

Pedophilic Offending in Travel and Tourism: Addressing Mobility-Driven Risks and Strengthening Criminal Justice Responses

¹Aakanksha Sharma, ²Dr Rekha Verma

Amity Law School, Amity University, Noida

I. Introduction

The rapid expansion of global mobility and the international tourism sector in the twenty-first century has produced significant social and economic changes. Before the COVID-19 pandemic, international tourist numbers exceeded 1.4 billion, according to the United Nations World Tourism Organisation, illustrating the vast scope of modern tourist and travel industries.¹ While tourism has generated employment opportunities, cross-cultural exchange, and economic development for many regions, it has also produced complex social challenges that demand urgent scholarly and policy attention. Sexual exploitation of children is one of the most shocking dimensions of these issues in travel and tourism (SECTT). Originally called “child sex tourism,” this refers to those who prey on the infrastructure, mobility and socio-economic vulnerability of tourist operators and clients to sexually abuse children. In the past few years, both international bodies and advocates for child protection have used the term sexual exploitation of children in travel and tourism more frequently to highlight both the exploitative and criminal characteristics of these activities than in the context of legitimate tourism activity.² Although sexual exploitation of children in travel and tourism encompasses diverse forms of offending, pedophilic offending may constitute one offender-related dimension within this broader phenomenon. Pedophilia should not, however, be equated with child sexual offending; the former refers to a pattern of sexual interest, whereas the latter concerns criminal conduct.

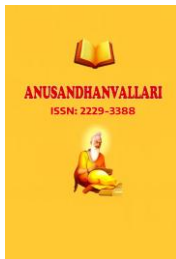
This change of language indicates that there is an increasing understanding that trafficking and the exploitation of children within tourist facilities is a gross breach of children’s rights and a serious transnational crime. The depth and extent of this issue are evident from the Global Study on Sexual Exploitation of Children in Travel and Tourism, conducted by ECPAT International in association with several international bodies. The study also suggested that sexual exploitation of children during travel and tourism exists everywhere and contradicts previous views that it is limited to a few developing countries.³ For the worse, the researchers noted that both developing and developed countries could serve as sources, transit, and destinations for offenders. The global scope of tourism systems enables offenders to take advantage of divergences in legal frameworks, enforcement infrastructure, and socio-economic environments across jurisdictions.

The increasing accumulation of research on the development of tourism crime has led criminologists to recognise that the phenomenon of global mobility has been one of the drivers of patterns of child sexual exploitation. Researchers studying tourism-related crime have recently recognised that mobility regimes create opportunities for crime. Tourism environments often combine temporary anonymity, weak informal guardianship, and unequal power relations between visitors and local populations, thereby creating situational contexts in which exploitation

¹ U.N. World Tourism Org., International Tourism Highlights (2019).

² ECPAT Int’l, Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse(2016).

³ ECPAT Int’l, Global Study on Sexual Exploitation of Children in Travel and Tourism (2016).



can occur.⁴ Advances in transportation technology, liberalisation of visa regimes, and the proliferation of lowcost airlines have dramatically increased the ease with which individuals can travel across borders. Simultaneously, new digital technologies of communication have empowered offenders to quickly point out victims, arrange for transportation and communicate illegal content without the use of physical means.⁵ These developments demonstrate how globalisation and technological change have provided greater potential for legal travel, but also new threats to vulnerable communities. Criminologically, SECTT can be analysed with a plurality of theories. Crime, for example, can be generated by the Routine Activity Theory if a motivated offender encounters an appropriate target who has no capable guardianship.⁶

These conditions are often very precisely constructed by tourism contexts. Anonymity for tourists in exotic places, inadequate ability to track tourism, lack of resources by local authorities, poverty — young people in poverty can be particularly prone to exploitation. Systemic, structural factors as well as individual criminality are needed. Socio-economic parity gaps, weak government institutions and ineffective child protection systems can also make for an easier time of exploitation. In some circumstances, poverty compels families to rely on tourism-driven income, inadvertently endangering children from exploitative practices. Such structural conditions underscore the need to address criminal enforcement as well as more general socio-economic vulnerabilities at a structural level in attempts to address SECTT.

The legal approach to child sexual exploitation in the tourism industry has changed in the last 30 years. Several countries have adopted legislation criminalising the sexual exploitation of children outside these countries through the use of extraterritorial jurisdiction, allowing criminal prosecutions for the same by citizens committed crimes not in their home countries. International legal frameworks like the United Nations Convention on the Rights of the Child (CRC) and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography have reinforced international obligations to protect children against exploitation.⁷ Yet problems of enforcement remain, owing to jurisdictional intricacies, lack of investigative resources and the transnational character of many exploitation networks.

In addition to governmental responses, the tourism industry has increasingly recognised its responsibility to prevent exploitation. Initiatives such as The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism encourage tourism businesses to implement child protection policies, train employees to identify warning signs, and cooperate with law enforcement agencies.⁸ These initiatives reflect a growing understanding that preventing exploitation requires collaboration between governments, private sector actors, and civil society organisations.

Despite these efforts, significant gaps remain in both research and policy. The rest of the literature tends to address individual regional aspects or one-off instances with little focus on the wider structural nexus between mobility,

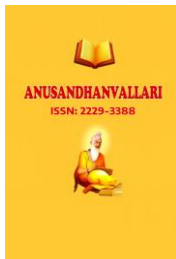
⁴ Derek Hall & Stephen Page, *The Geography of Tourism and Recreation* (Routledge 2006).

⁵ Julia O'Connell Davidson, *Children in the Global Sex Trade* (2005).

⁶ Lawrence E. Cohen & Marcus Felson, *Social Change and Crime Rate Trends: A Routine Activity Approach*, 44 *Am. Soc. Rev.* 588 (1979).

⁷ Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, May 25, 2000, 2171 U.N.T.S. 227.

⁸ The Code, *The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism* (2018).



tourism infrastructure and criminal justice responses. Empirical data is limited as well, and this underreporting continues to obscure the true scale of the problem.

Thus, this paper aims to fill the gaps through exploring global mobility, tourism growth and child protection. In particular, it seeks to study how mobility-mediated risk mechanisms contribute to the sexual exploitation of children during travel and tourism use and to assess the adequacy of current criminal justice interventions. Based on criminological theory, international legal frameworks, and comparative case law, the study aims to describe how policy interventions can help ensure the sustainable protection of children.

Situating SECTT within the larger discourse on globalisation, crime prevention and human rights, this paper aims to further contribute to the conversation of criminal justice systems related to transnationalised child exploitation. Overall, safeguarding children within the world tourism economy should take a collective approach involving legal enforcement, industry responsibility, participation in the community and collaboration between nations. Notwithstanding this growing global attention, legal responses have been criticised for being often “reactive” and for concentrating on retribution post-harm rather than addressing the deep structural aspects that are part of the structure creating exploitation in tourism.⁹

II. Conceptual Framework: Understanding SECTT

Sexual exploitation of children in travel and tourism refers to situations where individuals use tourism infrastructure, travel opportunities or temporary mobility to engage in sexual abuse of children. This exploitation could include acts of direct abuse, creation of child sexual abuse content, trafficking or facilitating exploitation through intermediaries.¹⁰

According to global studies conducted by child protection organisations, SECTT is not confined to a particular region but occurs across all continents. Offenders may travel internationally to exploit children in destination countries, but exploitation can also occur domestically when individuals travel within their own countries to avoid detection.¹¹

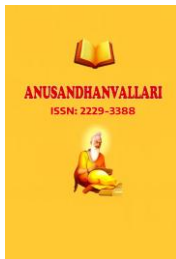
There are several structural elements contributing to the persistence of SECTT, which include socio-economic disparities, lack of effective child protection systems, weak law enforcement capacity, corruption, and limited cross-border cooperation.

More significantly, it is fundamental that SECTT should not be conceived of simply as deviant behaviour by individual offenders. Understanding the dynamics of SECTT requires engagement with relevant criminological theories that explain why offenders exploit mobility opportunities to commit crimes. Advances in technology have transformed the ability of offenders to find and interact with victims. Digital communication platforms, social media, and encrypted messaging applications have enabled traffickers to contact child victims before their journey and to form networks of exploitation spanning countries. It reflects broader structural dynamics involving global mobility, economic inequality, and institutional failures. Consequently, solving this problem entails coordinated legal, social, and economic responses.

⁹Kelly D. Askin, *Prosecuting Wartime Rape and Other Gender-Related Crimes Under International Law: Extraordinary Advances, Enduring Obstacles*, 21 Berkeley J. Int'l L. 288 (2003).

¹⁰ ECPAT International, *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse* (2016).

¹¹ ECPAT International, *Global Study on Sexual Exploitation of Children in Travel and Tourism* (2016).



III. Theoretical Perspectives

Understanding the dynamics of SECTT requires engagement with relevant criminological theories that explain why offenders exploit mobility opportunities to commit crimes.

A. Routine Activity Theory

For analysing crimes occurring within tourism contexts, Routine Activity Theory provides a useful framework. It posits that crime happens when three elements converge: a motivated offender, a suitable target, and the absence of capable guardianship.¹²

When travelling, offenders go to places where parental supervision is limited, and law enforcement oversight is weak; they may encounter vulnerable children. Moreover, the anonymity associated with tourism enables offenders to avoid detection by blending into large flows of international visitors.

B. Opportunity Theory

Opportunity Theory highlights that situational opportunities play a significant role in shaping criminal behaviour. Where safeguards are inadequate, tourism infrastructure—including hotels, entertainment venues, and transportation systems—may inadvertently create opportunities for offenders.

C. Globalisation and Mobility Theory

Finally, sociological theories of globalisation and mobility provide an understanding of SECTT. Due to increased international travel, liberalised visa regimes, and the expansion of global transportation networks, people are increasingly able to move around the world. Though such mobility has positive economic and cultural impacts, it facilitates transnational crime networks to operate across jurisdictions.

IV. Global Trends and Modus Operandi

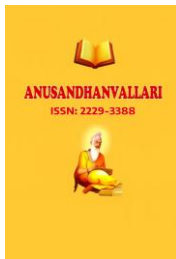
According to research from international organisations, there are diverse manifestations of SECTT in different geographical areas. Historically, certain countries in Southeast Asia, Latin America, and Eastern Europe have been identified as areas where offenders make a deliberate choice to travel in a bid to exploit vulnerable children. But recent research shows that this is a global issue, affecting developing and developed nations alike. To evade detection, offenders use various strategies. Some travel independently; others rely on organised networks that facilitate access to victims. Sometimes exploitation occurs through seemingly legitimate tourism activities such as volunteering, language exchange programmes, or educational travel initiatives.

Technological developments have further complicated enforcement efforts. Offenders may use online platforms to arrange meetings with minors or to coordinate exploitation with local intermediaries. The gradual growth of the use of digital technologies in tourism services—from online reservation systems to peer-to-peer accommodation applications—has posed a new set of challenges for law enforcement seeking to monitor suspicious activity.

V. International Legal Framework

Recognising the severity of SECTT, the international community has created several legal mechanisms to regulate the exploitation of child sexuality and to prosecute those who are found guilty. One of the most influential international instruments in this regard is the United Nations Convention on the Rights of the Child (CRC), which commits States Parties to adopt a responsibility to prevent child sexual exploitation or abuse of children or other

¹² Lawrence E. Cohen & Marcus Felson, Social Change and Crime Rate Trends: A Routine Activity Approach, 44 Am. Soc. Rev. 588 (1979).



forms. The Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography fortifies these obligations, calling on States Parties to make the criminalisation of child exploitation activities mandatory. There are particular steps being taken in the tourist market besides broader international human rights conventions.

The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism, with guidance from international organisations and non-governmental actors, establishes guidelines for child protection measures in action for tourism businesses in their operations.¹³

This voluntary initiative encourages companies to adopt child protection policies, train staff to recognise signs of exploitation, and cooperate with law enforcement authorities when suspected cases arise. By engaging private sector actors, such initiatives seek to create a collaborative approach to combating SECTT.

The second framework that we refer to as the Global Code of Ethics for Tourism highlights the fundamental importance of tourism stakeholders taking on responsibility to respect human rights and protect vulnerable groups, including children.¹⁴ Such international guidelines highlight the importance of responsible tourism with a focus on child safety. To date, despite these frameworks, enforcement issues remain enormous. Offenders frequently exploit jurisdictional gaps between countries, making cross-border cooperation essential for effective prosecution.

VI. Case Law and Jurisprudential Developments

The cross-national nature of child sexual exploitation in travel and tourism and the need for robust criminal responsibility in relation to this offence is increasingly stressed in judicial reactions to this offence. In several jurisdictions, courts have acknowledged that offenders have a means of fleeing within or stepping beyond jurisdictional limits and travelling abroad to conduct crimes that they suspect fall beyond the reach of their national legal systems. As a result, many countries have adopted extraterritorial jurisdiction provisions that allow prosecution of citizens for offences committed abroad.¹⁵

One of the most influential examples is the United States' PROTECT Act of 2003, which enables federal authorities to prosecute U.S. citizens who travel internationally with the intent to engage in illicit sexual conduct with minors.¹⁶ The legislation greatly strengthened U.S. criminal law, allowing prosecution even when the alleged criminal activity occurred outside the United States. The courts have upheld the application of these provisions on an ongoing basis, adding to the weight of the fact that child sexual exploitation is a crime of international concern.

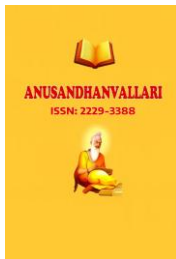
In *United States v. Clark*, the Ninth Circuit Court of Appeals upheld the conviction of a U.S. citizen who travelled to Cambodia to have sexual intimacy with minors. The court rejected the defendant's argument that the statute improperly extended U.S. jurisdiction abroad, holding that Congress possessed the authority to criminalise such

¹³ The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (2018), <https://thecode.org>.

¹⁴ UNWTO, Global Code of Ethics for Tourism (1999).

¹⁵ Kelly D. Askin, *Prosecuting Wartime Rape and Other Gender-Related Crimes Under International Law: Extraordinary Advances, Enduring Obstacles*, 21 Berkeley J. Int'l L. 288 (2003).

¹⁶ Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act of 2003, Pub. L. No. 108-21, 117 Stat. 650.



conduct to combat transnational exploitation of children.¹⁷ This case has frequently been cited as an example of the effectiveness of extraterritorial jurisdiction in addressing crimes committed by travelling offenders.

European jurisdictions have similarly expanded their legal frameworks. Several countries within the European Union have adopted laws allowing the prosecution of nationals who commit child sexual offences abroad, even when the acts are not prosecuted in the destination country. Those measures reflect a growing recognition that SECTT demands legal structures capable of solving crimes across borders. That has also included the legal obligation to protect victims and for the victim to be rehabilitated as well. In *M.C. v. Bulgaria*, the European Court of Human Rights emphasised the State's responsibility to make sure proper investigation and prosecution of sexual violence against children and/or adolescents in cases where a claim is taken seriously.¹⁸

While the case did not directly concern exploitation related to tourism, it underscored a broader principle that states need to have legal frameworks in place to protect children from sexual abuse and bring perpetrators to justice. Thus, according to these jurisprudential trends, judicial institutions are at the front line in assisting international efforts to manage and protect the children during child sexual exploitation. When courts affirm the legitimacy of extraterritorial jurisdiction and state obligations under human rights law, they help to establish a more vigorous global legal system.

VII. Mobility-Driven Risk Factors

The relationship between mobility and child sexual exploitation is complex and multifaceted. While tourism itself does not inherently produce exploitation, the conditions associated with travel— temporary anonymity, access to unfamiliar environments, and reduced social accountability—may increase opportunities for offenders.

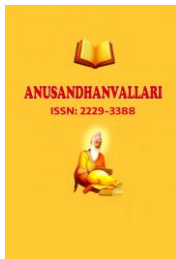
An important factor is that international travel comes with anonymity. Tourists often move through destinations where they are unknown to local communities and where language barriers may limit communication between victims and authorities. Such anonymity can provide an incentive to offenders to act, fearing that their actions will get less attention rather than more attention.

An additional aspect is the economic disparity between countries of origin and destinations. Offenders typically travel from better-off countries to poorer places with more poverty and social inequality, which leaves children more vulnerable. Money woes can lead families to bend or threaten them into an arrangement that is in itself exploitative, provided a third party offers some financial help.

Poor tourism regulatory oversight may also facilitate the further exploitation. In some locations, informal tourism operates with little licensing or oversight. These are places where they create environments that are amenable to abuse by those wanting to victimise children without the need to get caught by officials. Migration and displacement also compound vulnerability. Children do move internationally for jobs, education or refuge, but do not have access to protective social networks. These conditions may raise their risk of encountering someone attempting to exploit them within tourism environments. These mobility-induced risks need to be understood in order to design effective prevention policies. Justice responses in the criminal justice system do not eliminate the exploitation in the end unless they are coupled with well-developed social policies to eradicate poverty, education and community resilience.

¹⁷ *United States v. Clark*, 435 F.3d 1100 (9th Cir. 2006).

¹⁸ *M.C. v. Bulgaria*, App. No. 39272/98 (Eur. Ct. H.R. 2003).



VIII. Technology, Tourism Infrastructure, and Emerging Risks

The technological revolution has changed the global tourism industry, making travel easier than before. Thanks to electronic booking systems and digital payment systems online, social networks have changed and are changing how people plan for trips and make those trips feel. The way of booking places and hotels is much more convenient. In the same technology, new risks associated with child exploitation have emerged. And perpetrators spend more and more time using digital channels to locate potential victims before they're out in the world. Offenders can create relationships with children via the social media platforms, messaging apps and the gaming platforms on their phones that they visit, grooming them for a time before making an appointment to meet them in situ while they are travelling.¹⁹

The proliferation of peer-to-peer accommodation platforms has also presented fresh enforcement challenges. Unlike most hotels, the platforms feature private residences and have only weak safeguards. The largest number of hosts are responsible, but the decentralised systems these platforms allow could result in an over-reliance on third-party data sharing networks, which makes it harder for the authorities to discover illegal activities.²⁰

In addition, digital technologies have made it possible to create and distribute child sexual abuse content, which, for instance, may be created in tourism-related exploitation and shared online. This global sharing of material has consequences beyond harm to victims; it complicates law enforcement endeavours because of the cross-border nature of digital networks. Responding to these emerging technological risks will involve the cooperation of governments, technology companies and tourism industries. A comprehensive response needs to integrate effective monitoring systems, better mechanisms for reporting and cooperation with the local law enforcement authorities.

IX. Criminal Justice Responses

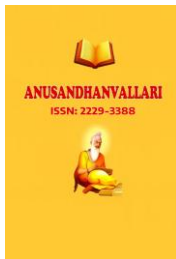
The criminal justice system is the cornerstone of mitigating SECTT. Effective responses are a combination of all three: preventive actions, investigative powers, and prosecutorial tools that work together in transnational criminal law. But part of the essential answer is extraterritorial jurisdiction —the ability of states to hold their nationals accountable for offences committed outside their borders. This type of legislation helps to stop offenders from escaping being held accountable by taking advantage of a gap in the law between national lines. Nations such as the US, Australia, Germany, Canada and more already have laws to prosecute people who sexually exploit children during international travel. Yet another important strategy is cross-border cooperation.

INTERPOL and Europol are agencies that allow law enforcement authorities to share information and, where necessary, engage in joint investigations across territories. Countries also make provision for evidence and testimony required for prosecution under mutual legal assistance treaties. Specialist investigative teams have also been formed in the national police forces. They usually bring together capacities in cybercrime, child protection, and transnational investigation. The combination of digital forensics along with conventional investigative approaches will enable authorities to pinpoint perpetrators who are using online platforms to facilitate abuse during travel.

We also need victim-centred perspectives. Child victims should also be able to access the proper mental health services and legal counsel, and should not be subjected to re-traumatisation along the way within the legal

¹⁹ Elena Martellozzo, *Online Child Sexual Abuse: Grooming, Policing and Child Protection in a Multi-Media World* (2013).

²⁰ C. Michael Hall & Stephen J. Page, *The Geography of Tourism and Recreation: Environment, Place and Space* (3d ed. 2006).



system.²¹ Without such safeguards, the victims might be hesitant to assist law enforcement in investigations and reduce the effectiveness of prosecution.

While there may be value in legislation and enforcement mechanisms, sustainable protection requires a wider context that confronts the real causes of exploitation. One would be accountability in the tourism industry. Hotels, airlines, travel agencies, and online platforms must adopt clear policies prohibiting child exploitation and train employees to recognise warning signs. Industry codes of conduct should be accompanied by reporting mechanisms that allow staff to alert authorities when suspicious behaviour is observed.

Second, community-based prevention programmes can play a significant role in protecting children. Local communities usually have a lot to tell us about the tourism practices in their area. When communities can be encouraged to take part in monitoring and reporting exploitation, in other words, early detection and intervention can be increased through the community.

Third, education and awareness campaigns should focus on reducing vulnerability. Children, parents, educators, teachers and workers in tourism must be aware of the risks of exploitation and of the ways to report abuse. Fourth, local authorities should support strengthening the child protection system. This means giving vulnerable families greater access to education, social services and legal protection. By redressing social and economic factors that allow for exploitation, states will be better able to shield their children from being victims.

X. Additional Theoretical Perspectives

A. Situational Crime Prevention

Situational Crime Prevention (SCP) can be useful in understanding how environmental factors create conditions conducive to crime or prevent crime from occurring—for example, the sexual exploitation of children in tourism environments. SCP, formulated by Ronald Clarke, aims to reduce the opportunities available for criminals not just by changing reasons for offending but also by how life in place changes over time.²²

In tourism settings, situational factors may include hotel security policies, staff training, surveillance systems, and reporting mechanisms. When tourism operators adopt strong childprotection protocols—such as verifying guest identities, monitoring suspicious behaviour, and collaborating with law enforcement—the opportunities for offenders to exploit children may be significantly reduced.

From a policy perspective, SCP highlights the importance of industry engagement in preventing exploitation. Hotels, airlines, and tour operators are uniquely positioned to identify suspicious patterns of behaviour and intervene before abuse occurs.

B. Social Disorganisation Theory

Social Disorganisation Theory highlights the importance of community structures in impacting crime rates. According to this theory, in conditions of deprivation, instability and weak social institutions, crime rates are expected to be higher.²³

A few SECTT-affected communities suffer significant socio-economic pressure in terms of unemployment, limited access to educational opportunities and weak institutions of government. Such factors can also destabilise local child-protection organisations, leaving offenders exposed. Using the SECTT model, we utilise Social

²¹ E.S.C. Res. 2005/20, Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (July 22, 2005).

²² Ronald V. Clarke, *Situational Crime Prevention: Successful Case Studies* (2d ed. 1997).

²³ Clifford Shaw & Henry McKay, *Juvenile Delinquency and Urban Areas* (1942).



Disorganisation Theory to illustrate the importance of resilience within the community. Supporting local institutions, education and economic opportunity can help lessen the conditions that exploitation networks need.

XI. India's Legal Framework and Judicial Response

India has been doing a lot to strengthen its child-protection laws over the past ten years, above all through the recent passage of the Protection of Children from Sexual Offences Act, 2012 (POCSO). The law offers a thorough approach to sexual offences against children, including aggravated crimes, child pornography and trafficking-related exploitation. POCSO's approach is child-driven and victim-centred with a focus on victim protection, expedited trials and confidentiality in the child's identity. Section 19 of the POCSO Act imposes a duty to report when a person knows that an offence under the Act has been committed or apprehends that such an offence is likely to be committed.²⁴

In the context of tourism-related exploitation, Indian courts have increasingly recognised the importance of strong enforcement mechanisms. Indian courts have gradually come to value robust enforcement mechanisms vis-à-vis tourism exploitation. For instance, in *Independent Thought v Union of India*²⁵, the Supreme Court articulated the requirement that child protection legislation must be interpreted to maximise the best interests of the child. Exceptions permitting sex with a minor spouse, therefore, violated constitutional principles that would aid children, the Court ruled. The Supreme Court's equally important decision in *State of Madhya Pradesh v. Madanlal* emphasised that crimes against children need to be taken to an extremely serious level and stressed the need to impose such sentences as a matter of judicial duty for sexual offence victims.²⁶

India has also taken such steps in relation to the digital exploitation of children. Under the Information Technology Act, 2000, it is a criminal offence to publish and distribute sexual material that involves children. Section 67B²⁷ deals specifically with child sexual abuse content, illustrating an increasing intersection of online exploitation and tourism offences. And enforcement problems loom, even though there are a variety of legal frameworks in place. Underreporting, insufficient investigative resources and social stigma are some of the challenges to meaningful prosecution.

Reinforcing police officers' training and cooperation among agencies are still pressing issues.

XII. Comparative International Legal Approaches

Many countries have adopted extraterritorial legislation to address the challenge of travelling offenders. The challenges of a roaming offender have led to the adoption of many countries to adopt extraterritorial legislation. These laws provide such protections that states can prosecute their citizens for sexual crimes committed abroad, thus preventing offenders from taking advantage of weaker foreign legal systems. Australian extraterritorial provisions were established through amendments to the Criminal Code in the 1990s to allow Australian citizens who engage in child sexual exploitation to be prosecuted in such a jurisdiction. Germany, Canada and the UK also have similar provisions. The UK's Sexual Offences Act 2003 expanded jurisdiction for overseas sexual abuse by citizens or residents of the UK. The courts have used these provisions to try perpetrators in Southeast Asia and in other locations to target children. These comparisons show that successful legal responses need global enforcement structures. Absent extraterritorial jurisdiction, offenders can continue to exploit legal system disparities.

²⁴ Protection of Children from Sexual Offences Act, No. 32 of 2012, S. 19 (India).

²⁵ *Independent Thought v. Union of India*, (2017) 10 SCC 800.

²⁶ *State of Madhya Pradesh v. Madanlal*, (2015) 7 SCC 681 (India).

²⁷ *Information Technology Act, 2000*, No. 21 of 2000, S. 67B (India).



XIII. Role of the Tourism Industry

The private sector actors have an important role to play in mitigating the presence of SECTT. Hotels, airlines, tour operators, and online reservation platforms that directly communicate with travellers, therefore, have an important role to play in identifying the most suspicious activities.

Industry initiatives such as The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism encourage businesses to adopt child-protection policies and train staff to recognise warning signs.²⁸ Many international hotel chains have incorporated such measures into their corporate social responsibility programmes.

Staff training is particularly important. Frontline employees—such as hotel receptionists, housekeeping staff, and airline personnel—may observe indicators of exploitation, including unusual booking patterns or situations where adults appear to be travelling with unrelated minors. Staff should be able to report issues to the authorities through clear reporting channels. Coordinated efforts from the tourism sector and law enforcement authorities could also be a critical factor in prevention. Various countries have witnessed successful public-private partnerships in which actors from industry and government cooperate to construct monitoring systems and awareness campaigns.

XIV. Global Prevalence and Empirical Evidence

Reliable statistical measurement of sexual exploitation of children in travel and tourism (SECTT) is difficult because the crime is highly concealed and often underreported.²⁹ The international organisations have produced significant empirical research describing their prevalence and effects. ECPAT International conducted its most comprehensive research on this issue with the Global Study on Sexual Exploitation of Children in Travel and Tourism as a collaborative effort with several international agencies. The findings revealed that children are exploited for tourism purposes across every region of the world, proving that no country is exempt from the phenomenon.³⁰ Offenders are also taking advantage of a wide range of travel and tourism structures, such as low-cost airlines, short-term accommodation platforms, and digital communication technologies, to facilitate contact with children, discovered their research. Beyond global travel, the research highlighted an increasing incidence of domestic child sexual exploitation related to tourism mobility, as offenders travel within their own countries to evade detection. This trend underlines the importance of law enforcement to observe both cross-border tourism and domestic travel. Additional empirical evidence from the consideration of offender profiles illustrates that sexual exploitation in the context of tourism is not attributable to just one type of offender.

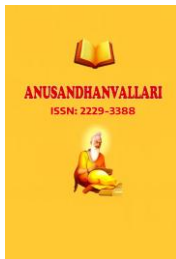
Emerging Trends: Technology and Digital Facilitation

Technological developments have fundamentally changed the terrain of child exploitation in tourism situations. A growing body of research has documented the scale of digital infrastructure used to facilitate this kind of exploitation, particularly in analysing online networks that are used to distribute child sexual abuse material. An analysis of online platforms found high volumes of users seeking illicit material through encrypted or anonymous networks, highlighting the difficulties law enforcement agencies often face when trying to shut them down. The link with tourism-related crimes and online exploitation is particularly significant, as digital platforms can

²⁸ The Code, The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (2018).

²⁹ Wolak, J., Finkelhor, D., & Mitchell, K. J. (2005). *Child-Pornography Possessors Arrested in Internet-Related Crimes: Findings From the National Juvenile Online Victimization Study*. National Center for Missing & Exploited Children.

³⁰ Supra 3



facilitate grooming before travel, enabling offenders to arrange meetings with children in a tourist destination before arriving.

These technological dynamics highlight the need for stronger collaboration between governments, technology companies, and international organisations to detect and prevent exploitation. SECTT is associated with broader patterns of human trafficking and child exploitation. The United Nations Office on Drugs and Crime's Global Report on Trafficking in Persons finds that children represent a growing proportion of trafficking victims worldwide. Growing vulnerabilities among children have arisen out of increased poverty, conflict and displacement, the report notes.³¹ These vulnerabilities may intersect with tourism-related exploitation in the context of traffickers or intermediaries providing access to children for travelling offenders. In some areas, organised criminal networks deliberately manipulate tourism flows to illicitly capitalise on sexual exploitation. Policymaking informed by the evidence can be a weapon for identifying new trends and allow governments to make the most appropriate policy interventions, which will respond to new risks as they emerge. The relationship between trafficking and tourism has illustrated the demand for harmonised policy initiatives to treat both phenomena together. Access to reliable empirical evidence is crucial to inform the development of a sound policy response to SECTT. Organisations are stressing the need for more effective methods of data collection and cross-jurisdictional collaboration, with a focus on cooperation of research across jurisdictions. Governments should focus on: a systematic approach to collecting data on tourism exploitation; improved reporting mechanisms for suspected offences; interdisciplinary research involving criminology, law and social sciences. It is also important not only to know where these changes are happening; it helps in determining the right things to make policy choices and to make decisions for policy-making based on the evidence, so that new patterns become apparent and governments can be able to take steps and adapt to the emergent risks.

XV. International Case Studies

A. Thailand: Law Enforcement Responses to Travelling Offenders

Thailand has typically been one of the most frequently referred countries in studies evaluating sexual exploitation of children in the context of tourism. The rapid growth of tourism after the 1980s brought with it economic opportunities, though it also revealed structural weaknesses, especially in urban entertainment districts and coastal tourism hubs. Under international pressure and pressure from within domestic forces, Thailand introduced stricter measures to address child sexual exploitation and trafficking. The Prevention and Suppression of Prostitution Act of 1996 and the amendments of the legislation were also aimed towards imposing stiffer penalties for those implicated in the exploitation of minors.³²

International law-enforcement cooperation has played an important role in identifying and prosecuting travelling offenders. Operation Predator, launched by U.S. authorities in 2003, was an initiative targeting individuals involved in the sexual exploitation of children. Such enforcement efforts illustrate the importance of international cooperation and extraterritorial mechanisms in addressing child sexual exploitation involving cross-border offending.³³

Philippines: Community-Based Prevention and Enforcement

It is due to these proactive efforts that the Philippines has become one of the key case studies in global research into sexual exploitation of children in travel and tourism. Government agencies have worked with international

³¹ U.N. Office on Drugs & Crime, Global Report on Trafficking in Persons (2022).

³² Prevention and Suppression of Prostitution Act B.E. 2539 (1996) (Thai.).

³³ U.S. Immigration & Customs Enforcement, Dep't of Homeland Sec., Operation Predator Initiative (2003)



organisations and civil society groups to set up prevention programmes and to strengthen legal frameworks. The Anti-Trafficking in Persons Act of 2003 was passed in the country, a crime which makes it criminal for certain forms of exploitation, such as sexual exploitation of minors.³⁴ The law has subsequently been enriched with several amendments with the sole aim of enhancing enforcement and victim protection. As part of a high-profile enforcement push, the prosecution of multiple foreign nationals who had arrived in the Philippines to exploit children through online networks came under the spotlight. Investigations carried out by the Philippine National Police in conjunction with international law enforcement agencies led to arrests and convictions under both local legislation and the extraterritorial laws governing offenders' home countries. In addition to enforcement, the Philippines has rolled out community-based monitoring initiatives designed to empower local communities to report suspicious tourism activities. These initiatives indicate that traditional law enforcement approaches can be supplemented by such forms of community participation to combat exploitation.

B. Cambodia: International Collaboration and Capacity Building

International focus has also been placed on SECTT in Cambodia because of the pace of development of tourism in the early 2000s, coupled with weak institutional controls that Cambodia, like other countries, has been experiencing. By this, the Cambodian government instituted a range of statutory changes designed to strengthen child protection. The Law on Suppression of Human Trafficking and Sexual Exploitation (2008) criminalises various forms of human trafficking and sexual exploitation, including exploitation involving children, and provides penalties for persons who facilitate such exploitation.³⁵

The assistance of the international community has been instrumental in building capacity for enforcement. International cooperation and capacity building remain important components of Cambodia's efforts to strengthen criminal justice responses to child sexual exploitation. Cambodia also reveals the need for a more positive framework for capacity building and international cooperation on the criminal justice responses to rapidly increasing tourism in developing countries.

XVII. Policy Recommendations and Conclusion

The approach discussed in this paper suggests a combination of policy measures that could improve international responses to SECTT. Governments must first use more extraterritorial jurisdiction and prevent criminals from escaping criminal accountability by committing crimes abroad. Second, businesses in the tourism sector have to create a compulsory child protection policy and training programmes. Such programs need to be included in licenses for operators in the tourism industry. Third, international cooperation should be enhanced using instruments like mutual legal assistance treaties and joint investigative teams. Transnational crimes need coordinated enforcement tactics. Fund investments for community development programmes to address social and economic factors that promote vulnerability. Preventing unsustainable practices often requires investments in education, reducing poverty and ensuring social services. Lastly, there is the need to work with governments and NGOs to identify and remove online exploitation based on tourism ventures.

The sexual exploitation of children in travel and tourism represents one of the most disturbing consequences of the global expansion of mobility and tourism economies. The international travel process has enabled economic expansion and cultural interchange, but simultaneously, it provides opportunities for perpetrators to exploit structural vulnerabilities, regulatory lacunae, and social and economic disparities to further exploit and manipulate children, perpetrating crimes against them. The review of information in this paper shows that the dynamics of sexual exploitation within tourism contexts cannot be considered as isolated criminal conduct but are only possible

³⁴ Anti-Trafficking in Persons Act of 2003, Republic Act No. 9208 (Phil.).

³⁵ Law on Suppression of Human Trafficking and Sexual Exploitation (2008) (Cambodia).



under the umbrella of a global movement, transnational criminality, and institutional accountability. The results reveal several significant influences on the continuing sexual exploitation of children in tourist settings. For one thing, the ever-increasing rate of global travel and digital communication technology has significantly increased the opportunity for perpetrators to target vulnerable children and take advantage of their services. Second, variations in economic development and law enforcement capacity in each country present ripe environments for offenders to seize opportunities of traveling to places with less regulatory oversight. Third, the increasing use of digital and decentralised tourism infrastructure may create additional challenges for monitoring. Criminological theories such as Routine Activity Theory and Situational Crime Prevention provide valuable insights into the mechanisms through which exploitation occurs. Tourism environments may inadvertently create situations in which motivated offenders encounter vulnerable children in contexts where guardianship is limited.

A response to these contextual factors will be to implement a multi-faceted prevention plan involving both public entities and private sector players. Analysis of international legal frameworks shows that great strides have been achieved in the enhancement of SECTT and criminal justice responses. Many national legal systems now provide for the prosecution of certain child sexual exploitation offences committed abroad, including through extraterritorial jurisdiction. In addition, international instruments also serve as instruments whereby international standards have more weight (notably the Convention on the Rights of the Child and the Optional Protocol on the Sale of Children), respecting that states have a basic responsibility to protect children from exploitation. However, implementation problems remain formidable. Low reporting rate, insufficient investigative capacity and the transnational character of exploitation networks also impact prosecution. The challenges call for greater international cooperation amongst law enforcement—it needs improved sharing of information, joint investigations and mutual legal assistance.

Beyond criminal justice responses, the tourism industry must play a proactive role in safeguarding children. Hotels, airlines, travel agencies, and digital platforms interact directly with travellers and therefore occupy a critical position in identifying and preventing exploitation. Industry efforts like The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism illustrate how actors from the private sector can positively engage in protection and intervention activities through staff training, reporting systems, and responsible business practices.

A more comprehensive intervention that is more social-level in nature, that addresses the root causes of vulnerability, must also be considered. In the context of poverty and social exclusion, as well as restricted access to education, children can easily be exploited by bad actors. Sustainable protection refers to policies that cultivate child protection systems and bolster community resilience, and that guarantee that children will have safe, secure educational and social environments. And in the end, the struggle to combat the sexual exploitation of children in travel and tourism requires a global, coordinated response. Countries, international organisations, law enforcement agencies, tourism companies, and citizens in communities need to come together and provide an environment where mechanisms are devised that can identify the exploiters, protect victims and bring perpetrators to justice. This requires cooperation: for the world tourism industry to fulfil its stated mission of promoting cultural exchange and economic development without compromising the security and dignity of children.

In this era of interconnectivity, protecting children from exploitation must be the moral norm, not merely the law, that all countries must adhere to. Strengthening criminal justice systems will further foster international cooperation to resist and eradicate exploitation, including dealing with the structural conditions through which tourism can be a vector for abuse rather than a force for good.