism and new lifestyle trends into the country, which in turn might turn people's attitudes away from purchasing needed items and towards purchasing wanted items. Children and young people might therefore enter into the sex industry voluntarily, in order to earn money which they could then spend on the materials which enable them to embrace new trends. One example can be found at the end of the literature review chapter, where garment factory girls on low wages undertook extra jobs as service girls after factory work, and some of those girls ended up selling their bodies for additional money. While some may well be doing this to support their families in remote areas, some might well be earning to fulfil material desires.

In this context, it is important to consider which groups of children and young people might be most strongly influenced by materialism, and how the commercial message of latest material and fashion trends could possibly be accessed. Media such as television, newspapers, magazines, and other marketing activities that have access to children, and can influence the most vulnerable to consume their goods, might be important channels to be considered. Children who reside in cities or big cities are the most obvious targets for advertisement presented through those media, as it would not make sense for marketers to advertise their goods to children who live in remote areas where purchasing capacity is low. If this is the case, it can be concluded that children in cities

may be more affected by materialism, and this is a point that policy makers should consider when producing strategies to protect children from sexual exploitation.

In contrast to the rapid socio-economic growth point of view, slow socio-economic development was identified as an influential issue by two IO respondents. These respondents recognised and understood that impressive progress had been made in the country's development, that nationwide improvements had been achieved in infrastructure, and that people were earning higher incomes as a result of higher levels of international trade and foreign investment in major industries. However, according to those respondents, the benefits of this socio-economic development and growth might not be equally distributed among the population. If this is the case, growth in the national economy might lead to a greater disparity between different groups in society. This can be reflected in the fact that poverty still affected 27.6% of the population in 2008, and the fact that low education levels and lack of job opportunities are still widely experienced (Souksavath & Acharya, 2009). UNICEF (2004) emphasizes that these indicators illustrate a low level of economic development, as opposed to the high level claimed by government.

In support of IO respondents' claim that socio-economic development was still slow in Laos, Vostroknutova (2010) notes that, apart from the tourism industry contribution, GDP growth has been driven mainly from FDI in the hydro power and mining industries, which have contributed about 20% of total income of the country. Despite this contribution, it can be argued that most people in Lao society do not share in this benefit, for Wabwile (2010) points out that the distribution of national income in the developing world is disproportional between the rich and the poor - the top 20% of population receives 5 to 10 times as much income as the bottom 40%.

For example, Souksavath and Acharya (2009) report that just 4.6% of the total Lao workforce was employed by the industrial sector, of which 0.3% and 0.2% per cent were employed by mining and electricity respectively. These statistics may be due to the fact that the Lao workforce does not have the skills and capability needed to work in the

industrial sector, and it can therefore be implied that the revenue contributed by this sector might be insignificant in improving the lives of local people. As long as education levels remain low, this will always act as a barrier for them to access job opportunities in the industrial sector.

Moreover, industrial activities are considered as a major driver of change in the rich biodiversity of the country. One report (Water Resources and Environment Administration, Prime Minister's Office of Laos, 2008) shows that major industrial development projects were considered as the main causes of decrease in the country's forest coverage, from 70% in 1970 to 41.5% in 2006. This loss will have brought about an adverse impact on those who depend on a natural resource for their living, and it is important to acknowledge that large numbers of Lao people still reside in remote areas where natural resources are relied upon for food, shelter and income (Water Resources and Environment Administration, Prime Minister's Office of Laos, 2008).

Any decline in vital natural resources may tempt these people to migrate to, or be trafficked into, bigger cities within the country or cross border. In fact, UNICEF reports that the majority (60%) of victims of trafficking were girls of between 12-18 years of age, trafficked to both domestic and cross-border destinations (UNICEF, 2004). They were then normally forced to work as domestic labourers, factory workers, on fishing boats and as prostitutes. Based on this analysis, poor development projects planning, in regard to natural resources exploitation, might affect not only the extent of biodiversity but also the overall wellbeing of community members.

Based on the information above, one can argue that GDP might not be the most accurate indicator of real socio-economic growth or poverty reduction. In this circumstance, those disadvantaged groups who might not receive full benefit from GDP growth can be still vulnerable to entering into the sex industry. Guatemala, for example, was recently recognized as the site of the world's third most disproportionate wealth distribution, and this has directly and indirectly resulted in children and other vulnerable groups seeking work in the sex industry (Giron, 2005). While there are no data on the

extent of gap between rich and poor in Laos, all sectors concerned should take this issue into consideration when planning for the prevention CST and CSEC.

Understanding the common and conflicting perspectives given by both government and IO respondents is very important for assisting in the prevention of CST and CSEC. In this context, while government interviewees tended to raise issues at a surface and/or micro level, IO respondents pointed out the drivers behind what one might see on the surface. It is also important to note that, while the former interviewees tended to specifically look at the affected children in urban areas, the latter were equally concerned with the impact on children in more remote areas.

The discussion of socio-economic growth is a suitable example to explain this point; while the government interviewees think that socio-economic growth might be responsible for the emerging issue of CST, the IO respondents were able to step back to evaluate what might lie behind this growth. As a result, this growth was actually seen as a reverse impact for vulnerable communities, and the resulting impact on stakeholder awareness is a concept that is discussed more fully in the next section.

5.3 Awareness of CST

Similarly to the previous section, the discussion in this part of the thesis is also based on the agreed and disagreed perspectives offered by both government and IO respondents. Investigating and analysing both agreed and disagreed points is useful in evaluating the extent to which interviewees understand and are aware of the CST and CSEC issue, not only in Laos but in more general terms. The extent of this awareness was assumed to have a considerable impact on the design and implementation of strategy to protect children from sexual exploitation and, while the government respondents stated that CST is a high profile issue in the region, IO respondents argued that awareness of this issue is very limited.

From the information given above, IO respondents seemed to have a relatively strong belief that their government counterparts did not know much about the CST issue. The main point made was that, while the government has committed itself to protecting children from sexual exploitation and other forms of harm, their awareness and understanding of this issue is still limited. Perhaps because the issue is considered to be a new phenomenon in the country, and though IOs have contributed to raising the government's knowledge and capacity, a large proportion of government officials are seen as not having received the message. In addition, there had been little apparent effort to report or broadcast commentary on CST and its impacts through the available media, such as newspapers, television or radio, in order to raise awareness of CST and related issues by business organisations or individual members of society.

However, by looking at Table 2 in chapter four, it can be seen that there were eight points of common belief between the two groups of respondent, and only three aspects of the topic that were viewed differently. It can arguably be said that both government and IO interviewees were aware of and understood that CSEC and CST are new social issues in Laos, and are not yet a problem compared to other countries in the region. In particular, the government respondents emphasised that there was no evidence of CST in the country, suggesting that there is still a chance for the Lao Government to focus on prevention rather than reduction. This is due to the fact that, while we are able to prevent something if it is not already in place, once it is in place we can only hope to reduce rather than prevent – having a shared understanding of the CST situation in the country would considerably help in this regard, since prevention and reduction need different approaches to be undertaken.

Government interviewees commented that the government is already prepared to protect children who might be at risk of being sexually exploited, recognising that the victims of CST and related issues are badly affected, both physically and mentally. Many of these children would suffer from the infection of sexually transmitted diseases such as HIV/AIDS for life, and some may have to return to the sex industry because of the stigma attached to their past – in this context, interviewees strongly emphasised that

changing the attitude of the community toward the victim children is one of the most important tasks for the government to achieve. As a point of principle, it is vital that children are recognized and respected as the future leaders of the country, and that they must be protected from harmful environments to help ensure the prosperity and stability of the country.

One important point here is related to the ways in which the message about CST and its impact is delivered to different groups; such as children, government officials and private sector entities. Three respondents of government agencies expressed the view that one of the most important sources of information about the issue came from attending global meetings and regional workshops in relation to CSEC issues and child rights protection. Attendance by a Lao representative to The First World Congress against Commercial Sexual Exploitation of Children, hosted in Sweden in 1996, was followed by the ratification of a number of conventions, especially the Convention on the Rights of the Child in 1991 and the United Nations Convention Against Transnational Organized Crime, and the Protocol to Prevent, Suppress and Punish Trafficking in Person, Especially Women and Children in 2003. Introduction of a National Plan of Action against CSEC, created in 2007, was also as a result of Laos' ratification of a number of Conventions.

Government officials at strategic and technical levels have also attended a number of workshops and conferences at the regional and Mekong Sub-Region level, and awareness has also been obtained from a number of study tours to neighbouring countries where CST and CSEC issues have been well established. The government officials concerned have gained valuable understanding and knowledge from these tours, through the practical experience gained about how protection, prevention and victims' recovery works; and the information gathered from those important events was then disseminated to the sectors concerned.

Government respondents also believed that their levels of knowledge and understanding were also built up through training, meetings, and workshops set up and

supported by internal and external IOs. Experienced technical trainers from neighbouring countries had also trained Lao government authorities, especially tourism police and tourism officials, to know how to identify and deal with CST cases, and the information and knowledge about these issues was then included in the quarterly and annual meetings and training sessions of each government agency. Those government agencies included the Ministry of Labour and Social Welfare, Ministry of Foreign Affairs, Ministry of Information and Culture, Ministry of Education, Ministry of Public Security, Ministry of Justice, and the Lao National Tourism Administration. All of those agencies work directly or indirectly with child protection, have received information about CSEC issues, and work together to address them. This is considered to be an effective and efficient way of delivering the message about CST or CSEC issues in a way that will raise the awareness of government officials.

Moreover, government respondents stated that children were receiving information about social issues and their impact through school and community visits, conducted by agencies such as the Lao Youth Revolutionary Union and the Lao Women's Union who work closely with children and their mothers. Schools and communities have been selected based on the likelihood of their exploitation, and teachers and mothers have been the key groups targeted to receive this information. However, due to limitations in financial support, television, newspapers and radio have rarely been used as a vehicle to deliver the message. Thus, even though information about CST and CSEC issues has been delivered through the existing network of mass organisations, more work needs to be done to cover every single community nationwide. In order to do so, financial support is an important component, since the current fund is insufficient.

IO respondents repeatedly emphasised that strong law enforcement was one of the most important and effective components in any child protection mechanism. They continued to explain that child sex tourists tended to avoid sexually exploiting children in a destination where strong law enforcement was in place, and instead they would choose to travel to places where law was less adequately enforced. On that basis, it would be useful for Lao authorities to attend meetings or workshops that pay special

attention to ways in which law is effectively enforced in other countries, for this information can easily be adapted and applied to the protection of Lao children.

From the discussion above, it is evident that a number of points need to be considered when drawing research conclusions and formulating recommendations. From the IO respondents' point of view, awareness of CST and CSEC issues among government agencies, communities and private sectors is limited. This might be because the opportunities for these sectors to gain knowledge and understanding about the issues are few. The number of government officials who attend training and workshops is still small, and the existing media network has rarely been used to deliver the message about CSEC and CST and their impact on the public. Possibly because of this, the IO respondents believed that few relevant groups knew about CST and how to deal with it.

Conversely, government officials were confident that they were aware of CST and CSEC issues, not only at national or regional levels but also at the global level, and that they recognized the impact of these issues on children, community, country and the globe as a whole. They felt that collaboration at the regional and global level has significantly contributed to their awareness of the issues, and that their awareness was not confined to a small scope but had spread out over the country through the network of mass organisations and other sectors concerned.

There is a clear and obvious conflict in perception here, in terms of the extent to which the governmental decision makers really do understand what is going on in the country. If that is the case, it would be prudent to investigate the possibility of inadequate communication and cooperation between Governmental and IO agencies, and to ensure that any gap is closed to ensure a better flow of information and a more effective suite of prevention activities.

5.4 Child protection mechanism and activities

Government participants expressed the view that the Government has committed itself to protect the rights and interests of children. The most prominent actions undertaken by the Government to demonstrate its commitment are the ratification of a number of the United Nations Conventions in relation to child protection. The Government was a signatory to the Convention on the Rights of the Child in 1991 and the Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Person, Especially Women and Children in 2003. In addition, the Government has also ratified many treaties at a regional level, including the Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT), Mutual Legal Assistance in Criminal Matters. Moreover, bilateral co-operations to combat any form of CSEC are also in place between the Lao Government and bordering countries.

While the governments in the region recognize the importance of child protection work , and have technically collaborated to fight against CSEC and CST issues, more work needs to be done in practice if these issues are to be really eliminated. The weak collaboration among those countries in the Southeast Asian Region was demonstrated in a regional review of 2007-2008 in regard to travelling child sex offenders in South East Asia. The report found that assembling information in relation to what laws were being enforced to protect children from sexual acts in each country was still a challenging task. Short and long term plans which could be used to help victim children were also not provided by most of the countries. (Child Wise Australia, 2009).

Without this information, no country in the region knows how the implementation of law in each country is being used and how effective it is. If this information was more available, countries could learn from each other how to strengthen law enforcement that could help end CST and CSEC issues as described in the Mutual Legal Assistance in Criminal Matters. Ineffective collaboration might be associated with a lack of knowledge and capacity of officials, who might not be able to fulfil the tasks assigned and expected by the Treaties. If this is the case, training and capacity building have to be taken into consideration in all discussions at all levels. As such, the topics of protection, prevention, rehabilitation and reintegration are adopted for discussion in this section.

5.4.1 Protection

To effectively protect Lao children from any forms of abuse, a child protection mechanism is a vital instrument. Because of this, Laos has established a child protection mechanism which has been adapted and developed from the methods used by other countries to address social issues, CSEC in particular. Five government respondents stated that the child protection mechanism is fundamentally driven by the National Commission for Mothers and Children, which was established in 1992. The establishment of this commission was an obligation under the Convention on the Rights of the Child, is at a national level of importance, and provides the central body for child protection. The Government assigned the Deputy Prime Minister as chairman of this commission, and the strategic and implementing entities are from nine ministries, two (mass) organisations and three inter-government agencies at all levels from local to central.

The responsibility of this commission is to ensure effective collaboration between internal and external agencies. In addition, it also supervises and supports the implementation of the National Plan of Action against Commercial Sexual Exploitation of Children. This National Plan consists of five prominent elements to combat CSEC, including Protection, Prevention, Rehabilitation and Reintegration, Cooperation and Coordination and Participation of Children and Youth (detail of these elements can be found in Appendix A). One of these elements, Prevention, is especially worth noting because the improvement of the Lao people's living conditions is included in the prevention programme. This programme is very important as it reflects a proposed long-term and root cause solution to CSEC issues.

One IO respondent expressed the view that, while the child protection mechanism is fully recognized as the most important instrument which has significantly driven child protection work and initiatives, ambiguity surrounds how this mechanism works and how effective it is. At the same time, two respondents from government also gave a similar

comment about the mechanism, stating that collaboration among the inter-government agencies to deal with the CSEC when it occurred was relatively weak. To address this issue, the Government has agreed to set up a project, with financial and technical support from IOs, in order to assess and evaluate the effectiveness of this mechanism. This may be because both parties recognize weak collaboration within the mechanism, and agree that issues that hinder collaboration and effectiveness should be identified and addressed.

From a broader perspective, having this child protection mechanism in place is important, for it could arguably reflect a comprehensive commitment by Government to counter any social issues that affect children. One positive sign is that both government and IOs, but especially the Government, have recognized that ineffective collaboration within the mechanism exists and that everyone needs to work together to identify and solve the problems. It can therefore be implied that the country's leaders, and its high ranking government officials, understand the importance of children; but detailed knowledge of this issue, and the capacity to handle it at implementation levels, might be insufficient. Because of the newness of the CSEC and CST phenomena in Laos, authorities might not be sufficiently familiar with the nature of what is a complex issue that requires experienced authorities to deal with it. Providing training and workshops might not be enough.

To protect children effectively, an effective framework of legislation is needed. Four government respondents stated that, even though Lao PDR does not have laws that deal directly with CST, it has produced a number of laws which can potentially be applied to punish child sex offenders. The most important law change was the promulgation of the Law on the Protection of the Rights and Interests of Children in 2007, which acts as the fundamental guideline for the legal framework for child protection services throughout the country. To respond to the Convention on the Rights of the Child, any person who is under the age of 18 is defined as a child under this law. Family Law and the Law on Development and Protection of Women (2004) also cover child and family welfare issues. Penal Law is also being considered as an important

instrument and was recently amended to facilitate the work of the child protection movement. Examples of how this legislation works can be found in Appendix B.

From a legal point of view, some progress has been made in relation to law development. Although Lao PDR does not have a particular law that addresses CST, a number of related laws have been promulgated and amended. Commercial sex acts against children, child sexual assault and abuse, and child pornography are clearly included in the Law on the Protection of the Rights and Interests of Children and Penal Law.

Although these laws and legislations are in place, a lot more work needs to be done by both the Government and the IOs. Two IO respondents pointed out that the current laws might not be sufficiently comprehensive, and that there may be big gaps for well-organized criminals to take advantage of. Therefore, one IO participant said that his/her organisation already works with the Government to evaluate existing legislation related to CSEC and CST, in order to identify and fill those gaps. Another respondent stressed that his/her organisation also agreed to work with its Government counterpart to develop and strengthen law to directly combat human trafficking.

From a practical point of view, four participants from government stressed that their fundamental task is to provide training to law enforcers in relation to enforcing the law, as well as to raise awareness among government officials and communities at all levels from central to local. Because of limited of financial resources, only government officials at the provincial level directly received training. These provincial government officials then continued on to train and disseminate those laws to communities and government officials at local levels. At the community level, family leaders also received messages about their children's role and rights, as well as how their children were being treated in the family and in society.

Being able to spread the knowledge of law to all levels throughout the country is very important for child protection work. When all people in the country know and understand

what the laws are, and how they can be protected by these laws, the impact of CST will be significantly reduced. In this context, awareness of the legislation and its impact at community and family levels is crucial, for the family is the most important unit due to its direct connection with children.

Two government respondents noted that changing the beliefs of families towards the treatment of their children is very important at the rural community level, and that this was in many ways the most challenging task. The methods used to deliver the child safety message have to be carefully considered, as the majority of Lao people live in rural areas and are illiterate. In particular, those respondents noted that many children were affected by dysfunctional though traditional family practices where children, especially girls, are required to work hard to help support family instead of going to school. Some of these children will inevitably travel to the city to seek work, and will subsequently be subjected to prostitution. Therefore, at a national level, strengthening law enforcement is also a vital part of protecting children.

Law enforcers, especially police, have received formal workshop training in how to deal with this new and complex phenomenon. Support from IOs meant that trainers could be drawn from neighbouring Cambodia and Thailand, and each training programme had a goal of creating new trainers among Lao government authorities, who could then continue to build capacity of other law enforcers throughout the country. This technical assistance is seen as a sustainable way to help Lao authorities, or law enforcers, to master the necessary skills and gain more experience on how to deal with cases. After those projects have ended, while they might be capable of carrying out child protection activities on their own, financial support from IOs remain an important factor in the ongoing success of the programmes. The State's funds alone are not sufficient to keep the necessary child protection projects rolling without financial contribution from IOs.

One practical example of child protection work was the hotline number 192, established and operated between 2009 and 2010 as part of a child protection scheme during the 25th South East Asian Games (SEA Games), an occasion when eleven nations of

Southeast Asia came together for a major sporting festival. Laos was selected as the host country for those Games, and one of the main purposes was to draw the attention of regional residents to tourism profile of Laos. Though this event brought obvious positive economic and publicity benefits, there was also a perceived risk of negative social impacts such as increased sexual exploitation of children in the tourism sector. To prevent and address this issue, therefore, the hotline was created to receive any report of suspicious behaviour by tourists. At that time, an operational team was trained and ready-to-use communication tools were provided by IOs.

Countries like Thailand, Cambodia and Vietnam have also set up this hotline, for it is considered to be the most pragmatic way to protect children, because everyone could report to authorities just by calling the number free of charge. Unfortunately, this operation had to come to an end, mainly because of a lack of funding. Three government respondents proposed that this hotline should be re-established, and that all stakeholders concerned should take this matter into consideration.

However, Village Mediation Units and Anti-CSEC teams have been established as a network throughout the country. These units and teams are responsible for detecting suspicious behaviours, settling the case locally if possible, and monitoring returning victim children after they have received proper physical and mental treatment. The units are also responsible for making reports to the next level of government regarding the implementation of child protection activities in their areas. Having these networks operating at a community level will arguably be the most effective method of combating CSEC and CST, for respondents suggest that many children threatened by sexual exploiters are those who live in remote areas where authorities and child protection units are not in place.

In summary, child protection systems in Laos exist at different levels and in various forms. At the national level, a central mechanism has been established at a high level of importance, and the responsibility to ensure effective implementation is assigned to senior government officials who can also influence policy and legislation. In addition, a

number of laws in relation to child protection have been promulgated and amended to facilitate the work of law enforcers at all levels. To ensure the laws are effectively enforced, numerous training workshops have been provided; although, due to the complexity of the issue, more training is required because the knowledge and capacity of the Lao authorities is generally low.

5.4.2 Prevention

Having a child protection mechanism and activities in place is not by itself adequate; prevention initiatives and activities are also needed. Preventing children from being exploited means that all the root causes of CSEC and CST have to be taken into account when formulating and developing prevention policies and initiatives.

In order to understand the root factors of these issues, it is useful to group them into three different categories – the community, national and external levels. At a community level, respondents identified these factors to include the natural inclination of children to seek to experience the world around them, poverty, unemployment, low education, and family dysfunction; at a national level, the Laos open-door policy, weak law enforcement, economic growth which leads to increased materialism, and a lack of job creation; and at a global-external level, the activities of human traffickers, increasing demand for child sex, and growing sophistication of web-based social networks. According to ECPAT International(2010), these factors are also identified as the factors that enable CSEC and CST to flourish in most developing countries.

Once the important factors of CSEC and CST are identified, it is then appropriate to consider the activities that have been and will be undertaken by the government and IOs to address these factors. Apart from the need to strengthen law enforcement, discussed earlier in the thesis, the two most important elements of prevention are argued to be vocational training to increase employability, and awareness raising amongst a much broader cross-section of the population.

The government has based a major part of its efforts to combat CSEC on the assumption that unemployment and poverty are two of the root causes that force children to enter the sex trade. On this basis, vocational training is one of the Government's priority activities, and there are at least 14 vocational training centres available for disadvantaged children, managed under the supervision of mass organisations and the Departments of Labour and Social Welfare. In addition, a project to provide vocational training and life - skills training was operational between 2003 and 2009, providing practical skills such as handicraft, weaving, cooking, beauty makeup, and auto mechanic skills.

Skills provided at vocational training centres represent important benefits for vulnerable young people, and those ready-to-apply skills can better equip them with the capabilities required by the workplace. This also places them in a more advantaged position in the employment environment, and legitimate income can be generated once they have access to job opportunities. However, those training centres do not appear to provide adequate job opportunity information at the end of the training programmes, and it is therefore still difficult for young people to use their new skills to obtain jobs. In addition, job opportunities in their own communities might be limited due to the fact that demand (for beauty treatments, for example) may be very low in those communities. Thus, young girls who have received training in the beauty industry might be still vulnerable to the sex trade because of a lack of job offers - in fact, understanding the techniques of beauty might actually assist them to make themselves more attractive in the sex market.

It is therefore vital that the provision of vocational skills training is aligned with the employment market, so that job creation and job accessibility is maximised for those children who are most in need. In neighbouring Thailand, for example, the numbers of young people entering the sex industry has decreased, partly because they have used effective vocational training schemes to secure better jobs by which they can earn a sustainable living. Having said that, and because there appears to be no decline in the demand for child sex, many of the children working in the Thai sex industry are thought to have been trafficked from other countries (Pouille, 2011).

The second prioritized activity to prevent children from being exploited in the sex industry is a greater commitment to awareness raising, though this commitment appears to have started in 2003 and ended in 2009. This activity focused on four different groups including government officials, community (including schools), business operators in the tourism industry, and tourists themselves, and was instigated in response to an increasing incidence of CST in the Southeast Asian region. The main target groups were government officials whose work related to tourism and child welfare, and key stakeholders in the tourism sector including hotels, restaurants, transportation providers and tourists. Posters, brochures and stickers which contained messages of anti-CST and CSEC were produced and distributed in many hotspots, such as hotels, airport and bus stations, and these activities were also carried out in countries such as Cambodia and Thailand, where CST and CSEC issues are serious.

These awareness raising activities are designed to build fundamental knowledge in relation to CSEC amongst all the sectors concerned. People who work in the tourism industry, such as tour guides, taxi or TukTuk drivers, and hotel operators could be made aware of and understand how children can be affected by sex tourists, as well as how they can be part of the protection and prevention network. An IO respondent expressed the view that a number of taxi and TukTuk drivers became members of child protection and prevention networks, and that this method of prevention has been working well in Cambodia. As such, this method is also expected to work well in Laos (ChildSafe International, 2007).

Currently, a prevention project supported by funding from an IO is about to begin with a focus on a number of activities which will help to prevent CSEC and CST in Lao communities. The main activities of this project are capacity building and awareness raising within target groups in communities, government agencies, and business sectors. The difference between this and previous projects is that this project will put more effort into identifying the most vulnerable communities throughout the country, while other projects concentrated their efforts at the central and provincial levels. The

message of CSEC and CST will thus be directly delivered to primary target groups in the communities, and the project will be implemented over a period of approximately four years.

Even though child protection and prevention initiatives have long been in place, there are always going to be some children affected by CSEC. Though respondents in this research agreed that numbers were not yet high, it is important to note that child victims of human trafficking do exist, and are generally cared for by existing recovery and re-integration networks.

5.4.3 Victims recovery and reintegration

Having recovery and re-integration centres in place is very important in helping child victims of CSEC, for these children typically need special attention and treatment because of often severe physical and emotional damage. In addition, once victims receive proper treatment, they still need help to re-integrate into the community, and the government recognizes how important it is to assist victim children throughout that process. Counselling, recovery and reintegration centres have been established, in Vientiane and the major provinces, to accommodate child victims of human trafficking and family violation. In particular, in order to help children who had been trafficked to neighbouring countries such as Thailand, an 'affected children returning' procedure has been established. A memorandum of understanding (MoU) has been agreed between the Lao Government and Thai Government, to allow them to work together to return child victims back to their home country.

Another project called Returning and Rehabilitation of Child Victims of Trafficking in Person has also been established with the support of the International Organisation for Migration. Additionally, the NGO Agir pour les Femmes en Situation Precaire (AFESIP), based in Laos, has set up a project to support children and women victims of trafficking and sexual exploitation. Children and women are supported in the form of shelter, food and immediate physical and mental treatment for at least the first seven days after their

arrival, and are then transferred to the closest rehabilitation and reintegration centre. In these centres, victims receive basic information about their rights as human beings and learn about the Law on the Protection of the Rights and Interests of Children. They will also receive vocational skills training in areas such as hotel service, cooking, beauty makeup, and handicrafts. Once the victims are fully recovered and equipped with the necessary skills for jobs, they are then sent back to their home communities through cooperation with local mass organisations, such as Lao Youth Union and Lao Women Union. Their wellbeing and progress in terms of re-integration into their society is followed up and monitored by mass organisations operating in those communities.

Technically, the recovery and re-integration initiatives are established in a systematic way. In the case of child trafficking, formal contact between governments is of significant help in the process of returning victims to their communities, and a number of supporting services are also in place in the centres to help victims recover and re-integrate into society. However, two of the government respondents recognized that, even though some victims appeared to have fully recovered and were ready to go back to their community, it was still very difficult to live and work in that community. This is partly because people in the communities still do not understand about the CSEC issue, and in many cases put blame on the victims. Again, one key task for government has been the need to change the attitudes of community toward victims.

In addition, the process of returning victims back to the country of origin is still slow, mainly because of a lack of the human and financial resources needed to identify the victims before being repatriated. This issue is considered in the following section.

5.5 Resources sourcing

In order to effectively and comprehensively implement any activity to protect and prevent children from CSEC and CST, resources, especially human and financial ones, are considered as an essential part of the solution. However, while the government

views financial support as the most important contributor to the success of those efforts, the IOs view cooperation from government officials or authorities as the key element.

From an IO perspective, full and comprehensive participation and cooperation from the government side is vital for success, primarily because the government authorities are the main change agents involved in implementing those activities. IOs have provided a number of training programs in order to build capacity for those government authorities, so that they are capable of undertaking this work effectively, but the number of authorities involved is still low, and many lack the capacity to deal effectively with the issues.

From the government point of view, while quantity and quality of staff to implement the work is recognized as an important element on child protection work, financial resources were considered to be the most important issue. Four government respondents said that the child protection mechanism, work-plans, and people to do the work were all important, but the lack of funding made this mechanism ineffective and work-plans not fully implemented. The amount of money that the state can allocate to implement this work is limited, because there are many competing areas that demand attention, and the necessary training programmes and capacity building workshops require major financial resources.

The current training provision, despite financial support from Laos, is not enough, and the training appears to lack consistency or follow-up activities. Training is often seen as one event, not as a process which impacts on the effectiveness of capacity development, and this could potentially result in the insufficient recruitment of government staff to fulfil the necessary child protection work. In addition, lack of staff might also lead to an individual staff member being assigned to many different activities, and a resulting lack of clarity in roles and responsibility of staff might also be part of this issue.

Understanding the different perspectives of government and IOs toward the resources necessary to be used in CSEC combative work is very important, for these views have to be reconciled if the child protection goal is to be achieved. IOs that provide funds and technical assistance need government staff to direct and implement the work, and collaboration and cooperation between these two stakeholders has to be strengthened. The absence of either collaboration or co-operation makes the fight against CSEC and CST a mission impossible.

5.6 Chapter summary

While chapter five has specifically discussed issues related to points of difference between the Government and IO respondents, the points of similarity and agreement are also highlighted. In this context, perceptions of rapid socio-economic growth were set against perceptions of low socio-economic development as the major driving force in the potential growth of CSEC and CST in Laos. Levels of awareness amongst government and IO respondents toward these issues has been presented and discussed, and the activities that flow on from that awareness highlighted to reflect levels of recognition and commitment to address those issues by both parties.

The discussion concluded by raising the issue of the resources and inputs needed to implement processes to combat CSEC and CST effectively, and the results of this discussion play an important role in the conclusions and recommendation section which are presented in the next section.

6. CHAPTER SIX: CONCLUSIONS AND RECOMMENDATIONS

In order to understand the critical aspects of the issue of child sex tourism, and to respond to the research objectives and questions, research was carried out to cover this issue at three different levels. At the international and regional levels, the phenomenon was studied through secondary data collected from different sources such as websites, journal articles and the Unitec Library database. At the national level, one country (Thailand) where child sex tourism and sexual exploitation of children has long been an issue, was also studied through the secondary data; while the primary research was conducted in a developing country, Lao PDR, thought to be a potential new destination for child sex tourists. By studying and understanding the phenomenon of child sex tourism at different levels, the research sought to help other new child sex tourism destination countries (as well as Laos) to be better prepared to handle this issue.

The issue of child sex tourism has become a global phenomenon, mainly because of the rapid growth of the tourism industry over recent decades. Tourists' changing attitudes towards tourism destinations, and the emergence of globalization were perceived as the two main factors in tourism growth. While the factors contributing to this growth might be numerous, travel by child sexual exploiters was considered as one component of this growth, suggesting that many child sex offenders were visitors who originate from wealthy countries. People who enjoy a stronger economic and currency-value status are readily able to exert influence over vulnerable children who mostly live in poor conditions in developing countries, and this has underpinned a conclusion that wealthy countries may be seen as the demand side of CST and developing countries are the supply side.

However, a more visible inflow of child sex tourists into developing countries has also resulted in stronger cooperation among law enforcement agencies, international organisations, and private sector businesses in developed countries, and both origin and destination countries have met a number of times through a number of conferences at international levels - such as the First, Second and the Third World Congress on

Commercial Sexual Exploitation of Children. These Congresses were established to draw specific attention to the CSEC and CST the issues, and resulted in a joint resolve by both developed and developing countries to work together to combat these critically important issues.

As a result, there has been positive progress made in combating child sex tourism and related issues at an international level. A number of important international conventions, such as the Convention on the Rights of the Child and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, were agreed and ratified by concerned countries worldwide. In addition, progress can be seen through co-operative participation from international organisations such as United Nations World Tourism Organisation, UNICEF, and the International Labour Organisation, as well as travel and tourism business entities committed to curbing commercial sexual exploitation. These new members have important roles to play, including the provision of substantial financial and technical support.

Even though there have been major international efforts made to overcome the issue, combating child sex tourism requires much more work to be done. This is basically because the research found that child sex tourism is not an isolated social issue, and a range of interconnected issues such as child pornography, child trafficking, and child labour exist in parallel with child sex tourism. Therefore, in order to effectively combat child sex tourism, these related issues also have to be taken into account, and any activities undertaken to fight against these issues have to be implemented simultaneously.

At a regional level, child sex tourism and the sexual exploitation of children has increased to a concerning level in Southeast Asia. The dramatic growth of tourism in this region is considered as one of the factors contributing to this increase, and it is important to note that visitors to this region are not only from Western countries but also from other Asian countries such as China, South Korea, Taiwan and Japan. Respondents in this research note that tourists from these Asian countries may well visit

the Mekong region due to the enforcement of laws against sexual exploitation of children being strengthened in their own countries. Many of those countries are of course first world countries with much higher levels of economic development, which allows their citizens to travel readily to nearby countries where economic development is still low; and to then visit rural communities where vulnerable children are available but law enforcement is weaker.

Perhaps as a consequence, the approaches adopted by child sex tourists and other exploiters have changed recently. In the past, children who worked for established entertainment venues were the most vulnerable to sexual exploitation, but now it is children who live on the streets who are the most at risk. This change may well be because stronger law enforcement has focused on the sexual exploitation of children in entertainment venues, and this has forced sexual exploiters to pursue street children for sexual purposes. In addition, the easy availability of information through modern communication modes has also influenced this change, for child sex tourists are able to easily make direct contact with target children who live in more developed regions where internet and mobile phones are accessible.

In order to protect children from being sexually exploited in the region, the ASEAN country members have worked together through a number of regional and sub regional treaties. The ASEAN Tourism Agreement, which was established in 2002, recognizes agreement among the member countries in the tourism sector as it has allowed tourism authorities to work together to combat sexual exploitation in this sector. This agreement also serves to reaffirm the United Nations World Tourism Organisation (UNWTO) Global Code of Ethics for Tourism. In addition, ASEAN Declaration against Trafficking in Person, Particularly Women and Children, as well as the ASEAN Treaty on Mutual Legal Assistance in Criminal Matters, were also ratified by all member states in 2004.

At the national level, Laos was used as the case study country in order to understand the situation of child sex tourism in that country and to devise a mechanism to address this issue. The research found that child sex tourism is a new and not yet serious social

issue in Laos, and that this situation presents a chance for the Lao Government to prevent rather than simply reduce the incidence of CST. In addition, respondents from both government agencies and IOs have, to some extent, shown their understanding about the situation of child sex tourism in the region and worldwide, and readily agree that regionally the issue of CST is both serious and increasing. This poses a direct and immediate threat to the welfare of Lao children and to the country as a whole.

Research participants do understand that child sex tourism does not happen in isolation, but is instead better seen as just one form of commercial sexual exploitation of children (CSEC). Consequently, the government of Lao PDR has taken the CSEC issue seriously and regarded it as an urgent matter to be addressed, signing and ratifying a number of important international and regional treaties as mentioned above. In addition, a strategy to combat child sex tourism was included in the National Plan of Action against Commercial Sexual Exploitation of Children for the period 2007 to 2011.

Within this National Plan, the government outlined a range of important activities to be implemented in order to combat CST and other forms of sexual exploitation of children. As in many countries such as Thailand, where CST and related issues have been serious, Laos has identified strategies to prevent and protect children from being sexually exploited. In addition, rehabilitation and reintegration programs are also available for victim children of sexual exploitation, though those programmes have been primarily implemented to accommodate the victims of child trafficking. However, much more needs to be done to train government officials and law enforcement officials to a standard necessary to carry out the activities included in the National Plan.

At present, government officials' understanding, and capacity to carry out the work, is still weak and it seems that communication and cooperation between the public and private sectors is not strong. While vocational training has been provided to child victims of sexual exploitation, in order to help them effectively reintegrate into their society, there are no statistics about their job placement. If there is no job available at the end of their training, the victims may well return to the sex industry as the only possible source

of income, and the re-integration programme would ultimately fail. In order to guard against this potential, financial and technical supports are the most important resources required - without this support, the intention of the entire framework might not be fully and effectively achieved.

While there is no foolproof and guaranteed mechanism to protect children from child sex tourists, some recommendations can be made as a result of the investigations carried out in this research.

- Firstly, to better protect children from sexual exploitation in tourism and other sectors, law and law enforcement should be strengthened. The capacity of law enforcers could be improved in order to better understand and address this complicated issue.
- Secondly, awareness raising activities in relation to child sex tourism and its related issues should be set up to reach all target groups - such as vulnerable children, parents, schools, government officials and tourism-related business sectors. This is to ensure that all individuals in the society are aware of the issue and can therefore involve in the fight against it.
- Thirdly, job placement processes should be created in order to ensure that those victims who recover from the trauma experience are employed, for this would help them re-integrate into normal society. Strong monitoring systems should be in place to follow up and support the re-integration system.
- Fourthly, the quality of collaboration and communication between government agencies and IOs should be strengthened so that information about what is already known can be more effectively shared between the two stakeholders. An improved flow of information would then help the two entities to develop an

improved strategy and stronger working plan to protect children from CSEC and CST development.

- Fifthly, both financial and technical assistance are very important for the effectiveness and sustainability of the combating activities. Government, together with IOs and other non-government organisations, should work to ensure the availability of funds and capable staff to carry out those activities.
- Finally, all sectors concerned should ensure that both boys and girls are protected from CSEC and CST, and protection initiatives should be comprehensively included into the national child protection strategy. In addition, while all children are vulnerable to CSEC, street children are currently reported to be the most vulnerable group to be sexually exploited. Therefore, protection activities should be reviewed or created to ensure that street children are included in the protection from sexual exploitation.

These recommendations provide guidelines for a model for Laos and are clearly important. But equally important is further research to monitor the effectiveness of their implementation. In addition, improved monitoring of CST and CSEC would provide a measure of the success or otherwise of the recommendations, and allow a more effective fight against CSEC and CST in Laos, in the Mekong sub-region, and throughout the world.

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8. APPENDICES

APPENDIX A: National Plan of Action Against Commercial Sexual Exploitation of Children. Lao PDR

1. Prevention of CSEC

1.1. Research and situation analysis

No.	Objectives	Activities	Responsible Agencies	Resources	Indicators
1.1.1	Develop a database on CSEC, and have it updated regularly through a systemic and annual data collection on CSEC	<ol style="list-style-type: none"> 1. Increase capacity of officials through trainings 2. Collect data, identify problems, assess the situation, and make information on CSEC available 	<ul style="list-style-type: none"> ▪ MoLSW ▪ LWU ▪ National Statistic Centre ▪ MoPS ▪ MoJ ▪ PSP ▪ Local Authorities and other related agencies 	<ul style="list-style-type: none"> ▪ CSEC Database ▪ Equipment 	<ul style="list-style-type: none"> ▪ CSEC situation is identified. ▪ There is a database on CSEC and it is updated regularly.
		<ol style="list-style-type: none"> 3. Develop an annual report on CSEC 	<ul style="list-style-type: none"> ▪ MoLSW ▪ LWU ▪ National Statistic Centre ▪ MoPS 	<ul style="list-style-type: none"> ▪ Printing 	<ul style="list-style-type: none"> ▪ Informed about CSEC and reports are available

		4. Participate in conferences at national, regional and international levels to exchange information on CSEC	<ul style="list-style-type: none"> ▪ MoLSW ▪ LWU ▪ National Statistic Centre 	<ul style="list-style-type: none"> ▪ personer 	<ul style="list-style-type: none"> ▪ Reliable information on CSEC in Laos, available
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1.2 Provide information and raise awareness within vulnerable groups

No.	Objectives	Activities	Responsible Agencies	Resources	Indicators
1.2.1	To raise awareness on laws, impacts of CSEC, ethics, positive manners and national customs.	1. Advocate and disseminate the contents and objectives by using media tools and initiatives such as dramas, local songs, songs, television, newspapers, radio, posters, pamphlets and village and school information boards.	<ul style="list-style-type: none"> ▪ MoIC ▪ NCMC ▪ LYU ▪ LWU ▪ MoLSW ▪ MoJ ▪ MoE 	<ul style="list-style-type: none"> ▪ Printing ▪ Press release ▪ Personnel 	<ul style="list-style-type: none"> ▪ The level of the public awareness has increased
		2. Organise training of trainers or counterparts who work directly on the issues on related laws, regulations and procedures.	<ul style="list-style-type: none"> ▪ MoJ ▪ OPP ▪ MoPS ▪ MoLSW ▪ LWU ▪ LYU 	<ul style="list-style-type: none"> ▪ Training equipment ▪ personnel 	<ul style="list-style-type: none"> ▪ Training curriculum. ▪ Numbers of the trainers and counterparts.

		3. Disseminate information on CSEC to owners of travel agencies, entertainment places and tourists	<ul style="list-style-type: none"> ▪ MoIC ▪ LNTA ▪ LYU ▪ LWU ▪ MoLSW 	<ul style="list-style-type: none"> ▪ Tools/equipment on CSEC ▪ Printing 	<ul style="list-style-type: none"> ▪ There is awareness of impacts of CSEC
		4. Disseminate information on HIV/AIDS and sexually-transmitted diseases to vulnerable groups.	<ul style="list-style-type: none"> ▪ MoIC ▪ MoH ▪ MoE ▪ LYU ▪ LWU 	<ul style="list-style-type: none"> ▪ Trainers 	<ul style="list-style-type: none"> ▪ People, particularly vulnerable groups, are aware of the issues
1.2.2	Develop and apply life skills curriculum, both formal and non formal systems, for vulnerable children with focus on girls aged between 12-18	1. Train vulnerable children and youth in life skills, ethics, positive manners and customs.	<ul style="list-style-type: none"> ▪ MoE ▪ MoH ▪ MoIC ▪ LYU ▪ LWU 	<ul style="list-style-type: none"> ▪ Trainers and trainees. 	<ul style="list-style-type: none"> ▪ Formal and non formal curriculum on life skills ▪ Number of children and youth participating in the activity
		2. Include life skills, ethics, manners and customs for children in teaching and learning in schools	<ul style="list-style-type: none"> ▪ MoE ▪ MoLSW ▪ LYU ▪ LWU 	Teachers	<ul style="list-style-type: none"> ▪ Textbooks are available. ▪ School children are aware of and understand life skills
1.2.3	Promote sensible way of living amongst vulnerable children, youth and	1. Provide vocational training and promote sensible way of living	<ul style="list-style-type: none"> ▪ MoE ▪ MoLSW ▪ LYU ▪ LWU 	Personnel	<ul style="list-style-type: none"> ▪ There are various types of vocational trainings ▪ The percentage of youth with vocational skills has increased.

	their families				
1.2.4	Provide information on reproductive health to children and youth.	1. Disseminate information on sex education and reproductive health.	<ul style="list-style-type: none"> ▪ MoE ▪ MoH ▪ MoIC ▪ LYU ▪ LWU 	IEC materials	<ul style="list-style-type: none"> ▪ Wider coverage of the dissemination and the number of youth receiving the information.
		2. Expand the health service network	<ul style="list-style-type: none"> ▪ MoH 	Doctors	<ul style="list-style-type: none"> ▪ The number of health care centres has increased ▪ The number of people using the health care services has increased
1.2.5	Prevent and stop the importing, producing, distributing and trading of pornography	1. Investigate, monitor and destroy pornography	<ul style="list-style-type: none"> ▪ MoIC ▪ MoPS ▪ MoJ ▪ MoCI 	Public security, trade, culture authority officials	<ul style="list-style-type: none"> ▪ The production and distribution of pornography has decreased.
		2. Establish a working group at each level to investigate monitor and stop the importing, producing and distributing pornography.	<ul style="list-style-type: none"> ▪ MoIC ▪ MoPS ▪ MoJ ▪ MoCI 	Personnel	<ul style="list-style-type: none"> ▪ There is a working group against pornography
		3. Improve regulations and laws concerning accessing internet links to pornography	<ul style="list-style-type: none"> ▪ NAPT ▪ MoPS ▪ MoJ ▪ MoCI 	Personnel	There are laws and regulations to control the use of the internet, with banning connection to

					pornographic websites.
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1.3 Make efforts to improve Lao people's living conditions

No.	Objectives	Activities	Responsible Agencies	Resources	Indicators
1.3.1	Promote income generating activities in order to eradicate poverty	1. Provide appropriate living areas for the people	<ul style="list-style-type: none"> ▪ MoAF ▪ MOPI ▪ MoLSW ▪ LYU,LWU 	<ul style="list-style-type: none"> ▪ Personnel ▪ Locations 	People have permanent living areas.
		2. Established developed funds for target villages	<ul style="list-style-type: none"> ▪ MoPI ▪ LWU ▪ LYU ▪ MoLSW 	<ul style="list-style-type: none"> ▪ Personnel ▪ Contributed fund 	There is a loan available for villages and vulnerable families
		3. Create more job opportunities	<ul style="list-style-type: none"> ▪ MoPI ▪ MoCI 	Personnel	More people have got jobs, particularly youth
		4. Open more markets.	<ul style="list-style-type: none"> ▪ MoCI ▪ MoAF ▪ MoLSW ▪ LWU ▪ LYU 	Personnel	There are places to sell goods and products
		5. Provide vocational and improve labour skills	<ul style="list-style-type: none"> ▪ MoLSW ▪ MoE 	Personnel	<ul style="list-style-type: none"> ▪ Vocational and labour skills have acquired

		amongst families of those at risk groups and villagers.	<ul style="list-style-type: none"> ▪ LWU ▪ LYU 		<ul style="list-style-type: none"> ▪ Be able to get jobs ▪ Have regular income
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1.4 Create public service

1.4.1	To improve and develop public service for children-youth	1. Develop and improve the laws and regulations concerning CSEC and make them more comprehensive, systematic, and in line with international conventions related to CSEC	<ul style="list-style-type: none"> ▪ MoJ ▪ MoFA ▪ MoLSW ▪ OPP ▪ People's Supreme Court ▪ LYU 	Personnel	<ul style="list-style-type: none"> ▪ There are parks. ▪ There are opportunities for children and youth to participate in organised activities ▪ There are fewer anti-social behaviours/activities in society.
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2. Protection of Children from Commercial and Sexual Exploitation

2.1. Review, amend, develop and disseminate laws and regulations concerning CSEC.

No.	Purposes	Activities	Responsible Agencies	Resources	indicators
2.1.1	Improve legal mechanisms to prosecute offenders in CSEC cases.	1. Develop and improve the laws and regulations concerning CSEC and make them more comprehensive, systematic,	<ul style="list-style-type: none"> ▪ MoJ ▪ MoFA ▪ MoLSW ▪ OPP 	Personnel	Gaps in the laws are identified

		and in line with international conventions related to CSEC.	<ul style="list-style-type: none"> ▪ People's Supreme Court ▪ LYU 		
		2. Amend the present laws such as criminal law, criminal law procedures, labour law, family law, civil law procedures and others as necessary.	<ul style="list-style-type: none"> ▪ MoJ ▪ National Assembly ▪ MoLSW 	<ul style="list-style-type: none"> ▪ Technical support. ▪ personnel 	<ul style="list-style-type: none"> ▪ Sections of the laws concerning prosecution of offenders and assistance to CSEC victims have been amended
		3. To disseminate the related laws and regulations through printed materials, media & as training materials for relevant officials	<ul style="list-style-type: none"> ▪ MoJ ▪ MoIC 	<ul style="list-style-type: none"> ▪ Printing ▪ Broadcasting 	<ul style="list-style-type: none"> ▪ Laws have been disseminated at local level and there are some printed
2.1.2	Ensure legal protection of CSEC victims and ensuring they are not subject to punishment.	1. Develop law with specific provision on CSEC.	<ul style="list-style-type: none"> ▪ MoJ ▪ LYU ▪ LWU ▪ MoLSW ▪ National Assembly 	<ul style="list-style-type: none"> ▪ Technical Support ▪ personnel 	<ul style="list-style-type: none"> ▪ No punishment against the victims. ▪ The laws are in line with the international conventions. ▪ Develop the law on children and have the law approved by the National Assembly
2.1.3	Expand collaboration with neighbouring countries to combat human trafficking.	1. Support bilateral and multilateral Memorandums of Understanding (MOUs) with neighbouring countries to	<ul style="list-style-type: none"> ▪ MoFA ▪ MoJ ▪ MoPS ▪ MoLSW 	<ul style="list-style-type: none"> ▪ Technical support ▪ Personnel 	<ul style="list-style-type: none"> ▪ There are MOUs with neighbouring countries

		combat human trafficking			
		2. Exchange data/information and keep close collaboration with the Office of People's Supreme Prosecutor and police authorities in neighbouring countries to prosecute human traffickers	<ul style="list-style-type: none"> ▪ MoFA ▪ MoJ ▪ MoPS ▪ MoLSW 	<ul style="list-style-type: none"> ▪ Technical support ▪ Personnel 	There are data/information and collaboration to prosecute CSEC offenders

2.2 improve the mechanism on the implementation of the law

No.	Purposes	Activities	Responsible Agencies	Resources	indicators
2.2.1	To improve legal procedures for protection of child victims from CSEC in a timely and effective way	1. support prompt procedures to deal with cases and ensure the legal procedures are on time and effective	<ul style="list-style-type: none"> ▪ MoH ▪ MoPS ▪ MoLSW ▪ OPP ▪ People's Supreme Court 	<ul style="list-style-type: none"> ▪ Technical support ▪ Personnel ▪ Lawyer 	The victims have been helped on time and treated fairly
		2. Train social workers, doctors, lawyers, court officials, police and prosecutors on the best methods of helping children who have been abused and exploited.	<ul style="list-style-type: none"> ▪ MoH ▪ MoPS ▪ MoLSW ▪ OPP ▪ People's Supreme Court 	<ul style="list-style-type: none"> ▪ Technical support ▪ Personnel 	The number of the officials who have been trained.

		3. Establish a hotline service and working group to receive phone calls in cases where children have been a abused and trafficked by arranging the appropriate help system.	<ul style="list-style-type: none"> ▪ MoPS ▪ MoH ▪ MoLSW ▪ LWU 	Personnel	There is a hotline service to provide timely response to cases
		4. Provide help to child victims in proposing their cases to the court and to assist the child to get help through legal means.	<ul style="list-style-type: none"> ▪ MoJ ▪ MoPS ▪ MoLSW ▪ LWU 	Personnel	Number of victims has received legal help and more cases proposed to the court.
2.2.2	To take action on systematic investigation techniques particularly suited to child victims.	1. Train law technicians (including social workers, police, lawyers, prosecutors, judges and doctors) nationwide on child friendly investigation methods and procedures.	<ul style="list-style-type: none"> ▪ MoH ▪ MoLSW ▪ MoJ ▪ MoPS ▪ OPP ▪ LWU ▪ LYU 	<ul style="list-style-type: none"> ▪ Personnel ▪ Technical support 	There are laws and regulations suitable for child friendly investigation
		2. Training related government officials on the laws, Convention on the Rights of the Child and gender equity	<ul style="list-style-type: none"> ▪ MoJ ▪ NCMC ▪ MoLSW ▪ LWU 	Technical support	<ul style="list-style-type: none"> ▪ There is a training curriculum. ▪ The number of government officials who have been trained
2.2.3	An end to public revelation of photos and real names of child victims from	1. Edit laws and legal procedures to ensure protection of the privacy of child victims in terms of	<ul style="list-style-type: none"> ▪ MoJ ▪ People's Supreme Court ▪ National Assembly 	Personnel	There are laws and declarations relevant to the protection of the privacy of child victims

	CSEC in ruing the legal process.	names and photos during the legal process.			
		2. Review and edit ethical disciplines for the media to protect child victims' names and photos from publication.	MoIC	Personnel	There are codes of ethics for the media

3. Rehabilitation and Reintegration

No.	Purposes	Activities	Responsible Agencies	Resources	Indicators
3.1	To ensure that child victims from CSEC get help and support for physical and psychosocial health	1. Improve and expand the network to provide help and support to child victims in physical and psychosocial areas by implementing a training programmeme for doctors, law technicians and social workers.	<ul style="list-style-type: none"> ▪ MoH ▪ MoLSW ▪ MoJ ▪ MoPS ▪ OPP ▪ LWU ▪ LYU 	<ul style="list-style-type: none"> ▪ Technical support ▪ Personnel 	The related officials have been trained
		2. Develop manuals and forms to help and support the child in physical and psychosocial areas.	<ul style="list-style-type: none"> ▪ MoH ▪ MoLSW ▪ MoJ ▪ MoPS ▪ OPP ▪ LWU 	<ul style="list-style-type: none"> ▪ Personnel ▪ Technical support 	There are training manuals

			<ul style="list-style-type: none"> ▪ LYU 		
		3. Provide medical and counselling services to child victims free of charge	<ul style="list-style-type: none"> ▪ MoH ▪ MoLSW ▪ LWU,LYU 	Personnel	The number of those who have been provided with counselling.
		4. Encourage families and communities to closely support child victims without discrimination.	<ul style="list-style-type: none"> ▪ MoLSW ▪ LWU 	<ul style="list-style-type: none"> ▪ Personnel ▪ Shelter 	Number of families, communities understand and support those child victims
3.1.2	To provide shelter for child victims from CSEC at central and provincial levels	1. Establish and provide suitable shelters at central level and in some necessary provinces	<ul style="list-style-type: none"> ▪ MoLSW ▪ LWU 	<ul style="list-style-type: none"> ▪ Personnel ▪ Shelter 	There are shelters to provide help
3.1.3	To support education; promote income generation and provide vocational training to child victims from CSEC to enable them to reintegrate into their families and society	1. Provide both basic formal and non formal education to child victims	<ul style="list-style-type: none"> ▪ MoE ▪ LYU 	Teachers	The number of child victims continuing learning
		2. Provide vocational training to child victims and families by ascertaining the needs of the labour markets.	<ul style="list-style-type: none"> ▪ MoE ▪ MoLSW ▪ LWU ▪ LYU 	Curriculum for normal and technical skills	The number of child victims and family members who received training.

3.1.4	To ensure that child victims reintegrate into their families when the time is appropriate.	1. Try to search for the families of those children and plan for them to reintegrate into their families when the time is appropriate.	<ul style="list-style-type: none"> • MoLSW • MoE • LWU 	Personnel	The number of cases of family searches.
		2. Assess the situation and provide counselling to the families of those children to prepare for the children to reintegrate to their families when the time is appropriate.	<ul style="list-style-type: none"> • MoLSW • LWU 	Personnel	The number of families assessed and the number of children who reintegrated to their families and society
		3. Try to find the ways to help children who do not have the right conditions to reintegrate into their families to be able to live normally	<ul style="list-style-type: none"> • MoLSW • LWU 	Technical support	The number of children who have been supported as per the appropriate alternatives.

4. Collaboration and coordination

4.1. Working group and evaluation

No.	Purpose	Activities	Responsible Agencies	Resources	Indicators
4.1.1	To have a working group at central level	1. Establish and support a working group or committee	NCMC	<ul style="list-style-type: none"> • Technical support 	There is a working group at central level which will be responsible for coordinating

	which will be responsible for coordinating and monitoring the NPA	for implementing, monitoring and evaluating the NPA at central and local levels.		<ul style="list-style-type: none"> • Personnel 	and monitoring the NPA
		2. Develop the organisational structure and assign roles of the working group or committee and provide necessary training and funding support.	NCMC	<ul style="list-style-type: none"> • Technical support • Personnel 	There is an organisational structure, fund and personnel to implement, monitor and evaluate
4.1.2	To effectively monitor and evaluate the work against CSEC.	1. Promote the participation of the community level in implementing, monitoring and evaluating, lesson learning and reporting by having participation from multilateral agencies.	<ul style="list-style-type: none"> • NCMC • MoLSW 	<ul style="list-style-type: none"> • Technical support • Personnel 	There is effective monitoring and evaluating of the work against CSEC.
4.1.3	To develop the NPA against CSEC for a second phase.	1. Review the implementation of the NPA for the first five years by the end of your 2007 at the latest and draft the NPA for the next five years	NCMC	<ul style="list-style-type: none"> • Technical support • Personnel 	There is an NPA against CSEC for the second phase
		2. Develop and report on the implementation of the NPA against CSEC in the CRC report to present the UN	NCMC	Personnel	There is the normal report

		Secretary General.			
4.1.4	To improve collaboration and coordination at regional and international level to combat CSEC.	Participate in regional and international conference on the problem of CSEC.	NCMC	Personnel	There is an exchange of lessons learned

5. Child Participation

5.1. Activities on participation of children and youth

No.	Purpose	Activities	Responsible Agencies	Resources	Indicators
5.1.1	To ensure that there is participation from children and youth on the implementation of NPA against CSEC	1. Support activities under the lead of the Central Lao Youth Union to research and provide counselling to children and youth to assist the government to monitor and report the situation.	<ul style="list-style-type: none"> • LYU • NCMC • MoE • LWU 	Training	There are children and youth who have participated in the implementation of NPA against CSEC.
		2. Train children and youth on how to combat commercial and sexual exploitation	<ul style="list-style-type: none"> • LYU • LWU 	Technical support	The number of children and youth who have participated
5.1.2	Meeting to exchange lessons learned between children-	1. Support meetings against CSEC.	<ul style="list-style-type: none"> • MoIC • LYU • LWU 	Technical support	There are meetings against CSEC

	youth and child victims from CSEC				
		2. Arrange discussions through the media for children and youth to express their opinions against CSEC	<ul style="list-style-type: none"> • MoIC • LYU • LWU 	Technical support	There is more participation from children and youth.

Lao PDR

APPENDIX B: The Penal Law in Laos

Laws

Child-Sex Tourism

Lao PDR does not have laws specifically concerning child-sex tourism. The following legislation could potentially be used to prosecute travelling child sex offenders and those who assist or facilitate child-sex tourism.

Child Prostitution

The *Penal Law* makes it an offence to:

- Engage in prostitution (with a penalty of 3 months to 1 year imprisonment or by re-education without deprivation of liberty and a fine of 50,000 to 500,000 kip)
- Assist or facilitate prostitution (with a penalty of 3 months to 1 year imprisonment or re-education without deprivation of liberty and a fine of 300,000 to 1 million kip)
- Generate income through procuring prostitution (with a penalty of 6 months to 3 years imprisonment and a fine of 5 million to 10 million kip)
- Procure as a regular profession or procure female minors or force a female under the offender's guardianship into prostitution (with a penalty of 3 to 5 years imprisonment and a fine of 10 million to 50 million kip)
- Force a person under 18 years of age into prostitution (with a penalty of 10 to 20 years imprisonment and a fine of 20 million to 50 million kip)

The *Law on the Protection of the Rights and Interests of Children 2006* makes it an offence to:

- Use children in hazardous sectors (a person who has been subject to administrative measures but has repeated the offence will face a penalty of 3 months to 1 year imprisonment and a fine of 1 million to 2 million kip)

- Have sexual relations with a child by paying or giving any type of benefit (with a penalty of 3 months to 1 year imprisonment or re-education without deprivation of liberty and a fine between 1 and 2 million kip where the child is under 18 years to 15 years of age, or 1 to 5 years imprisonment and a fine of 2 million to 5 million kip where the child is under 15 years to 12 years of age)
- Have sexual relations with a child under 12 years of age by any means, all instances of which are considered rape (with a penalty of 7 to 15 years imprisonment and a fine of 7 million to 15 million kip) A “child” is defined as any person under 18 years of age.

Child Sexual Abuse and Sexual Assault

The *Penal Law* contains several offences relating to child sexual abuse and sexual assault, including:

- Rape (with a penalty of 5 to 10 years imprisonment and a fine of 2 million to 10 million kip where the female victim is between 15 to 18 years of age, or 7 to 15 years imprisonment and a fine of 5 million to 15 million kip in the event of rape by more than one person or rape of female under 15 years of age)
- To engage in sexual intercourse with a child under 15 years of age (with a penalty of 1 to 5 years imprisonment and a fine of 2 million to 5 million kip)
- To engage in sexual intercourse with a biological child, adopted child, step-child, grandchild or sibling (with a penalty of 6 months to 5 years imprisonment and a fine of 500,000 to 2 million Kip)
- To engage in any act that causes embarrassment of a sexual nature to another person against such other person’s will (with a penalty of 6 months to 3 years imprisonment or re-education without deprivation of liberty and a fine of 100,000 to 500,000 kip)

Child Pornography

The *Law on the Protection of the Rights and Interests of Children* 2006 makes it an offence to produce, distribute, disseminate, import, export, display or sell child pornography (with a penalty of 1 to 3 years imprisonment and a fine of 2 million to 6 million kip).

While it has no provisions specifically relating to child pornography, the *Penal Law* makes it an offence to:

- Engage in sexual intercourse or expose sexual organs in the presence of members of the public (with a penalty of 3 months to 1 year imprisonment or re-education without deprivation of liberty and a fine of 50,000 to 200,000 kip)
- Engage in the widespread production, distribution, or dissemination of pornographic items, magazines, pictures, video cassettes and other materials contrary to fine traditions (with a penalty of 3 months to 1 year imprisonment and a fine of 200,000 to 5,000,000 kip)

Child Trafficking for Sexual Purposes

The *Penal Law* creates offences relating to the trafficking of persons (with a penalty of 15 to 20 years imprisonment and a fine of 100 million to 500 million kip and confiscation of assets where the victim is a minor, defined as under 18 years of age). The *Penal Law* applies when a crime is committed inside Lao PDR or overseas by a Lao citizen. The *Law on the Development and Protection of Women* 2004 creates offences relating to the trafficking in women and children (with a penalty of 5 to 25 years imprisonment where the victim is a child).

The *Law on the Protection of the Rights and Interests of Children* 2006 creates an offence of trafficking in children (with a penalty of 5 to 15 years imprisonment, a fine of 10 million to 100 million kip and the confiscation of assets).

Victim and Witness Protection

The *Law on the Protection of the Rights and Interests of Children 2006* sets out the basic rights of children, including the right to be protected from all forms of physical and moral abuse and to receive special protection in legal proceedings. Chapter 3 sets out those special protections, including the rights of children who are victims and witnesses in criminal proceedings.

Chapter 3 states that interviews of child victims and witnesses must be conducted by specially trained investigators and public prosecutors, in collaboration with social workers. The *Law on the Protection of the Rights and Interests of Children 2006* also provides for compensation for damages such as medical treatment, moral injury, sick leave, travel, food and accommodation. The Law also establishes a fund to ensure the development of children and the protection of their rights and interests. The *Law on Development and Protection of Women 2004* gives women and children who are victims of trafficking certain rights and protections, including the right to request compensation and rehabilitation in order to reintegrate into society, the right to protection and care for their personal safety, the right not to be photographed, video recorder or broadcast, and the right to receive suitable assistance in terms of shelter, food, clothing, medical service, vocational training, repatriation and other assistance as necessary. Similar rights are afforded to women and children who are victims of domestic violence.