

‘DON’T LOOK AWAY’

BE AWARE AND REPORT THE SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

**Assessment on Commercial Sexual Exploitation of Children (CSEC) related
to Tourism and Reporting Mechanisms in South Africa**

JULY TO NOVEMBER 2013



TOURISM WATCH

**Brot
für die Welt**
Brot für die Welt –
Evangelischer
Entwicklungsdienst

Freiburg, December 2013

This report was produced in cooperation with:



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Publisher: ECPAT Deutschland e.V., Mechtild Maurer (v.i.S.d.P.-responsible according to the press law)

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Design by: Simon Mader

The Assessment is part of the European project “DON'T LOOK AWAY -BE AWARE AND REPORT THE SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM”. The project is financed by the European Commission.



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ACRONYMS

ABTA	Association of British Travel Agents
BACSA	Business Against Crime South Africa
CGCSA	Consumer Goods Council of South Africa
CRC	Convention on the Rights of the Child
CSEC	Commercial Sexual Exploitation of Children
CSR	Corporate Social Responsibility
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children
ESPN	Entertainment and Sports Programming Network
EU	European Union
FIFA	Fédération Internationale de Football Association
FSC	Family Violence, Child Protection and Sexual Offences Unit
FTT	Fair Trade Tourism
FTTSA	Fair Trade Tourism South Africa
HIV	Human Immunodeficiency Virus
IHRB	Institute for Human Rights and Business
ILO	International Labour Organisation
IOM	International Organisation for Migration
LCR	Local Code Representative
NGO	Non-Government Organisation
NMSRT	National Minimum Standards for Responsible Tourism
NTSS	National Tourism Sector Strategy
PSI	Petroleum Security Initiative
SABRIC	South African Banking Risk Information Centre
SADC	Southern African Development Community
SANAC	South African National AIDS Council
SANS	South African National Standards
SAPS	South African Police Service
SATSA	Southern Africa Tourism Services Association
TBCSA	Tourism Business Council of South Africa
TSI	Tourism Safety Initiative
UN	United Nations
UNAIDS	United Nations Program on HIV/AIDS
UNICEF	United Nations Children's Fund
UNWTO	United Nations World Tourism Organisation
USICE	United States Immigration and Customs Enforcement
USTIP	United States Trafficking in Persons

EXECUTIVE SUMMARY

The South African tourism sector has grown significantly in the past 15 years and is now well on the way to achieving its goal of becoming one of the top 20 destinations in the world by 2020.¹ In 2012, over 20 million people travelled in South Africa (including over nine million international visitors and 12.5 million domestic travellers).² This significant volume of travel movement brings substantial benefits to South Africa; however, the intersection between children and tourism presents critical risks that must be managed effectively to ensure the safety of children.

While tourism is not responsible for crimes against children, there is a clear connection between the tourism industry and the commercial sexual exploitation of children (CSEC) around the world. South Africa is not immune. All manifestations of CSEC are occurring in South Africa: child prostitution, child sex trafficking, child pornography and child sex tourism, and tourism infrastructure can often play an inadvertent or intentional role in these crimes against children. It is used as both the mechanism for gaining access to children and the venues in which sex crimes are perpetrated. Offenders use all forms of tourism services, including accommodation, transport, entertainment, travel agency and tour services to facilitate these deplorable sexual crimes against children. While magnitude is unclear, international experiences have demonstrated that the risks of CSEC escalate as tourism continues to grow.

Protecting children should be a tourism imperative. But, as tourism continues to grow, the risks to children deepen. It is necessary to understand how CSEC occurs in the tourism sector in order to effectively combat these crimes against children. Equipping tourism professionals with awareness of CSEC is the first step. But awareness is not enough. The tourism industry is ideally placed to mobilise efforts to protect children, and the global experience demonstrates that small to large scale tourism businesses can take useful actions to prevent their industry from being used for the perpetration of sexual crimes against children. It is now essential that suitable reporting tools are provided to enable tourism stakeholders to act quickly when they suspect children are at risk of exploitation.

This report reveals that while CSEC is already evident in the South African tourism sector, there exists a solid foundation of child protection services and systems which, with improvement, can be utilised to build an effective safety net for children. In particular, this report examines national reporting mechanisms and proposes a collaborative approach involving tourism stakeholders, NGOs and the government working together to combat these violations against children and build a responsible tourism sector for the future.

What can we do? Don't Look Away!

There are simple actions that everyone can take to protect children from CSEC in tourism. Building awareness and strengthening reporting mechanisms are critical in order to address CSEC in tourism in South Africa.

The overarching recommendation is that a partnership is forged between Childline South Africa, and the Tourism Safety Initiative (TSI) to provide accessible reporting tools which encourage tourism staff, tourists and the general public to make timely reports of situations where children may be at risk of sexual exploitation.

¹ Department of Tourism (2011), *National Tourism Sector Strategy*, Republic of South Africa, Available at: <http://www.tourism.gov.za/AboutNDT/Publications/National%20Tourism%20Sector%20Strategy%20Executive%20Summary.pdf> (Accessed 19 November 2013).

² Statistics South Africa (2011), *Social Profile of Vulnerable Groups in South Africa*, Pretoria, South Africa.

1. Introduction

1.1 Background to the 'Don't Look Away' Project

*Every child is entitled to full protection from all forms of sexual exploitation and sexual abuse. States are required to protect the child from sexual exploitation and sexual abuse and promote physical and psychological recovery and social integration of the child victim.*³

The commercial sexual exploitation of children (CSEC) is a global problem.⁴ However, developing countries are among those countries which are most affected by this severe violation of children's rights. Often a high influx of international tourists and travellers increases the problem. Much work has been done by international organisations such as ECPAT, UNICEF, ILO, and World Vision as well as by governments all over the world in order to understand better the mechanism and root causes of the problem.

Globalisation, the cross-border movement of people, increasing consumerism, persistent poverty, new communication technologies and increasing mobility have enabled the problem to evolve and manifest itself in new forms. Around the world, CSEC is transforming and intensifying.

ECPAT International⁵ has a longstanding history of work in promoting the rights of children and supporting action for their concrete realisation, particularly focusing on children's rights to protection from sexual exploitation. ECPAT International and the network members in 75 countries promote and actively support the participation of children in efforts to combat commercial sexual exploitation.

In Africa, UNICEF⁶ and ECPAT International have conducted research during the past years in order to understand better how to prevent and stop sexual exploitation of children and to seek justice and assist victims. For instance, in

2006–2007 ECPAT groups in six African countries (Zambia, Togo, The Gambia, Ethiopia, Kenya and Uganda) worked in collaboration with ECPAT International to initiate a study which examined 'Linkages between HIV/AIDS and the Commercial Sexual Exploitation of Children in Africa' with the financial support of the Ministry for Foreign Affairs of Finland.⁷

After the first World Congress on Commercial Sexual Exploitation of Children in Stockholm (1996), ECPAT started to include the private industry in their child protection focus. This approach focuses on the development of child protection tools and the implementations of child protection policies in the tourism industry. In 1998, The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (the Child Protection Code)⁸ was developed by ECPAT Sweden, Scandinavian tour operators and the UNWTO. This industry driven tool introduced the issue of child protection to the tourism industry.

There is still a lack of information and research. It is necessary to conduct studies which investigate the national situation, in order to maintain a progressive, proactive and pioneering approach to adequately protect children and prevent the escalation of child sex crimes in the future.

Therefore ECPAT Austria, ECPAT France, ECPAT Germany, ECPAT Luxembourg and ECPAT Netherlands have coordinated country assessments in five countries in Sub-Saharan Africa which are tourist destinations and which are also affected by child sex tourism. Each consortium partner is responsible for the study set-up in the respective African country, but all are using the same terms of reference as a basis for their research:

³ Stockholm Declaration and Agenda for Action

⁴ As an example see: UNICEF Kenya (2006): The Extent and Effect of Sex Tourism and Sexual Exploitation of Children on the Kenyan Coast; see also ECPAT International Agenda-for-Action (A4A) reports, http://www.ecpat.net/El/index_A4A.aspx

⁵ ECPAT is the acronym for *Ending Child Pornography, Child Prostitution and Trafficking of Children for Sexual Purposes*.

⁶ UNICEF Kenya (2006): The Extent and Effect of Sex Tourism and Sexual Exploitation of Children on the Kenyan Coast

⁷ ECPAT International: Research Protocol: Children, HIV/AIDS and Sexual Exploitation: Strengthening Systems for the Right to Prevention, Protection and Care.

⁸ The Code Website, Available at: www.thecode.org (Accessed on 16 November 2013).

Partner	Country
ECPAT Austria	Kenya
ECPAT France	Madagascar
ECPAT Luxembourg	Senegal
ECPAT Germany	South Africa
ECPAT Netherlands	The Gambia

The assessments are part of the EU funded project *Don't Look Away – Be Aware and Report the Sexual Exploitation of Children in Travel and Tourism!*

The EU-project *'Don't Look Away – Be Aware and Report the Sexual Exploitation of Children in Travel and Tourism!* involves several ECPAT groups from Europe and associated partner-organisations from European countries as well as from African countries (associated partners). The project's duration is from 23 October 2012 until 22 October 2015.

The project is coordinated by ECPAT France; consortium partners are ECPAT organisations from Austria, Germany, Luxembourg, The Netherlands and Poland. Associated partners come from: Bulgaria, Belgium, Czech Republic, Estonia, Italy, Switzerland, Spain, Romania, Ukraine, United Kingdom as well as Brazil, Gambia, Madagascar, Kenya, South Africa and Senegal.

The global aim of this project is to improve the protection of vulnerable children in the tourist destinations of developing countries against sexual exploitation and abuse by persons travelling. Therefore it is essential that the tourism and child protection context of these destinations and the role of relevant stakeholders is understood. It is intended that these assessments will provide all actors, especially the travel and tourism sector, with information about how to improve child protection through enhanced reporting of cases of sexual exploitation of children.

For the assessment in South Africa, ECPAT Germany is cooperating with two partner organisations:

- Fair Trade Tourism (FTT) an associated partner to the Don't Look Away! project, is a leading southern African non-profit organisation that promotes responsible tourism in Africa and internationally. FTT is also the Local Code Representative (LCR) of the Child Protection Code for South Africa⁹.

- Bread for the World, the development service of the protestant churches in Germany, is cooperating in this project through its special desk, Tourism Watch. Tourism Watch is strongly involved in the ongoing debate on business responsibilities and duties on human rights in the tourism sector. Bread for the World is a board member of ECPAT Germany.¹⁰

The partners appointed two researchers: Joan van Niekerk, a child rights expert, and Katarina Mancama, a tourism expert, to work on the project. Anita Dodds was appointed to support ECPAT Germany with the editing of the report.

1.2 Methodology

The information and data used in this research report was obtained a combination of Desktop and Field Research as detailed below:

Desktop Research

The desktop research involved the online and physical collection of existing scientific literature and other significant and published reports relating to CSEC and the reporting mechanisms in South Africa. The desktop research revealed that very little empirical research is available which directly relates to CSEC in tourism in South Africa.

Field Research

Multiple research methods were used in an attempt to reach all nine provinces of South Africa. In total, 197 stakeholders responded. The detailed list of research respondents is provided at Annex A. Research tools included structured questionnaires, focus group discussions, a national workshop, individual interviews and email discussions, which are detailed below:

Structured Questionnaires

Recognising that it is not possible to definitively quantify the number of children involved in CSEC relating to tourism in any country, this research sought qualitative responses from key stakeholders to help with understanding experiences and awareness of current and emerging situations. Structured questionnaires were sent to key stakeholders in all nine provinces of South Africa. However, the North West and Northern

⁹ Fair Trade Tourism (FTT) Website, Available at: <http://www.fairtradetourism.org.za/> (Accessed 24 November 2013).

¹⁰ Tourism Watch Website, Available at: <http://www.tourism-watch.de/> (Accessed on 27 November 2013).

Cape Provinces did not respond to the questionnaire despite follow up. A snowballing technique was used whereby the initial respondents were asked to identify other suitable experts and practitioners to contribute to the research. Therefore the questionnaires were circulated within various networks and the researchers estimate the questionnaires were distributed to over 100 persons from which a total of 33 responses were received. The structured questionnaires took two forms:

- ▶ A detailed questionnaire for persons working in the field of child protection (Government and the NGO sectors). This questionnaire focussed on respondents' broad experiences and opinions working with children. Questions focused on the situation for children involved in CSEC in tourism; national legislation and law enforcement; child care and protection; reporting mechanisms; and prevention measures. Some respondents also forwarded the questionnaire to other suitable representatives working in the child protection sector. Twenty-seven (27) questionnaires were returned from social workers, child care workers, prosecutors, police, researchers and academics working directly or indirectly with child victims of CSEC.
- ▶ A tailored questionnaire was prepared for persons working in the tourism sector and distributed to over 50 businesses across all sectors of the industry (large and small hotels, tour operators, car hire companies and tour guides) as well as tourism industry associations and tourism-related NGOs. This questionnaire focused on the situation of children in tourist areas, awareness and experiences of CSEC relating to tourism, legislation and support systems, reporting mechanisms and prevention measures. Six responses were received from tourism representatives in Eastern Cape, Western Cape, KwaZulu-Natal and Gauteng provinces.

Focus Group Discussions

Focus group discussions were held with professionals working in child protection in Cape Town, Johannesburg, Durban, Nelspruit and Bloemfontein. These cities were chosen as a result of the desktop review indicated that children in these destinations were involved in various forms CSEC and also due to their close proximity to borders with other African countries from

which children often move voluntarily or by coercion.

A total of 53 persons attended the focus group discussions representing the following sectors: Government (Department of Social Development, Department of Basic Education), Criminal Justice (police and judiciary), NGOs responsible for providing services to children, child and youth care workers, and the media.

Importantly, a focus group discussion was held with a select group of representatives from the tourism industry in Johannesburg. The venue in Gauteng province was selected because Government, South African Tourism and most hotel chains are well represented in this province. Seven people participated in this focus group discussion representing government, South African Tourism, the Southern Africa Tourism Services Association (SATSA) the largest industry association, and the private sector (represented by two of the largest hotel chains in South Africa).

National Workshop

A national workshop was held to table the preliminary research report and invite discussion and recommendations from professionals working in the child protection field. Participants included representatives from Government Departments (Justice and Constitutional Development, Tourism, Labour and Social Development), national NGOs, and Fair Trade Tourism (FTT).

Individual Interviews

Individual face-to-face interviews were conducted with persons working in the field of child protection in South Africa's largest cities: Johannesburg and Durban. These interviews included prosecutors and social workers. Telephone interviews were also conducted with persons involved in child protection to obtain information regarding CSEC. In addition to the individual interviews, telephone calls were made to various tourism businesses to assess their awareness of CSEC and the child protection measures being conducted at their premises.

Email Correspondence

Email correspondence provided a useful opportunity for information sharing on the research topic with persons working in the field of child protection and criminal justice.

Figure One – South Africa Map



Source: http://www.places.co.za/maps/south_africa_map.html (Accessed on 27 November 2013)

Research Locations

In mid-2013, South Africa's population was estimated at almost 53 million people.¹¹ With a total land area of slightly more than 1.2 million square kilometres, South Africa is twice the size of France, and over three times the size of Germany. The country has nine provinces, with significant size variations. The smallest province is crowded Gauteng, a highly urbanised region. The largest province is the vast, arid and empty Northern Cape, which takes up almost a third of South Africa's total land area. On dry land, going from west to east, South Africa shares long borders with Namibia and Botswana, touches Zimbabwe, has a longitudinal strip of border with Mozambique to the east, and lastly curves in around Swaziland before re-joining Mozambique's southern border. In the interior, nestled between the Free State and KwaZulu-Natal, is the small mountainous country of Lesotho, completely surrounded by South African territory.¹²

The research attempted to cover all nine provinces in South Africa. The volume of tourism traffic to each province was considered when selecting sites for focus group discussions and identifying respondents for the questionnaires. A map identifying all nine provinces is provided at Figure One.

1.3 Limitations of the Research

The following limitations were encountered during the conduct of the research:

- ▶ There is limited availability of verifiable data in relation to CSEC in South Africa. This reflects the global experience and is due to the clandestine, complex and sensitive nature of child sex crimes. However, it is also noted that in the past ten years there has been very little formal research conducted specifically on the issue of CSEC relating to tourism in South Africa. Many stories and experiences were shared by the respondents, but the systematic collection of data in this field is compromised by a number of factors, including:

¹¹ Statistics South Africa (2013), Mid-Year Population Estimates 2013: Statistical Release P0302, Pretoria, South Africa. p. 2.

¹² Available at: http://www.southafrica.info/about/geography/geography.htm#UpUSv-J_X_E (Accessed on 26 November 2013).

- ▶ Children do not usually report experiences of commercial sexual exploitation;
- ▶ Police do not always respond to reports and therefore official case dockets are not opened and available for scrutiny; and
- ▶ CSEC crimes are reported and subsequently recorded in different ways, therefore making it difficult to determine which incidents particularly relate to the tourism sector.
- ▶ A period of only ten weeks was allocated to conduct the numerous activities required for research.
- ▶ Due to time restraints, only a small scale sample of the target group of respondents could be reached across the nine provinces. So, in order to expand the reach of the research, a snowballing technique was used whereby the initial respondents were asked to identify other suitable experts and practitioners to contribute to the research.
- ▶ The researchers contacted many experienced representatives from the Government, NGOs, the tourism sector and academia whose contributions are represented in this report. However, as a number of the respondents wished to remain anonymous, the report only identifies respondents by their sector, and provides a full list at Annex A.
- ▶ Terminology relating to CSEC was not consistently understood. Different stakeholders held varying understandings of CSEC and its manifestations.

1.4 Definitions

For the purpose of this research, the following definitions have been used which combine both international and South African definitions.

Who is a Child?

In accordance with the United Nations Convention on the Rights of the Child¹³ (CRC) and the Children's Act, Republic of South Africa (2005)¹⁴ a child is defined as a person under the age of 18 years old. However, it is noted that the mini-

mum age of sexual consent in South Africa remains at 16 years (which, like many African and European countries, is below the age prescribed by the CRC).

What is Commercial Sexual Exploitation of Children (CSEC)?

CSEC is the sexual exploitation of a child below 18 years old that involves a transaction in cash or in kind to the child or to one or more third parties. Commercial sexual exploitation of children includes:

- ▶ The use of girls and boys in sexual activities remunerated in cash or in kind;
- ▶ Trafficking of girls and boys and adolescents for the sex trade;
- ▶ The production, promotion and distribution of pornography involving children;
- ▶ The use of children in sex shows (public or private);¹⁵ and
- ▶ Trafficking a child for use in sexual activities, including prostitution or pornography (Children's Act 2005).

What is Child Prostitution?

Child prostitution involves 'the use of a child in sexual activities for remuneration or any other form of consideration'¹⁶. ECPAT International expands this definition by explaining:

*The prostitution of children occurs when someone benefits from a commercial transaction in which a child is made available for sexual purposes. Children may be controlled by an intermediary who manages or oversees the transaction, or by a sex exploiter, who negotiates directly with the child. Child prostitution may occur in many different locations, such as brothels, bars, clubs, homes, hotels or on the street.*¹⁷

In South Africa, the term prostitute is not applied to children. Rather, in the context of CSEC, children are seen as victims of sexual exploitation.

¹³ UN (1989), *Convention on the Rights of the Child*, Available at: <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx> (Accessed on 22 November 2013).

¹⁴ Republic of South Africa (2006), *The Children's Act, Act No. 38 of 2005*, 19 June 2006, Cape Town, South Africa.

¹⁵ International Labour Organisation (2007), *Guidelines on the Design of Direct Action Strategies to Combat Commercial Sexual Exploitation of Children*, Geneva, Switzerland, p. 7.

¹⁶ UN (2002), *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*, Article 2 (b).

¹⁷ ECPAT International (2008), *Questions and Answers about the Commercial Sexual Exploitation of Children*, Bangkok, Thailand.

What is Child Sex Trafficking?

Child sex trafficking involves the recruitment, transfer, harbouring or receipt of a child within or across borders for the purpose of sexual exploitation.¹⁸

What is Child Pornography?

The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Pornography (OPSC)¹⁹ specifies that child pornography involves 'any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes' (Article 2(c), 2002).

However, the Films and Publications Act, Republic of South Africa (1996), as amended, describes child pornography as including any image, however created, or any description of a person, real or simulated who is, or who is depicted or described as being under the age of 18 years old engaged in sexual conduct, participating in, or assisting another person to participate in, sexual conduct or showing or describing the body or parts of the body of such a person in a manner or in circumstances which, within context, amounts to sexual exploitation or in such a manner that is capable of being used for the purposes of sexual exploitation.²⁰

What is Child Sex Tourism?

While the definitions for child prostitution, child sex trafficking and child pornography are derived from an international legal instrument, there is no consensus or legal definition for child sex tourism. For the purpose of this report, child sex tourism will be defined as 'the commercial sexual exploitation of children by men or women who travel from one place to another (usually from a richer country to one that is less developed) and there engage in sexual acts with children.

Who is a Tourist?

The United Nations World Tourism Organisation (UNWTO) defines tourists as people traveling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes.²¹

In South Africa, the Government expands on this definition and defines a tourist as a person who travels away from home, staying away for at least one night, for different purposes including business, leisure, conference and incentive. The South African definition recognises the following classifications:

- ▶ Domestic tourists are residents of South Africa who travel within the country for the above purposes (for example, a resident of Johannesburg staying one night in Durban).
- ▶ Regional tourists are international tourists from the rest of Africa (for example, a visitor from Zimbabwe spending one or more nights in the Free State).
- ▶ International tourists (overseas tourists) are those who travel to a country other than that in which they usually reside, for at least one night but less than one year (for example, a resident of Germany staying one or more nights in the North-West Province).

Due to markedly different travel and expenditure patterns, a distinction is drawn between international tourists from the rest of Africa (called regional tourists) and those from other countries (called overseas tourists).²²

Who is a Child Sex Offender?

For the purpose of this study, the term 'child sex offender' will refer to those people who engage in sexual activities with children. The use of the term 'child sex offender' acknowledges that other terminology, such as 'child sex customer', denies the criminality of the activities conducted by these individuals.

¹⁸ UN (2000), *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*, Available at: <http://www.osce.org/odihr/19223> (Accessed 22 November 2013).

¹⁹ UN (2002), *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*, Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCRC.aspx> (Accessed on 22 Nov 2013).

²⁰ Republic of South Africa (1996), *Films and Publications Act (Online)*, Available at: <http://www.info.gov.za/view/DownloadFileAction?id=70901> (Accessed on 22 November 2013).

²¹ Available at: <http://pub.unwto.org/WebRoot/Store/Shops/Infoshop/Products/1033/1033-1.pdf> (Accessed on 27 November 2013).

²² South Africa Government Information Website: Available at: <http://www.info.gov.za/whitepapers/1996/tourism.htm#def> (Accessed on 27 November 2013)

2. ANALYSIS OF THE ISSUES

2.1 What is the Situation of Tourism in South Africa?

Tourism is booming in South Africa. Since the abolishment of apartheid in 1990, when less than two million people visited the country, tourism has steadily grown in the past two decades to reach almost 10 million international visitors each year (see Figure Two). 9.2 million foreign visitors travelled to the southern tip of Africa in 2012, and in early 2013 President Jacob Zuma announced that South Africa achieved a 10.2% growth in international tourist visitors during the previous year²³. This exceeded the United Nations World Tourism Organisation's (UNWTO) estimated global tourist growth rate of 4%²⁴.

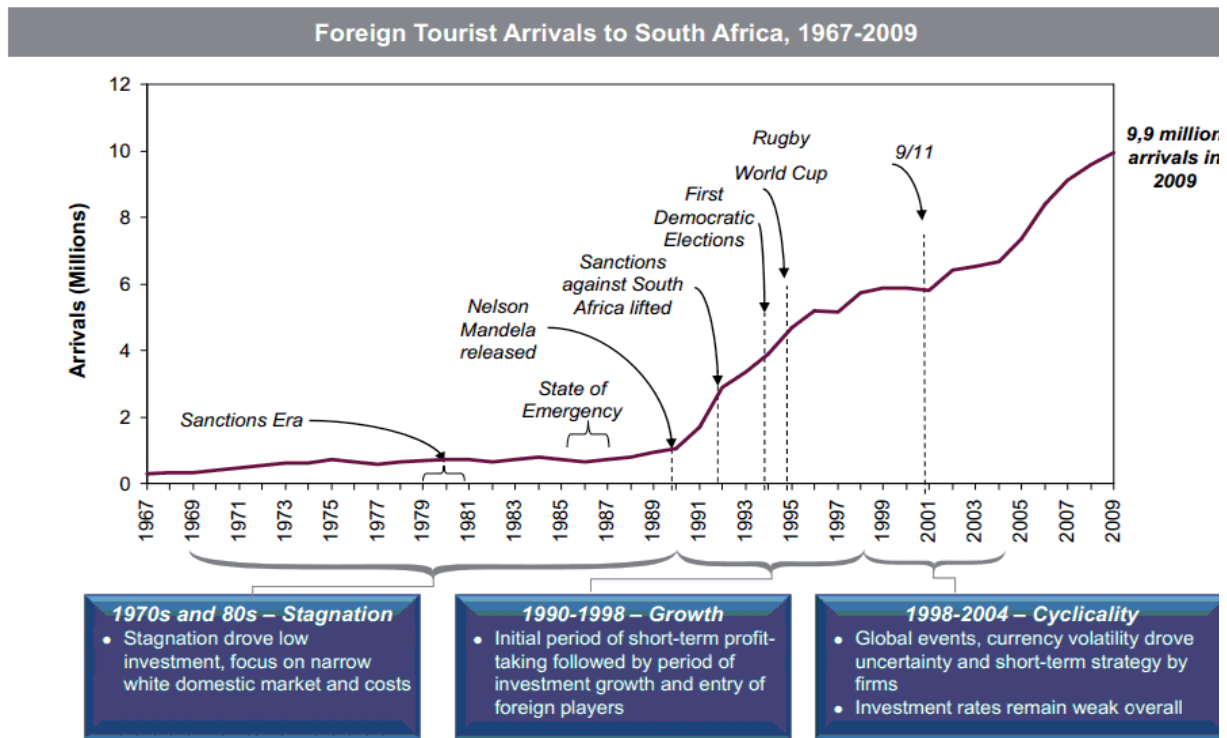
Tourism's contribution to South Africa's gross domestic product (GDP) is significant. The 2010

Tourism Satellite Account (TSA), which measures the tourism sector's direct contribution to the country's economy, estimates this contribution at about R67 billion (EUR4.9billion), or 3% of South Africa's gross domestic product (GDP)²⁵. The Government of South Africa identified tourism as a priority economic sector and is determined to continue progress towards becoming one of the top 20 global tourism destinations by 2020²⁶.

At the frontline, the tourism sector is noticing the positive change as tourism infrastructure expands to meet the growing demand.

There are more international flights, more hotels, more travel services and more innova-

Figure Two – Tracking Four Decades of International Visitor Arrivals to South Africa



Source: South African Tourism (2013), 2012 Annual Tourism Report (Online), op. cit.

²³ Department of Tourism (2013), Media Release: *Tourism Well On Its Way In Achieving Its NTSS Goals* [Online], Available at: <http://www.tourism.gov.za/AboutNDT/Branches1/domestic/News/Pages/NTSS-goals.aspx> (Accessed 17 November 2013).

²⁴ Department of Tourism (2013), Media Release: *Tourism Well On Its Way In Achieving Its NTSS Goals* [Online], Ibid.

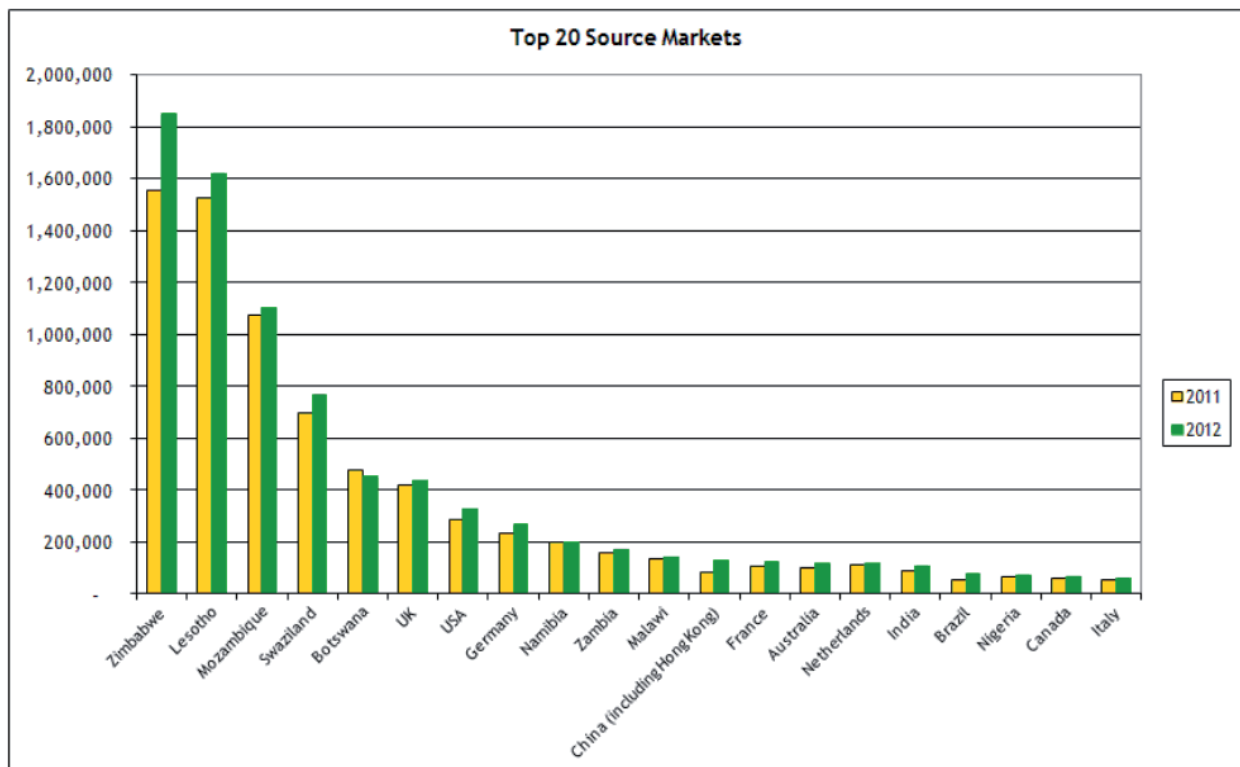
²⁵ South African Tourism (2013), 2012 Annual Tourism Report (Online), Available at: http://www.southafrica.net/uploads/files/2012_Annual_Report_v9_03092013.pdf (Accessed on 22 November 2013).

²⁶ Department of Tourism (2011), *National Tourism Sector Strategy*, Republic of South Africa, Available at: <http://www.tourism.gov.za/AboutNDT/Publications/National%20Tourism%20Sector%20Strategy%20Executive%20Summary.pdf> (Accessed 19 November 2013).

tive travel experiences to entice domestic and foreign travellers to explore South Africa. This, in turn, means increased employment opportunities, more money flowing through the country, and strengthened international relations.

Of the 9.2 million foreign visitor arrivals in 2012, 2.5 million were from markets other than Africa. Countries from the neighbouring Southern African Development Community (SADC) continued to be the major source of tourist arrivals, with Zimbabwe being the largest source market followed by Lesotho. Outside of Africa, Europe was the continent with the most international arrivals (55% of non-African arrivals) with the UK as the largest European source market followed by the USA and Germany²⁷. The top 20 source markets of foreign visitors arrivals is provided in Figure Three.

Figure Three – Top 20 International Visitor Arrival Source Markets



Source: South African Tourism (2013), 2012 Annual Tourism Report (Online), Ibid.

In 2012, Gauteng continued to hold the position as most visited province with 44.6% of tourist arrivals visiting the province, followed by Mpumalanga (15.2%) and Western Cape (14.7%). However, looking at the share of total bed-nights, Gauteng is the most popular province (39.3%), followed by Western Cape (24.2%) and Kwa-Zulu Natal and Mpumalanga on shared third spot (8.8%)²⁸. The ten most popular tourist destinations in 2012 are listed in Figure Four.

²⁷ South African Tourism (2013), 2012 Annual Tourism Report (Online), Ibid.

²⁸ South African Tourism (2013), 2012 Annual Tourism Report (Online), op. cit.

Figure Four – South Africa's Ten Most Popular Tourist Destinations 2012

Ranking	Most Popular Location	Province
1	Cape Town and the Cape Peninsula	Western Cape
2	The Winelands	Western Cape
3	Garden Route	Western Cape
4	Johannesburg	Gauteng
5	Kruger National Park	Mpumalanga/Limpopo
6	Durban beach front	Kwa-Zulu Natal
7	Robben Island	Western Cape
8	Soweto	Gauteng
9	Blyde River Canyon	Mpumalanga
10	Wild Coast	Eastern Cape

Source: South African Tourism (2013), *2012 Annual Tourism Report (Online)*, Ibid.

Amidst the rapid and explosive tourism growth experienced in South Africa, the Government and other concerned private sector stakeholders are working to build a strong agenda around sustainable tourism development. The National Tourism Sector Strategy 2012 (NTSS) outlines the commitment of key stakeholders' to promoting sustainable and responsible tourism in order to make South Africa a tourism destination of choice.²⁹ Correspondingly, the National Minimum Standard for Responsible Tourism (NMSRT) as outlined in the South African National Standards (SANS) 1162³⁰ was developed in order to: establish a common understanding of the minimum criteria for responsible tourism; promote responsible tourism in the tourism sector, including accommodation, hospitality, travel distribution systems, as well as organs of state and entities, organised labour and communities involved or interested in the tourism sector in South Africa; establish the minimum criteria for certification of the sustainability of organisations in the tourism sector; and be in line with the National Guidelines for Responsible Tourism (2002)³¹ and the Global Sustainable Tourism Criteria.³² SANS1162 establishes specific minimum requirements for the performance of organisations in the tourism sector in relation to social, economic and environmental sustainability and enables organisations to formulate policies and objectives which take into account legal requirements and information pertaining to the impact

of these requirements. The National Department of Tourism is rolling out an awareness raising program around implementation of the principles and practices relating to SANS 1162 throughout South Africa's nine provinces in partnership with public and private sector representatives as well as civil society organisations.

2.2 What is the Situation for Children in South Africa?

Tourism has made significant steps forward in the past two decades. But what is the parallel situation for South Africa's children? It is important to consider the status of children to better understand the ways in which children come in contact with the tourism sector.

Child Population

In the most recent census in 2011, South Africa's total population was estimated at 51.8 million people, of whom 18.5 million were children under 18 years old. Children therefore constitute 37% (over one third) of the nation's total population. Over the past ten years, the child population has grown steadily by about 6% (one million children). Children are fairly equally distributed across the age groups, with on average just over one million children in each year under 18. The gender split is equal for children. Half of all children live in three of the nine provinces: KwaZulu-Natal (23%), Eastern Cape (14%) and Limpopo (12%). A further 18% of children live in Gauteng, a mainly metropolitan province, and 10% in the Western Cape³³.

²⁹ Department of Tourism (2011), *National Tourism Sector Strategy*, Republic of South Africa, op. cit. p. viii

³⁰ Department of Tourism Website, <http://www.tourism.gov.za/CurrentProjects/ResponsibleTourism/Pages/Information.aspx>, Accessed 24 Nov 2013)

³¹ Department of Tourism Website, <http://www.tourism.gov.za/CurrentProjects/ResponsibleTourism/Responsible%20Tourism/Responsible%20Tourism%20Guidelines.pdf> (Accessed 27 November 2013)

³² Global Sustainable Tourism Council Website, <http://www.gstcouncil.org/sustainable-tourism-gstc-criteria.html> (Accessed 27 November 2013)

³³ Meintjes, H. and Hall, K. (2013), *Demographics of South Africa's Children*, in: Berry, L., Biersteker, L., Dawes, A., Lake, L., and Smith, C. (eds) (2013), *South African Child Gauge 2013*. Cape Town: Children's Institute, University of Cape Town. p. 86.

Political Situation

South African children are growing up in families and communities that are still recovering from the legacy of apartheid³⁴. Today's communities are still affected by previous legislation which contributed to the separation, marginalisation and disintegration of families. Apartheid laws severely damaged the fabric of family life. Men and women who found employment in town and cities could not take their partners and families with them, thus eroding family relationships. Migrant labour contributed to this family disintegration and men spent long periods away from their families who were unable to join them in the cities, or on the mines and other places of work.

South Africa is now in its twentieth year of democratic government, following decades of colonial and then apartheid rule. The transition to a stable and democratic political environment has resulted in positive progress towards the achievement of human rights and corresponding improvements in social and economic development. Democracy has brought many benefits to children and families in terms of access to education, health and basic survival, however development in the post-apartheid era continues to be compromised by economic pressures and deepened by the global recession of the past five years. Development is also hindered by high levels of corruption in South African society, high rates of criminal violence (including sexual violence perpetrated against women and children); the high HIV prevalence rate (17% of the general population³⁵) and high levels of orphans and child-headed households.

Socio- Economic Situation

62% of children in South Africa live in households with a per capita income of less than R570 (EU40) per month³⁶. Dependence on social security is an indication of disadvantage and the potential vulnerability of children. The percentage of the population in receipt of social grants increased from 12.7% in 2002 to 29.6% in 2012³⁷.

Significant numbers of children live in families in which no adult member is employed. According to official figures, unemployment in South Africa has reached 26% of employable persons³⁸. Household structures are severely disrupted and affected by poverty. Children are profoundly affected by this disruption³⁹. There are glaring racial disparities in income poverty: while two thirds (66%) of African children lived in poor households in 2011, only 2% of White children lived below this poverty line, and poverty rates for Coloured and Indian children were 30% and 8% respectively⁴⁰. Children living in households with no or little income are considerably more vulnerable to abuse, neglect and exploitation⁴¹. Expectations of better access to resources and the perceived and real gap between the poor and the wealthy have also contributed to the vulnerability of children to all forms of exploitation. Socio-political and economic conditions prevalent in South Africa present many challenges for parents and children and are thought to contribute significantly to the vulnerability of children to all forms of abuse including neglect, abuse and exploitation.

Family Composition

The family is considered the first and primary child protection structure. However, the South Africa Child Gauge (2013) indicates that the proportion of children living with both parents decreased from 38% in 2002 to 33% in 2011. Thirty-nine percent of all children – more than seven million children – live with their mothers but not with their fathers. Only 4% of children live in households where their fathers are present and their mothers absent⁴². In 2011, there were approximately 3.85 million orphans in South Africa⁴³. In this context, orphans are defined as children who do not have a living biological mother or father or both parents. According to this definition, the total number of orphans is

³⁴ van Niekerk, J. (2010), *Growing up in South Africa, Training Manual for Prosecutors*, Justice College, Pretoria.

³⁵ UNAIDS Website, Available at: <http://www.unaids.org/en/regionscountries/countries/southafrica/> (Accessed on 12 December 2013).

³⁶ Statistics South Africa (2011), *Social Profile of Vulnerable Groups in South Africa*, Pretoria, South Africa. p. 31.

³⁷ Available at: <http://www.sanews.gov.za/south-africa/household-report-shows-improvements-challenges> (Accessed 24 November 2014)

³⁸ Available at: <http://www.tradingeconomics.com/south-africa/unemployment-rate> (Accessed 24 November 2013)

³⁹ Statistics South Africa (2011), *Social Profile of Vulnerable Groups in South Africa*, Pretoria, South Africa. p. ii.

⁴⁰ Hall, K. (2012), *Income, Poverty, Unemployment and Social Grants*, in Berry, L., Biersteker, L., Dawes, A., Lake, L., and Smith, C. (eds) (2013), *South African Child Gauge 2013*. Cape Town: Children's Institute, University of Cape Town. p. 90.

⁴¹ Hall, K., Woolard, Lake, L., and Smith, C. (eds) (2012) *South African Child Gauge 2012*. Children's Institute, University of Cape Town.

⁴² Meintjes, H. and Hall, K. (2013), *Demographics of South Africa's Children*, in: Berry, L., Biersteker, L., Dawes, A., Lake, L., and Smith, C. (eds) (2013), *South African Child Gauge 2013*. Cape Town: Children's Institute, University of Cape Town. p. 87.

⁴³ Meintjes, H. and Hall, K. (2013), *Ibid*. p. 88.

equivalent to 21% of all children in South Africa. The total number of orphans has increased substantially, with 853,000 more orphaned children in 2011 than in 2002.⁴⁴ The lack of close family relationships and limited parental care and supervision mean that children often lack suitable guidance and role models thereby increasing the vulnerability of children to all forms of neglect and exploitation.

Children's Health

South Africa's Infant Mortality Rate IMR was 46 per 1,000 in 2006 and decreased to 30 per 1,000 in 2011. During the same period the under-five mortality rate decreased from 69 per 1,000 to 42 per 1,000, primarily as a result of an effective prevention of mother-to-child HIV infection. The government has introduced a number of programs to alleviate income poverty and to reduce hunger, malnutrition and food insecurity, yet 2.5 million children (14%) lived in households where child hunger was reported in 2011.⁴⁵ South Africa has a generalised HIV epidemic driven largely by sexual transmission. In 2009 HIV prevalence in the adult population (aged 15–49) was estimated to be 17.8%. An estimated 5.63 million adults and children were living with HIV in 2009. Of these, 5.3 million were aged 15 years and older, 3.3 million were females and 334 000 were children.⁴⁶ The HIV and AIDS pandemic makes children more vulnerable to abuse, neglect and exploitation. Affected and infected children are often stigmatised, and sometimes even excluded from family and community life.

Children's Education

Education provides a critical safety net for children; it is a central opportunity which prepares children for the responsibilities of adult life. South African children enter Grade One when they are seven years old and are expected to complete compulsory basic education from Grades 1 – 9 (ages 7 – 15). Children who have completed basic education also have a right to further education (Grades 10 – 12), which the government must take reasonable measures to make available. South Africa has high levels of

school enrolment and attendance. In the period 2011/2012, 12 million children were enrolled in schools in South Africa over 98% of seven to 15 year old children were attending educational institutions.⁴⁷ However, attendance rates tend to mask the problem of drop-out among older children. Analysis of attendance among discrete age groups shows a significant drop in attendance amongst children older than 14 years old.⁴⁸

It is important to note that education, health and welfare services are not nationally organised and implemented but are devolved to provincial administrations each of which develops its own budgets for service delivery and implementation services within the framework of national law and policy. This results in comparatively poorer service delivery to children in some provinces, and increases the mobility of children in search of resources.

2.3 What is the Connection between Tourism and the Commercial Sexual Exploitation of Children?

While many steps have been made to advance children's access to basic rights in the past two decades, there are many corresponding developments which present potential risks to children. Travel and tourism form one of these factors. While travel and tourism are not responsible for crimes against children, there is a connection between the tourism industry and the commercial sexual exploitation of children (CSEC) around the world. South Africa is not immune from this disturbing phenomenon. The vulnerability of South Africa's children is linked to the growth within South Africa's tourism industry,⁴⁹ and tourism infrastructure can often play an inadvertent or intentional role in these crimes against children. Tourism infrastructure is used as both the mechanisms for gaining access to children and the venues in which sex crimes are perpetrated.

In South Africa, CSEC intersects with the tourism industry in multiple ways:

⁴⁴ Meintjes, H. and Hall, K. (2013), *Ibid.* p. 88.

⁴⁵ Hall, K., Nannan, N. and Sambu, W. (2012), *Child Health and Nutrition*, in L., Biersteker, L., Dawes, A., Lake, L., and Smith, C. (eds) (2013), *South African Child Gauge 2013*. Cape Town: Children's Institute, University of Cape Town. p. 98.

⁴⁶ Republic of South Africa (2012), *National Action Plan on HIV, STIs and TB - 2012-2016*, SANAC. p. 22.

⁴⁷ Department of Education (2013): *Report on the 2012/2013 Annual Report*, Department of Education, Pretoria, p. 28.

⁴⁸ Hall, K. (2012), *Children's access to Education*, L., Biersteker, L., Dawes, A., Lake, L., and Smith, C. (eds) (2013), *South African Child Gauge 2013*. Cape Town: Children's Institute, University of Cape Town. p. 101.

⁴⁹ Child Welfare South Africa (2011), *Universal Periodic Review on the Status of Human Rights, United Nations Submission*, Edenvale, South Africa. p. 5.

- ▶ Child sex offenders can use tourism infrastructure to travel to and reside in new destinations and, while there, engage in sex with children. This may involve the use of travel agencies and transport services to travel to entertainment venues (bars, nightclubs, shabeens, massage parlours and brothels) where they procure children for sex. Tourism accommodation services (guest houses, hotels, resorts) can also be the venues where the offenders commit acts of sexual exploitation against children;
- ▶ Child sex merchants can use tourism services to perpetrate commercial sexual exploitation against children. This can include the use of hotels for child prostitution and the production of child pornography. It can involve travel agencies making specific arrangements to connect offenders with children for the purpose of sexual exploitation; and
- ▶ Human traffickers can use tourism infrastructure (hotels, planes, taxis, boats, trains, local transport, travel agencies) during the illegal movement of children for the purpose of sexual exploitation. This can involve the internal movement of children within South Africa the movement of South African children to other countries or movement of foreign children into South Africa for the purpose of sexual exploitation.

2.4 What is the Situation of Sexual Exploitation in South Africa?

Before providing a review based on research findings in relation to the situation of CSEC relating to tourism in South Africa, it is first necessary to examine the culture of sexual violence and exploitation which is plaguing the country. President Jacob Zuma recently announced that the nation faces a problem of ongoing abuse and violent sexual attacks against women and children, with over 64,000 cases of rape reported to police in 2012. The President acknowledged that men and boys are also victims of sexual crimes⁵⁰. Crime Stats South Africa has further confirmed

a total of 66, 197 sexual offences have already been reported in 2013 (which include rape and varying forms sexual exploitation).⁵¹ Disaggregated data on these sexual offences is not currently available, making it difficult to classify victims by age, gender, location, and type of sexual exploitation. However, in 2008 the South African Police Service (SAPS) statistics identified 16,068 cases of child rape.⁵² Acknowledging that it is common for sex crimes to go unreported, these figures are seen as the tip of the iceberg for sexual exploitation in South Africa. Furthermore, Doctors for Life have reported concerning data on their website suggesting that one in three girls and one in five boys in South Africa have been sexually molested by the time they turn 18 years old⁵³. The Medical Research Council expands upon this with their report that more than 25% of men have committed rape and, when asked about their age at the first time that they forced a girl or woman into sex, the majority said they were between 15-19 years old.⁵⁴ This culture of sexual exploitation sets a troublesome platform for the proliferation of commercial sexual exploitation which, in turn, presents negative implications for children.

2.5 How does CSEC relate to Tourism in South Africa?

CSEC is the sexual exploitation of a child below 18 years old that involves a transaction in cash or in kind to the child or to one or more third parties. The International Labour Organisation (ILO) considers CSEC an abhorrent violation of the human rights⁵⁵ which can involve multiple forms of violations including child prostitution, child sex trafficking, child pornography and child sex tourism. It is important to understand that these individual forms of exploitation can often not be separated, as children are often

⁵⁰ Zuma, J. *Launch of the Stop Rape Campaign in Schools*, The Department of Basic Education and Lead SA, Mitchells Plain, Cape Town, 28 Feb 2013, Speech, Available at: <http://www.gov.za/speeches/view.php?sid=34564>, (Accessed on 17 November 2013).

⁵¹ Crime Stats South Africa Website: Available online: <http://www.crimestatssa.com/national.php> (Accessed on 19 November 2013).

⁵² Save the Children Southern Africa Regional Office (2010), Baseline 2010: National Child Protection System in South Africa [Online]: Available at: <http://resourcecentre.savethechildren.se/sites/default/files/documents/4445.pdf> (Accessed on 25 Nov 2013).p.2.

⁵³ Doctors for Life Website: <http://www.doctorsforlife.co.za/index.php/category/issues/pedophilia/> (Accessed 18 November 2013).

⁵⁴ Available online: <http://www.irinnews.org/report/84909/south-africa-one-in-four-men-rape> (Accessed 24 November 2013).

⁵⁵ Available online: <http://www.ilo.org/ipe/areas/CSEC/lang-en/index.htm> (Accessed 23 November 2013).

victims of multiple forms of CSEC. For instance, a child may be tricked to move from a rural area to the city for domestic work (child sex trafficking) whereupon they are forced into sex work (child prostitution) and are required to engage in sexual acts with clients from other countries (child sex tourism) some of whom collect images of the sexual acts (child pornography).

To the tourism industry, which expertly promotes holidays and business travel, the concept that its very infrastructure is used to perpetrate sexual violations against children may seem remote and improbable. Although the public is generally aware that prostitution, trafficking and pornography exist, many don't realise how close it is to homes, communities and businesses. Yet, in South Africa, all manifestations of CSEC have been detected in the tourism sector including child prostitution, child sex trafficking, child pornography and child sex tourism. The following summary provides an outline of the primary ways in which CSEC collides with tourism in South Africa.

Child Prostitution

Child prostitution intersects with tourism in two main ways. The first method involves the direct use of tourism facilities (hotels, resorts, transport services and travel agencies) for the engagement of children for prostitution. This abuse is not confined to low grade accommodation but occurs across all levels of hotels up to five star accommodation. Children may be working from a particular hotel (see the below case) or delivered to a hotel nominated by the offender. Other tourism services such as taxis, hire cars and other forms of local transport may be involved.

*In 2012, 16 underage girls were rescued from a Durban Point Hotel as a result of a raid conducted by the Durban Organised Crime Unit, the SAPS Dog Unit, the Hawks, members of the Criminal Record Centre, the Child Protection and Sexual Offences Unit, and metro police. Durban Organised Crime Unit's warrant officer, Cyril Freese, said the 16 rescued girls were all aged between 12 and 18. The 12 year old girl appeared to be several months pregnant. All of the girls had been captive and forced into prostitution, intimidated and treated very badly for periods of up to two years. It appears some of the girls were held in the hotel with the intent of being sent to other countries for prostitution.*⁵⁶

The second method of child prostitution in tourism is indirect as it involves tourism services being used as methods to gain access to children, for instance, a business traveller may stay in a city hotel and journey outside in the evening and then engage in sex with children. Sometimes, offenders bring children back to the hotel, but the sexual exploitation may also take place in other venues such as bars, massage venues, brothels, and other entertainment venues. In 2010, the 'Outside the Lines' team from the Entertainment and Sports Programming Network (ESPN) spent nine months investigating the situation of human trafficking in South Africa prior to the World Cup. Leaving the confines of their hotels, they travelled to local adult entertainment businesses to find that many premises offered children as young as 12 and 15 years old for sexual purposes⁵⁷. This corroborated qualitative data from the survey respondents who indicated that children between 12 to 18 years old were most vulnerable to prostitution. However, a number of respondents indicated that the demand for younger children appears to be on the rise. The Salvation Army website indicates that children as young as four years old have been prostituted in South Africa. A State Prosecutor who deals with child prostitution cases in Durban says that there is very big market for men wanting sex with young girls and the ease with which offenders can invite children to their hotels:

*It's not hard to find a young girl for sex. One just has to call a number in the classifieds and ask for a young girl. It's shocking how easy it is to find someone. Some of these young girls sell themselves for as little as R50 (less than 4EUR).*⁵⁸

A recent size estimation conducted on behalf of the South African National AIDS Council (SANAC) identified between 132,000 and 182,000 sex workers in South Africa.⁵⁹ However, this study focused only on adult sex workers and there is very little evidence-based information regarding the numbers of child victims of prostitution. Websites for major child protection

[news/girls-to-be-trafficked-out-of-sa-1.1237976#.UpFwd-K_AYE](http://www.iol.co.za/dailynews/news/girls-to-be-trafficked-out-of-sa-1.1237976#.UpFwd-K_AYE) (Accessed on 24 November 2013).

⁵⁷ ESPN (2011), Concerns Raised About Illegal Sex Trade: Human Trafficking and the World Cup - South Africa [Online], Available at: <http://sports.espn.go.com/espn/otl/news/story?id=5251940> (Accessed on 18 November 2013).

⁵⁸ Article available online at: http://www.iol.co.za/dailynews/news/child-prostitution-is-rife-in-durban-1.1378762#.UpFX6-K_AYF (Accessed on 24 November 2013).

⁵⁹ SWEAT and Impact Consulting, (2013), *Estimating the Size of the Sex Worker Population in South Africa*, Observatory, South Africa.

⁵⁶ Full article available at: <http://www.iol.co.za/dailynews/>

groups including S-Cape Home⁶⁰ and the Salvation Army⁶¹ suggest that there are currently an estimated 30,000 child victims of prostitution in South Africa, and some research indicates that figures might swell up to 40,000, but due to the clandestine, complex and extremely sensitive nature of these crimes, there is an under-reporting and lack of recording of child prostitution, thereby making it difficult to obtain accurate records.⁶² What is known is that child sex is available and easily accessible.

The majority of respondents to the research suggested that the child victims of prostitution came from both rural areas and villages, and also townships and urban areas. It was noted that children came from both inside and outside of South Africa and origins were varied. The majority of respondents identified that child victims often came from a background of hardship, either due to their family situation, substance abuse, physical abuse, economic disadvantage and educational issues:

One of the children was 13 when she was raped. She started to smoke cigarettes and drink alcohol. She then started to hang-out with other 'party girls' over weekends. Was introduced to the nightlife in City Centre; and soon started to have sex for money. She started to hang-out at certain clubs and bars to meet foreign men as they 'pay better'. At age 15, still at school - she had regular foreign clients or foreign boyfriends. Sex usually took place in public places, at a room especial hired for this purpose and now and then in a client's hotel room. She was arrested at age 18 and jailed for theft; and then disappeared." (Questionnaire Respondent – Child Protection NGO).

Research respondents indicated that child victims of prostitution were mostly working in hired accommodation such as guest houses and hotels or private residences. Tourism industry representatives who contributed to the research noted that security and front desks in the larger hotels are alert to who accompanies guests, thereby allowing for stricter regulation and improved safety for children. However, it was noted that in smaller establishments, such as bed and

breakfast venues, guests are given keys to gates and entrances and there is little supervision. It was also indicated that children are being exploited as prostitutes in lodges and resorts in addition to roadsides, brothels, massage parlours, shabeens⁶³ and taverns, clubs and bars, lolly lounges⁶⁴, gentleman's lounges, run-down buildings and designated truck stops. While children may be forced to stay in one location, others are more transient and move to new locations according to customer demand. This finds children moving between the formal tourism sector and more informal destinations. In terms of high risk locations, respondents identified that child prostitution is believed to be happening in every province.

Child Sex Trafficking

Human traffickers conduct their business by transporting adults and children, either inside South Africa or across international borders for the purpose of exploitation. This illicit movement of people requires transport and accommodation services. So, invariably, along the route, child victims pass through South Africa's tourism infrastructure as they are temporarily housed in hotels and guest houses and transported via taxis, buses, trains and planes. Most often, travel and tourism management and staff are oblivious to the illegal trade their businesses are facilitating.

Young girls feature prominently in all trafficking streams. The demand for underage girls for purposes of sexual exploitation is a disturbing feature of the South African trafficking landscape. Reasons for this demand include the perception that young girls pose less of a risk in terms of HIV and also that they represent the 'sexual desirability of youth'.⁶⁵

The United States Trafficking in Persons (USTIP) Report 2013 identifies that 'children are trafficked mainly within the country, from poor rural areas to urban centres such as Johannesburg, Cape Town, Durban and Bloemfontein.'⁶⁶

⁶⁰ S-Cape Home Website: Available at: http://www.s-cape-home.org/?page_id=8, (Accessed on 19 November 2013).

⁶¹ Salvation Army South Africa Website, Available at: <http://www.salvationarmy.org.za/index.php/our-work/community-care-development/anti-human-trafficking> (Accessed on 19 November 2013).

⁶² Spies, D. (2013), *An Analysis into the Risk Factors Contributing to Child Prostitution in South Africa*, Research Thesis, Unpublished

⁶³ Shabeens are unregistered bars and places where alcohol is sold and served, usually existing in informal township areas, but sometimes in inner cities and suburbs.

⁶⁴ Lolly lounges are houses located in sub-economic zones which alcohol, drugs and sex are available. These houses are often used as drug hubs by gangsters and criminals.

⁶⁵ National Prosecuting Authority of South Africa (2010), *Tsireledzani: Understanding the Dimensions of Human Trafficking in Southern Africa*, Republic of South Africa. p. vi.

⁶⁶ United States Department of State (2013), *Trafficking in Persons Report [Online]*, Available at: <http://www.state.gov/documents/organization/210741.pdf> (Accessed on 19 November 2013). p. 333.

The Salvation Army has observed that the Eastern Cape, Mpumalanga and Limpopo are the main recruitment areas for trafficking victims⁶⁷. Respondents to the research corroborated these findings, saying that trafficked children primarily originate from within South Africa and that there is increasing movement across the national borders. The most frequently identified routes include nearby Lesotho, Mozambique, Zimbabwe and Swaziland. Many respondents noted the porous nature of South Africa's borders and shared examples of the ways in which children had travelled easily across border checkpoints; some children were brought through the border in trucks and taxis which were not checked by border officials, sometimes border officials were simply bribed, and sometimes children cut and/or climbed under, over or through border fencing. In order to illustrate the ease with which one could move through border areas without proper checks, one of the respondents explained:

It is easy to move children through the border without proper checks. I took a group of children to an international children's conference. I had gone to great trouble collecting all the official documents enabling me to take children, who were not my own, out of South Africa. However when I arrived at the border, the official did not ask for the documentation but simply stamped all the passports. When offered the documentation, he did not even look at it. (Research Respondent).

Other commonly mentioned source countries for child victims of sex trafficking in South Africa were Somalia, the Democratic Republic of the Congo, Ghana, Kenya and overseas source countries including India and Taiwan. This is aligned to the recent USTIP Report findings which outline similar common source countries for children who have been trafficked to South Africa for prostitution:

*Women and girls from China, Taiwan, Thailand, Cambodia, India, Russia, Ukraine, Moldova, Bulgaria, Brazil, the Democratic Republic of the Congo, the Republic of the Congo, Rwanda, Mozambique, Lesotho, Swaziland, and Zimbabwe are recruited for legitimate work in South Africa, but are sometimes subsequently subjected to forced prostitution.*⁶⁸

During the ESPN research for their media story on human trafficking, the undercover ESPN interviewer was offered sex with young children from Zimbabwe, Mozambique, Zambia, Malawi, Cameroon and China⁶⁹. Once the girls have been trafficked to South Africa, they may pass through hotels on route to their final destination (brothels, massage parlours and rented residences) and they often continue to return to tourism services to deliver sexual services through forced prostitution.

It is not only child victims of sex trafficking who come into contact with tourism services but those who perpetrate child sex trafficking crimes also occupy hotels and transport services during the conduct of their illegal activities. During this research, multiple sources identified the criminal involvement of individuals and organised criminal syndicates from Nigeria who traffic local South African women and girls into prostitution⁷⁰. During focus group discussions, respondents to this research explained that Nigerian syndicates are driving child trafficking and subsequent prostitution in some large cities and towns. It was reported that these syndicates are using intimidation tactics to threaten child protection groups and police to prevent them from interfering in their high-profit, exploitative crimes. In addition to outlining the criminal involvement of Nigerian syndicates dominating the trafficking of children into child prostitution in Hillbrow and other areas, the USTIP Report also indicates that Russian and Bulgarian crime syndicates operate in the Cape Town sex trade and Chinese nationals are coordinating the sex trafficking of Asian women and children into South Africa⁷¹. Cross border trafficking of children, particularly children from Zimbabwe was reported to be facilitated by gangs (known as 'Gumagumas') who prey on children crossing the border by foot⁷².

Evidence emerged of a concerning phenomenon involving truck drivers who are acting as links in the trafficking chain that supplies sex workers to 'receptionists' at brothels and hotels in the Southern Africa Development Com-

⁶⁷ Salvation Army Website: <http://www.salvationarmy.org.za/index.php/our-work/community-care-development/anti-human-trafficking> (Accessed on 21 November 2013).

⁶⁸ United States Department of State (2013), op. cit. p. 334.

⁶⁹ ESPN (2011), op. cit.

⁷⁰ Torres, L. and Du Toit, D. (2010), *Southern Africa Counter-Trafficking Program (SACTP) Review*, Norwegian Embassy and Norad, Pretoria, (p.12).

⁷¹ United States Department of State (2013), op.cit. p. 333.

⁷² Human Sciences Research Council, (2010) Tsireledzani: Understanding the Dimensions of Human Trafficking in Southern Africa: Research Report, National Prosecuting Authority, Republic of South Africa.

munity (SADC). A report by the International Organisation for Migration (IOM) reveals that street children from Maseru in Lesotho are trafficked by long distance truck drivers to South Africa for sexual exploitation⁷³. Respondents to the research also identified that major trucking routes between the ports and cities are known venues for soliciting and offering commercial sex. The truckers pick girls up and have sex with them in their trucks and then drop them off at the next stop – where a driver travelling in the opposite direction will pick them up, use them sexually and drive them back to their home stop. Respondents identified that drivers often prefer younger girls and the comment was made ‘children are more valuable than their mothers’ when it related to earnings from sexual exploitation by truckers.

Child Pornography

Tourism premises (including hotels, guest houses and resorts) are not only used as destinations where offenders commit crimes of child prostitution and harbour children who are being trafficking for sexual purposes. These destinations are also used for the manufacture of child pornography. Preferential child sex offenders (those with a predilection for sexual engagement with children) frequently seek to document their crimes through use of journals, photographs and video.

*A Swiss corporate lawyer, holidaying in South Africa, has been caught sodomising a 14 year old boy in his Sandton hotel. Police caught the offender having sex with the boy who is believed to be from Alexandra township. Police also recovered sexually explicit pornographic images from the offender's laptop and cell-phone. Upon further investigation, four other victims (believed to be children living on the streets) were also identified as victims.*⁷⁴

Seeking anonymity, offenders will often commit sexual offences against children in hotels and guest houses and personally record or seek a third party to record the acts of sexual exploitation. The rapid advancement of new technologies has undeniably increased children's vulnerability to commercial sexual exploitation, particularly as these images are on-sold, exchanged and dis-

tributed and can be available in the global online environment instantaneously or in a matter of minutes. The list of example CSEC offences provided at Annex B reveals that police confiscated pornographic (child sexual abuse) images from a number of CSEC offenders in South Africa. While, so far there is limited evidence in South Africa regarding the use of tourism services for the production of child pornography, experience from other countries indicates that this is a high risk area for the tourism sector.

Child Sex Tourism

Child sex tourism involves the commercial sexual exploitation of children by men or women who travel from one place to another (usually from a richer country to one that is less developed) and while there engage in sexual acts with children. ECPAT International explains that ‘child sex tourists may be preferential abusers, who deliberately seek out children for sex, or may be situational abusers, who engage in sexual acts with children out of experimentation often fuelled by opportunity or a feeling of anonymity as a result of being away from their home. The rapid and global growth of low cost air travel, for example, has made air travel comparatively more accessible and so new and emerging destinations are within reach of a high number of tourists, including potential perpetrators of child sex crimes⁷⁵.’

Respondents to this research explained that children are often attracted to tourism areas where they are easily lured into sexual exploitation because of material need and/or the need for employment and income, as well as challenges coping with family problems and relationships at home. ECPAT explains that the possibility that child sex tourism may occur is enhanced by the presence of individuals from outside the local community who may be in a position to use their financial resources to take advantage of children.⁷⁶ Child protection workers reported that some children move on their own as runaways, some are moved through traffickers and exploiters. Some children come with their parents who have taken up work in the area. Organised gangs may force children into situations of exploitation. Most movement of children into

⁷³ News story available online: <http://www.news24.com/Africa/News/Sex-slave-trade-flourishing-20030324> (Accessed on 24 November 2013).

⁷⁴ Article available online: http://www.iol.co.za/news/south-africa/sex-tourist-strikes-deal-with-state-1.260032#.UpF6tuK_AYE (Accessed on 20 November 2013).

⁷⁵ ECPAT International Website: <http://www.ecpat.net/faqs>, (Accessed on 24 November 2013).

⁷⁶ ECPAT International (2008), Protecting Children from Sexual Exploitation in Tourism: An ECPAT Training Resource Kit, Bangkok, Thailand.p.3.

tourist areas appears related to the personal survival needs of the child, such as food, clothing, shelter, access to education and money, making them vulnerable to deception. Once children arrive in tourist areas they are very vulnerable to exploitation by foreigners, especially where parental supervision and awareness of the child's activities is limited or absent:

A 14 year old from an informal settlement was persuaded by an older child to go to the city where the British Lions Rugby team was playing the Springboks (South African Rugby Team). She was told that a huge number of fans would be flocking to the beachfront in search for recreational activities. The older child convinced her that 'they pay in pounds and are friendly guys who like local girls'. (Interview Respondent – Child Protection Professional)

Child protection respondents to this research identified a number of hot-spots where tourists come into contact with vulnerable children including the V&A Waterfront, Long Street in Cape Town, the Point area in Durban, the inner city of Johannesburg, and tourist markets and attractions such as Pilgrim's Rest. This was supported by the Human Sciences Research Council report in 2010 which suggests Cape Town, Durban, Johannesburg and Port Elizabeth are primary destinations for underage sex tourism, involving children between 10 and 14 years old and that this pattern indicates an international component, in which people seeking sex tourism travel to developing countries looking for anonymity and vulnerable children who are available for prostitution.⁷⁷

Respondents from the tourism sector noted that while they may not have seen evidence of cases of child sex tourism, they are aware of the problem. Some speculated that it was particularly problematic with sea-based workers (cargo ships and oil rigs) coming into port, especially in cities such as Cape Town, Port Elizabeth and Durban, and that this abuse would probably take place in a brothel-like situation or in a lower end hotel (especially those without a manned reception) and accommodation services that rent rooms by the hour. Professionals working in the field of child protection suggested that tourists often visit the area on foot, and are often approached

by children who are begging or selling trinkets (or even sex) and are particularly vulnerable to sexual exploitation by tourists. However, these areas are now being more heavily patrolled by security and police. It was agreed in the focus group discussions that street children are a forgotten group of children and that begging and selling of sexual favours was often their most likely source of income. Research conducted by S-Cape Home identified that foreign travellers could enter locations like Soweto and purchase a child and taken them back to their hotel for the purpose of sexual exploitation at the cost of R40 (EUR3) for a whole day.⁷⁸ Respondents to this research who work directly with children reported that offenders pay between R5 (40cEUR) to R5000 (400EUR) at the upper end of the market, depending on the child and the age of the child. Some respondents noted that the younger the child, the higher the price. Pricing also depended on the sexual act requested by the exploiter, the length of time for which the child was requested, the location of the sexual act, or whether it was a weekend or weekday. Representatives from the tourism industry who contributed to the research explained that while guests may be bringing these children back to their hotels for the purpose of sexual exploitation, it is sometimes difficult to confirm the status of a child when a guest insists that the child is a close family member for whom the guest has a responsibility.

Nevertheless, South African police have detected multiple cases of child sex tourism in recent years (see Annex B) involving foreign nationals from Germany, Switzerland, the United Kingdom and the United States. These offenders come from varying occupations including businessmen, tourists, corporate lawyer, church priests and a Peace Corps volunteer. ECPAT explains that it is difficult to establish how often child sex tourists are arrested in South Africa, mainly because they are usually charged with indecent assault or rape and not on account of sex tourism.⁷⁹ As a result, convictions of foreigners for child sex tourism offences are still difficult to identify in South Africa. Furthermore, there has been criticism of the government, police and judiciary for lenient sentences, such as the case

⁷⁷ Human Sciences Research Council, (2010) *Tsireledzani: Understanding the Dimensions of Human Trafficking in Southern Africa: Research Report*, National Prosecuting Authority, Republic of South Africa. p. vi.

⁷⁸ Video report available online at: <http://www.s-cape-home.org/> (Accessed on 17 November 2013).

⁷⁹ ECPAT International (2013), *Global Monitoring Report: Status of Action Against Commercial Sexual Exploitation of Children*, South Africa (Second Edition), Bangkok, Thailand. p. 16.

of a Swiss tourist who negotiated a plea bargain and was released on bail of R10,000 and allowed to return to Switzerland despite having been found to have sexually exploited a 14 year old South African boy⁸⁰.

New innovations in tourism services, while well-intended, have escalated potential risks of CSEC in South Africa. Some particular innovations examples include Township Tours and Voluntourism. During the mid-1990s, a new form of tourism was established in several developing countries which provided an opportunity for international tourists to visit local townships. Today, these 'Township Tours' are offered on a relatively large scale in the South African cities of Johannesburg, Cape Town, Pretoria, Durban. In Cape Town alone it is estimated that around 300,000 international visitors make township tours per year.⁸¹ A study of township tours in Soweto showed that of the tourists surveyed, 83% were international visitors and 17% domestic tourists. Many of the international visitors surveyed said that they were looking for 'meaningful interaction' with locals through these tours, such as visiting schools and community centres.⁸² While this form of community engagement is increasingly popular amongst travellers, the risks to child safety also escalate as the tours provide opportunities for predators to make direct contact with children. The tours can also facilitate artificial relationships between children and foreigners who regularly visit communities and classrooms where they distribute gifts and interact with children.

Voluntourism is also increasingly popular amongst international travellers who seek to combine organised voluntary work with leisure travel, and is a fast-growing niche market in the global tourism industry. South Africa's voluntourism market includes significant numbers of visitors from Europe who purchase volunteer holidays through travel companies or directly from inbound service providers. While the South African Tourism website promotes voluntourism as an opportunity which 'enables the enlight-

ened traveller to have an amazing holiday while changing the way they see the world'⁸³ there are potential negative impacts on children which can include CSEC. This was highlighted with the recent case of an American volunteer/tourist arrested in South Africa in 2011:

*A former Peace Corps volunteer from Connecticut has been charged with sexual abuse of several preschool children in South Africa. The 31 year old male worked at an AIDS centre in Greytown, South Africa, that provided education, food and other services to children between the ages of three and 15. While volunteering at the centre's preschool facility, the accused allegedly sexually molested at least five girls under the age of six. He also allegedly engaged in illicit sexual conduct with one of the girls, approximately five years old, twice a week for five months. He was confronted by the AIDS centre program manager in May 2011 after a preschool teacher alleged that when she observed him in a toy room of the facility with three little girls, the accused appeared startled and zipped up his pants. One of the children told a school official that the accused had given her candy in exchange for oral sex. The accused initially denied the charges before admitting that he had touched one of the children under her clothes.*⁸⁴

In 2012, the United States Department of Immigration and Customs Enforcement (USICE) announced that the former American Peace Corps volunteer was sentenced to 180 months in prison, followed by 10 years of supervised release, for his offences of sexually abusing four minor girls under the age of six while he was a volunteer in South Africa.⁸⁵

Magnitude of CSEC in Tourism

In the past decade there have been multiple studies which have speculated about the numbers of children who are victims of commercial sexual exploitation in South Africa. However, this has proven complex and potentially misleading as there is a broader systemic failure to collect sufficient national data regarding child protection in general. Save the Children acknowledges:

⁸⁰ News story available at: http://www.iol.co.za/news/south-africa/sex-tourist-strikes-deal-with-state-1.260032#.UpG8peK_AYE (Accessed on 22 November 2013).

⁸¹ Rolfes, M. (2009), *Poverty Tourism: Theoretical Reflections and Empirical Findings Regarding an Extraordinary Form of Tourism*, GeoJournal, Springer Science and Business Media, 26 September 2009, p. 471.

⁸² Booyens, I. (2010) Rethinking Township Tourism: Towards Responsible Tourism Development in South African Townships, Development Southern Africa, 27: 2, pp. 273-287

⁸³ Available online: <http://www.southafrica.net/za/en/articles/overview/voluntourism> (Accessed 18 Nov 2013).

⁸⁴ CNN News Website: <http://edition.cnn.com/2011/CRIME/08/05/peace.corps.sexual.abuse/> (Accessed on 18 November 2013).

⁸⁵ Available online: <http://www.ice.gov/news/releases/1210/121011johannesburg.htm> (Accessed 16 November 2013)

*There is a lack of accurate and reliable information on child protection issues in South Africa. There are no national child protection indicators, no national research agenda on child protection and a lack of disaggregated data (urban/rural; gender; age of children; provincial).*⁸⁶

In their Baseline report on the National Child Protection System, Save the Children explains that although the South African Police Service releases annual statistics outlining crimes committed against children below 18 years old, the reliability of these statistics is questionable as they are dependent on the accuracy of reporting from local level service providers where data is not captured systematically. Furthermore, the Department of Social Development does not yet have core child protection indicators and, as a result, there are gaps in the systematic capturing of regular and reliable data on the number of children in South Africa who require and receive services.⁸⁷

Acknowledging the overarching absence of child protection data in South Africa, it naturally follows that it is difficult to estimate the magnitude of commercial sexual exploitation of children in the tourism sector. This situation reflects the global experience, as UNICEF explains:

*Research on child trafficking and sexual exploitation is challenging because of the complex, clandestine, sensitive and changing nature of the practice itself. Information must be gathered from many different sources, official statistics and beyond; this data must be validated; linkages and explanations need to be developed and tested; and conclusions and lessons must be considered in consultation with stakeholders.*⁸⁸

Certainly, there is an urgent need for quantitative research and baseline information⁸⁹ concerning all forms of CSEC. In this regard, the Department of Social Development is working on a five year National Child Protection Surveillance Study in order to rectify the gaps in knowledge and data. This will be conducted in collaboration with a number of international and local NGOS who will undertake ongoing research into child

protection issues.⁹⁰ But, in the meantime, it is known that all manifestations of CSEC have been detected in South Africa's tourism sector. While magnitude is unclear, international experiences have demonstrated that the risks of CSEC escalate as tourism continues to grow. It is therefore critical that all relevant stakeholders join together to combat this problem in South Africa and build a sustainable tourism sector in which children are actively protected from abuse.

Protecting Children – A Tourism Imperative

*At all levels of responsibility, tourism professionals are pivotal figures in making sure that their companies' clients enjoy their holiday in the best possible way. However, the pleasure that clients derive from their holiday should never entail harm or damage to the host community. The behaviour of the tourism professional can have an immediate and far-reaching impact on the life of a vulnerable child. For this reason, targeted training to provide suitable responses by tourism workers is all the more important.*⁹¹

South Africa's tourism sector has a dark side. All manifestations of commercial sexual exploitation are being perpetrated against children by domestic and foreign tourists within the burgeoning tourism infrastructure that supports the nine million international visitor arrivals each year. The nation is rapidly moving ahead with its aim to becoming a significant global tourism destination by 2020. But, as tourism continues to grow, the risks to children deepen.

Protecting children from CSEC in tourism is not just the responsibility of the tourism sector. Rather, combatting sex crimes against children in the tourism sector must be part of a comprehensive national child protection system implemented by multiple stakeholders to address all aspects of prevention and response. Within this system, the tourism industry is ideally placed to begin mobilising action against CSEC. Equipping tourism professionals with awareness of CSEC and suitable reporting tools to address this issue is one important step in strengthening the child protection safety net in South Africa and building a responsible tourism sector for the future.

⁸⁶ Save the Children Southern Africa Regional Office (2010), Baseline 2010: National Child Protection System in South Africa [Online]: Available at: <http://resourcecentre.savethechildren.se/sites/default/files/documents/4445.pdf> (Accessed on 25 Nov 2013), p.4.

⁸⁷ Save the Children Southern Africa Regional Office (2010), Ibid. p.4.

⁸⁸ UNICEF Innocenti Research Centre (2005), *Trafficking for Sexual Exploitation and other Exploitative Purposes: Some Preliminary Findings of Research*, Florence, Italy, p. 2.

⁸⁹ Torres, L. and Du Toit, D. (2010), op. cit. p.15.

⁹⁰ Save the Children Southern Africa Regional Office (2010), op. cit. p.7.

⁹¹ ECPAT International (2008), *Protecting Children from Sexual Exploitation in Tourism: An ECPAT Training Resource Kit*, Bangkok, Thailand.p.36.

3. RESPONSES TO CSEC IN TOURISM IN SOUTH AFRICA

In order to improve measures to protect children from commercial sexual exploitation in tourism, it is first necessary to understand what actions are already being taken by key stakeholders. Over the past two decades, the government, NGOs, UN Agencies, tourism stakeholders and others have implemented a collection of initiatives which contribute to South Africa's child protection infrastructure. The key responses which are relevant to protecting children from CSEC in the tourism sector are outlined in the following section.

3.1 Government Responses

The African Report on Child Well-Being (2013) recently announced that the government of South Africa scored very highly in a regional comparative performance rating and is now emerging into the group of most child-friendly governments in Africa.⁹² In particular, the report acknowledges South Africa's ratification of relevant child rights instruments, provisions made in national laws to protect children against abuse and exploitation, the existence of a child justice system, and the existence of plans of action and coordinating bodies. In regards to these criteria, South Africa progressed from position 15 to position 11 in a scale of all African countries.⁹³ However implementation of law and policy remains a challenge.

The Government has a key role in terms of addressing CSEC in the tourism sector, particularly in the areas of enactment of legislation, development of policies, adherence to international conventions, enforcement of law through policing and the judicial system and coordination with other key stakeholders including the tourism sector and NGOs. So, what progress has been made already?

International Conventions

Nelson Mandela, the first President of a democratic South Africa, made a firm commitment to improve the lives of the nation's children. To this end, he signed and ratified key international conventions relating to human and child rights in an effort to protect children from all forms of abuse including CSEC. In 1989, South Africa signed the United Nations Convention on the Rights of the Child and in 1997 signed and became party to the African Charter on the Rights of the Child. A full list of outlining South Africa's ratification status for international laws and conventions which address CSEC is provided at Annex C. Advancing and reaffirming these commitments, the new Constitution of South Africa contains a Bill of Human Rights which includes a specific section (S28) on the rights of children and addresses the protection of children from abuse and exploitive labour practices and therefore includes protection from CSEC.

Legislation

The Constitution of the Republic of South Africa (1996)⁹⁴ is the supreme law of the country and sets out the rights and duties of the nation's citizens. The Constitution includes a bill of rights addressing civil, political, social, economic and cultural human rights and specifically which includes measure for protecting children from abuse and exploitation. The Government of South Africa continues to emphasise its commitment to these measures, and at a recent speech, President Jacob Zuma announced:

*I trust that you do make time to read and understand the Constitution. It says that everyone has the right to freedom and security of the person. The Constitution also says that everyone has the right to bodily and psychological integrity which includes the right to security in and control over their body. We should respect these rights and respect one another at all times. We urge you to read these laws and know them well, and share the knowledge with your families.*⁹⁵

⁹² African Child Policy Forum (ACPF), (2013). *The African Report on Child Wellbeing 2013: Towards Greater Accountability to Africa's Children*, Addis Ababa, ACPF. p. 69.

⁹³ African Child Policy Forum (ACPF), (2013). *Ibid.* p. 45.

⁹⁴ State Africa Government Online Website: Available at: <http://www.justice.gov.za/legislation/acts/1996-108.pdf>, (Accessed on 28 November 2013).

⁹⁵ Zuma, J. *Launch of the Stop Rape Campaign in Schools*, 28 Feb 2013, op. cit.

After the Constitution took effect in 1997, the Government embarked on an extensive program of Law Reform relating to children. Amongst other topics, a research investigation was initiated through the South African Law Reform Commission to consider sexual offences on and by children. Although prior to the second democratic election the scope was expanded to include all sexual offences perpetrated against children and adults (thereby diluting the focus on children) three critical pieces of legislation resulted from the process (The Children's Act, The Child Justice Act and the Sexual Offences Act). These primary pieces of legislation govern the care and protection of children from all forms of neglect, violence and exploitation inclusive of CSEC. A summary chart outlining the legal provisions relating to CSEC in South Africa is included at Annex D. The key pieces of legislation are detailed below.

1. The Children's Act as Amended, no 38 of 2005⁹⁶

The Children's Act deals with the care and protection of children via civil processes. This Act makes provision for the prevention of and response to child rights violations and deals with the vulnerability of childhood in a holistic way. The Act contains the following key provisions:

- ▶ Criminalisation of child trafficking and provision for the care and protection of children when trafficked. This chapter will be repealed from the Act when the Trafficking in Persons Act is operational and implemented;
- ▶ Inclusion of child sexual exploitation and child trafficking under the worst forms of child labour and a prohibition of these forms of child labour. This section of the Children's Act specifically mentions the protection of children from slavery, debt bondage, servitude and serfdom, or forced or compulsory labour or provision of services. It also prohibits the use or offering or employment of a child for purposes of CSEC;
- ▶ A mandatory reporting section for specific occupations and professions that is inclusive of CSEC. This requires reporting of these and other abuses of children to the Department of Social Development, a Designated Child Protection Organisation or the

South African Police Services (see Annex E); and

- ▶ Definition of 'a child in need of care', enabling designated child protection organisations to intervene and provide care and protection. This definition enables trafficked and sexually exploited children to be found 'in need of care' and therefore protected through orders of the Children's Court.

2. The Criminal Law (Sexual Offences and Related Matters) Amendment Act No. 32 of 2007⁹⁷

The Criminal Law (Sexual Offences and Related Matters) Amendment Act deals with sexual offences against both adults and children. The Act has strong provisions relating to the criminalisation of child prostitution and enables the prosecution of all involved in child prostitution including pimps, brothel owners, and parents who fail to report their child's prostitution. Importantly, the Act has also broadened the definition of rape so that it is inclusive of a wide range of crimes that are commonly perpetrated against children. The Act also criminalises sexual grooming, sexual exploitation, and use of and exposure to pornography.⁹⁸ The Act also provides for the prosecution of those who live of the earnings of child prostitution, unless that person is a child. It also requires the mandatory reporting of child prostitution to the police, and recognises a failure to do so as a criminal offence.

Despite the Law Reform Commission's strong recommendations, it contains few provisions relating to the prevention of sexual offences against children, particularly in relation to provisions dealing with offenders, other than broad criminalisation of all sexual abuse of children and providing for a register of convicted sexual offenders and persons alleged to have committed offences but found unfit to stand trial. However, there are also some provisions for the protection of child victim/witnesses enabling them to testify through an intermediary if they are likely to experience undue trauma from testifying in the courtroom itself. The protection of the child witness is critically important for child victims of

⁹⁶ Republic of South Africa (2006), *The Children's Act, Act No. 38 of 2005, 19 June 2006*, Cape Town, South Africa.

⁹⁷ Available at: http://www.google.de/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CDUQFjAA&url=http%3A%2F%2Fwww.gov.za%2Fdocuments%2Fdownload.php%3F%3D194022&ei=qdSVUrcCuVMygO1zoCACQ&usg=AFQjCNHfPOJ_b31LWoS2iy6-3hxa9ePcnQ (Accessed on 28 November 2013).

⁹⁸ African Child Policy Forum (ACPF), (2013). op. cit. p. 40.

CSEC as intimidation is often applied by traffickers and exploiters. The Criminal Law (Sexual Offences and Related Matters) Amendment Act has specific provisions on the extra-territorial prosecution for trafficking offences and also addresses child sex tourism by providing for the prosecution of any organiser of travel that facilitates a sexual offence against a child or prints information or promotes such conduct.

3. The Child Justice Act No. 75 of 2008⁹⁹

The Child Justice Act provides for appropriate responses to children who are in conflict with the law. The provisions in this Act enable a restorative justice and rehabilitative approach to children who might be inciting others to sexually exploit other children, or recruit other children into child prostitution. This is important as the research findings indicate that children may be involved in recruiting others into situations of sexual exploitation or acting as pimps and procuring children for clients.

4. The Prevention and Combating of Trafficking in Persons Act no 7 of 2013 (TIP)¹⁰⁰

This long-awaited Act was signed into law by the State President on 29 July 2013, but is still awaiting implementation. The Act gives effect to South Africa's international obligations in accordance with international conventions. It clearly provides for offences of trafficking in persons and other offences associated with this crime. The Act also provides penalties for offenders; provides protection and assistance to victims; provides for coordinated implementation of the Act; and makes provision for the prevention of trafficking. The Act recognises the specific vulnerability of children to trafficking and sexual exploitation via its definition of abuse of vulnerability which acknowledges special circumstances including children who are illegally in South Africa; those who are pregnant, disabled, addicted to substances; and those who are vulnerable as a result of social and/or economic circumstances – all factors which could be attributed to many children who are victims of commercial sex exploitation in South Africa.

The Prevention of Trafficking in Persons Act criminalises a number of activities associated with CSEC, including debt bondage, possession, destruction, confiscation, concealment or tampering with documents, using the services of victims of trafficking, conduct facilitating trafficking in persons, carriers who are aware, or fail to report trafficking, those who commit an act, incites, instigates, commands, directs, aids, promotes, advises, recruits, encourages, or procures another for trafficking. There is provision for sentencing of offenders, including a list of aggravating factors which warrant heavier sentences for those involved in perpetrating these offences. Foreign victims are provided for and are protected as well as enabled to apply for the right of permanent residence under certain circumstances or to be issued a visitors' permit. Foreign unaccompanied children are referred to the Children's Court to be dealt with as 'children in need of care' and are entitled to all the services as would be provided to South African children.

Other special provisions relating to children include compulsory reporting, rescue and protection, as well as escorting provisions if these children are able to return to their home. Generally, the Prevention of Trafficking in Persons Act is thought to be comprehensive and adequate. However implementation will test the provisions, and further reforms may be needed.

Other Legislation

Other legislation that is relevant to some cases of CSEC includes:

- ▶ The Immigration Act which deals with children who cross country borders legally or illegally. Nr. 13 of 2002;¹⁰¹
- ▶ The Domestic Violence Act which enables the provision of protection orders against family members who exploit or facilitate the exploitation of a child. Nr. 116 of 1998;¹⁰²
- ▶ Common law charges relating to abduction and kidnapping;¹⁰³

⁹⁹ Available at: <http://www.justice.gov.za/legislation/regulations/childjustice-reg-amend.pdf> (Accessed on 27 November 2013)

¹⁰⁰ Department of Justice and Constitutional Development Website, Available at: <http://www.justice.gov.za/legislation/acts/2013-007.pdf>, (Accessed on 28 November 2013)

¹⁰¹ South Africa Government Online Website, Available at: <http://www.info.gov.za/view/DownloadFileAction?id=68047> (Accessed on 28 November 2013).

¹⁰² South Africa Government Online Website, Available at: <http://www.info.gov.za/view/DownloadFileAction?id=70651> (Accessed on 28 November 2013)

¹⁰³ South Africa Police Service Website, Available at: http://www.saps.gov.za/crimestop/common_offence_definitions.htm (Accessed on 28 November 2013).

- ▶ The Films and Publications Act as amended which deals with child pornography and the exposure of children to child and/or adult pornography. Nr. 65 of 1996;¹⁰⁴ and
- ▶ The Basic Conditions of Employment Act. Nr. 75 of 1997.¹⁰⁵

Mandated (Compulsory) Reporting of Child Sexual Exploitation

South African law requires the mandatory reporting of child sexual exploitation. This is covered in multiple pieces of legislation as outlined in Annex E. However, while the legislation exists, the majority of the public are unlikely to be aware of their legal duty to report cases of CSEC. This applies equally to the tourism sector, where although tourism representatives may believe they are ethically bound to report suspicions of exploitation against children, they may not be aware that this extends to a legal obligation. The fact that mandatory reporting is prescribed in legislation indicates the Government's strict intention to address child sexual exploitation. However, even if the public were aware of their legal obligations to report, the complicated nature of the reporting requirements make it difficult for potential reporters to select the correct reporting authority. For example, the Children's Act requires that cases relating to abuse and neglect are reported to Child Protection organisations, the Department of Social Development or the police. Whereas, the Criminal Law (Sexual Offences and Related Matters) Amendment Act No. 41 of 2007, the Films and Publications Act Nr. 65 of 1996, and the Prevention and Combating of Trafficking in Persons Act No. 7 require that cases of sexual exploitation of children, child pornography and the trafficking of children for sexual purposes are reported directly to the police. Respecting that definitions of abuse and exploitation are not well understood, there is a need to simplify the legal reporting requirements and corresponding mechanisms to enable easy access to suitable child protection interventions.

¹⁰⁴ South Africa Government Online Website, Available at: <http://www.info.gov.za/view/DownloadFileAction?id=70901> (Accessed on 28 November 2013).

¹⁰⁵ South Africa Government Online Website: Available at: <http://www.info.gov.za/view/DownloadFileAction?id=70820> (Accessed on 28 November 2013).

Policy Initiatives

In addition to legislative provisions, South Africa has several formal policy documents that directly relate to CSEC, including:

- ▶ The National Plan of Action for Children (2012-2017)¹⁰⁶ which addresses issues relating to Commercial Sexual Exploitation of Children. Importantly, the National Plan encourages the reporting of CSEC including sex tourism;
- ▶ The National Strategy on Child Protection (2003)¹⁰⁷ which addresses all forms of child abuse and neglect including CSEC;
- ▶ The National Policy Framework and Strategic Plan for the Prevention and Management of Child Abuse, Neglect and Exploitation (2010),¹⁰⁸
- ▶ The Guidelines for the Prevention of and Response to Child Exploitation (2012); and
- ▶ The National Child Labour Programme of Action II which specifically addresses CSEC (2008-2012).¹⁰⁹

Law Enforcement

While South Africa has introduced progressive laws and policies relating to the care and protection of children, implementation of these legal frameworks remains a key challenge. Many respondents considered laws and policies to be 'paper tigers' – powerful looking on paper – but with little impact due to lack of practical implementation. These problems are perceived and real and can be attributed to some of the following factors:

- ▶ The lack of availability of clear and accurate data relating to detections, arrests and prosecutions of child sex offenders contributes to public cynicism about the effectiveness of child protection laws. For instance, while the government continued delivering anti-

¹⁰⁶ Available at: http://d2zmx6mlqh7g3a.cloudfront.net/cdn/farfuture/-cNGjg4nuNgBT_Vi3oCZ90JDDkDDCJxkZUASGii7YEQ/mtime:1381178349/files/docs/121129nationalplan.pdf (Accessed on 28 November 2013).

¹⁰⁷ Parliamentary Monitoring Group Website: Available at: <http://www.pmg.org.za/docs/2003/appendices/030314strategic.htm> (Accessed on 28 November 2013).

¹⁰⁸ Available at: <http://www.kzneducation.gov.za/Portals/0/Circuiars/KZN/2010/CHILD%20ABUSE%20POLICY%20GUIDE-LINE%20APRIL%202010%20REVISED.pdf> (Accessed 27 November 2013).

¹⁰⁹ Department of Labour Website: Available at: <http://www.labour.gov.za/DOL/documents/annual-reports/child-labour-programme-of-action-for-south-africa-2008-2012/2012/child-labour-programme-of-action-for-south-africa-2008-2012> (Accessed 27 November 2013).

trafficking programs through provincial task teams in 2012, only one trafficking offender was convicted during the entire year – marking the third conviction in the country;¹¹⁰

- ▶ The light sentences handed to child sex offenders highlights deficiencies in the South African judicial system such as lack of awareness, training and resources to properly deal with CSEC cases, such as the case of a 46 year old Swiss man who, as a result of plea bargaining, was fined only R10,000 after having been caught sexually exploiting a 14 year old boy in his hotel room in Johannesburg;¹¹¹
- ▶ The National Human Rights Committee suggests that ‘corrupt police also help perpetrators to ‘squash cases’ thereby ensuring that these dangerous people continue defiling children in families and communities’;¹¹²
- ▶ The overwhelming numbers of children who require various forms of protective services compromises the provision of quality interventions. Child protection services including police are overwhelmed by high caseloads of children facing neglect, physical and emotional abuse, sexual abuse, sexual exploitation, orphans and/or abandoned children;
- ▶ The annual budget analyses of funds committed by government to implement the Children’s Act, shows that budget is insufficient for full implementation of child protection initiatives;¹¹³
- ▶ The 2005 closure of the South African Police Services (SAPS) specialised units dealing with family violence, sexual offences and child protection – commonly known as the FSC units resulted in the loss of many police officers who held long term experience dealing with CSEC. Although the specialised policing units were re-established in 2011, the loss of experience, knowledge and skills relating to the investigation of all forms of child abuse and exploitation has resulted in a

further loss of confidence in the police service and its ability to respond appropriately to sex crime against children; and

- ▶ During the period leading up to the FIFA World Cup in South Africa 2010, the international FIFA administration expressed concerns about the high levels of violent crime in South Africa and the potential impact on match attendance. Consequently police were given national instructions to reduce crimes such as murder and rape in the jurisdictions in which they worked. This injunction resulted in child victims of sexual abuse and exploitation being turned away from police stations as the police attempted to meet the decreased crime targets. The care and protection of child victims were denied justice, care and protection and this further eroded public confidence in the ability of the police to respond appropriately to reported cases of child abuse and exploitation.

While the government has made important steps to set up a solid legislative foundation, this has not yet translated into effective implementation of law and policy in relation to managing the problems of CSEC. Police activity in response to child exploitation is seen to be reactive rather than proactive. Overall, respondents noted the need for training of stakeholders on the legislation, inclusive of police, prosecutors and NGOs, the need for greater accountability of role-players, more diligent enforcement, the need for funds and resources to be allocated to implement existing legislation, and the need to clarify roles and responsibilities between stakeholders and promote inter-sector working together. This is corroborated by recent research from the Helen Suzman Foundation, indicating:

*Conviction rates need to be improved, prosecution needs to be stream-lined, and sentencing should be dispensed appropriately. The anti-rape strategy needs to be implemented. This much is known. Of course, the entire responsibility does not rest on the shoulders of government, the police, and the courts. Societal attitudes and widespread perceptions about sexual offences, especially rape, need to be confronted.*¹¹⁴

¹¹⁰ United States Department of State (2013), op. cit. p. 334.

¹¹¹ BBC News Website, ‘SA Anger Over Sex Tourist Fine’ (29 November 2005), Available at: <http://news.bbc.co.uk/2/hi/africa/4482932.stm> (Accessed on 20 November 2013).

¹¹² National Children’s Rights Committee (2000), *South Africa’s First Supplementary CRC Report to the United Nations Committee on the Rights of the Child [Online]*, Available at: <http://resourcecentre.savethechildren.se/sites/default/files/documents/2267.pdf> (Accessed 28 November 2013). pp. 71-72.

¹¹³ Budlander, D. and Proudlock, P. (2009, 2010, 2011, 2012, 2013). *The Budget Analysis*, Children’s Institute, University of Cape Town.

¹¹⁴ Louw, W. (2013), *Sexual offences in South Africa [Online]*, Available at: <http://hsf.org.za/resource-centre/hsf-briefs/sexual-offences-in-south-africa> (Accessed on 23 November 2013).

3.2 Non-Governmental Organisations (NGOs) and United Nations Agencies

South Africa has an active community of NGOs and UN Agencies working to address child protection issues, including commercial sexual exploitation. Key groups involved in activities to address CSEC included Childline, Child Welfare South Africa, National Association of Child Care Workers, and Molo Songologo, S-Cape Home, UNICEF, the International Labour Organisation (ILO) and the International Organisation for Migration (IOM). These groups have independently and collectively contributed extensively to the process of law reform, participating in debates and workshops on what the law should contain, educating decision makers on the challenges of working in this field and the legal framework necessary for good management of the problem, as well as lobbying politicians in order to ensure that the appropriate laws are passed. The NGOs and UN Agencies have also taken responsibility for monitoring the implementation of law and policy in relation to the care and protection of children. The respondents suggested that these groups generally appear more aware of and responsive to CSEC than government, perhaps because of their direct role in providing the majority of services. While the government is responsible for the criminal justice response, NGOs and UN Agencies are often responsible for activities across all levels of the child protection system including prevention (awareness campaigns), protection (reporting hotlines, counselling services, rescue processes), and recovery and rehabilitation (safe houses, victim support, welfare provisions support, child participation in court processes, reintegration services). Coordinated efforts of NGOs, UN agencies and other organisations and departments are listed in Section 3.4.

3.3 Tourism Stakeholders

During the lead-up to the World Cup (2010), the issue of CSEC was placed in the direct radar of the South African tourism sector. Recognising that the event would bring an estimated 2.7 million local spectators and 450,000 international visitors to view the World Cup at stadiums and parks across the country, CSEC was identified as a potential risk. At the time, child protection

agencies and Fair Trade Tourism (FTT) identified that while CSEC was not yet considered a large-scale problem in South Africa, many underlying root problems (such as widespread poverty and a high level of orphaned and vulnerable children) were present which could exacerbate risks given the anticipated influx of domestic and international tourists. Further compounding the potential risk was the fact that South African schools would be closed during the mega event, potentially leaving many children unattended and at risk of exploitation.

The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (Child Protection Code)

The Child Protection Code is an international industry-driven initiative with a mission to provide awareness, tools and support to the tourism industry to prevent the sexual exploitation of children. The goal of the Child Protection Code is to work with travel and tourism companies to combat child sex crimes in the sector. As part of this mission, the Child Protection Code employs six criteria which members of the tourism industry must adhere to once they join the Child Protection Code (requiring actions relating to child protection policy, training, awareness-raising and reporting)¹¹⁵.

The Child Protection Code was introduced in South Africa in May 2010. Fair Trade Tourism (FTT) is the official Local Code Representative (LCR) for South Africa. FTT was mandated by local stakeholders, including the Department of Social Development, the National Department of Tourism; South African Tourism; the Tourism Business Council of South Africa (TBCSA), UNICEF, the International Labour Organisation (ILO) and Childline South Africa, to drive implementation of the Child Protection Code. During two public launch events in Johannesburg and Cape Town, 37 tourism businesses (ranging from small bed and breakfast operations, large hotels, tour operators and car hire companies) and an industry association (Cape Town Tourism) became either members or signatories of the Child Protection Code. In addition to this, 11 Industry associations and five government departments formally pledged their support of the Child Protection Code (a full list of members/signatories

¹¹⁵ The Code Website, Available at: <http://www.thecode.org/> (Accessed on 28 November 2013).

and supporters is provided at Annex F). Following the launch of the Child Protection Code, FTT organised a number of awareness raising events in other key tourism areas (both city and rural locations) to further sensitise the industry on child sex tourism. The campaign also included an information sharing newsletter to stakeholders, a media briefing, opinion pieces in national newspapers and industry media, and a dedicated website and Facebook page for The Child Protection Code South Africa.

However, while there was an initial surge in membership prior to the World Cup, only three additional tourism businesses have signed the Child Protection Code between January 2011 and June 2013 and a number of the aforementioned members/signatories lost their membership/signatory status due to non-fulfilment of associated mandatory obligations. Improvements made by the Child Protection Code Secretariat in relation to servicing new and existing members are geared towards increased membership applications and improved member retention. It is also noted that only a few members/signatories are currently actively implementing child protection measures relating to the Child Protection Code. This could be an indication that the tourism industry does not yet see child protection as a priority issue. Tourism representatives who responded to this research indicated that there is a general feeling that CSEC does not happen in their establishments, but rather in the communities, brothels and other non-tourism establishments. Two hotel chains that are particularly active Child Protection Code signatories (Accor and City Lodge) reported that they had come across no incidents of child sex tourism since the inception of the project in the lead-up to the 2010 FIFA World Cup. In fact, only a handful of interviewed front line staff was aware of the Child Protection Code. This should also be considered in the light of macro-economic issues such as global recessions that have affected the tourism industry very seriously. Most businesses are presently fighting to survive, and unless an issue has a direct impact on the bottom line, it is often seen as non-critical.

The Child Protection Code was mentioned as an important instrument for awareness raising and training by some industry stakeholders. Hotel chains such as Accor and City Lodge have developed in-depth training material and intend to train all of their staff. Given the transient na-

ture of the industry (with many employees only staying for a short time), this requires on-going programs. A further benefit of training all staff is that they will also take the message home to their respective families and communities. This is often where children are the most vulnerable. One respondent commented 'the training we provide is often a real eye-opener for our staff, and something that they can take home'. Abang Africa was the first tour operator in South Africa to sign the Child Protection Code and through their actions they have now received Top Membership status¹¹⁶. A case study of their actions is provided below:

*Abang Africa have met The Code's third criterion by including a zero tolerance of child exploitation clause in their contracts with suppliers and have taken one step further through their community outreach activities educating youth about the dangers of sex tourism and how to keep themselves safe. Anne van der Tuuk explains why Abang Africa have chosen to fully implement The Code's criteria and spread the message wider within the tourism industry, "We have great belief in creating awareness by sharing the stories and providing people with the tools necessary to take action." In addition to their inspiring efforts to raise awareness of child sex tourism, Abang Africa have also put hard work into training their staff on children's rights and how to identify and report suspected cases of sexual exploitation.*¹¹⁷

3.4 Collaborative Actions The Red Card Campaign

During preparations for the 2010 FIFA World Cup, UNICEF also recognised the potential child protection risks and mobilised a public awareness initiative known as the 'Red Card Campaign' (see examples at Annex G). The Red Card Campaign was a national advocacy campaign conducted in collaboration with the government, NGOs, private sector and civil society. FTT was a tourism partner in this campaign. The campaign consisted of a series of advocacy materials including posters, leaflets and electronic messaging with the theme 'Give the Red Card' to make children aware of risks of exploitation; provide safety tips and advice to children and parents; inform tourists and visitors that child sexual exploi-

¹¹⁶ Abang Africa Website, Available at: <http://www.abangafrica.com/the-code/> (Accessed on 24 November 2013).

¹¹⁷ The Code website, Available at: <http://www.thecode.org/abang-africa-promotes-responsible-tourism-in-south-africa/> (Accessed on 21 November 2013).

tation and trafficking are against the law in South Africa; make the public aware of child trafficking and how to prevent or act against it; and provide emergency numbers to report incidents of child sexual exploitation and abuse. The material was widely distributed by FTT, the tourism sector, Code signatories and supporters. Importantly, the Red Card Campaign promoted three hotline reporting numbers in all of their campaign materials (the South African Police Service, the Film and Publications Board and Childline), thereby enabling the public to take action if they had concerns that a child was at risk of CSEC.

Guidelines for the Prevention and Response to Child Exploitation¹¹⁸

In South Africa, the Department of Social Development holds primary responsibility for upholding children's rights to care and protection and for ensuring that all children in South Africa enjoy the care and protection as stated in the South African Constitution and the Children's Act. To meet these responsibilities, the Department of Social Development recently worked in collaboration with role players in the government, UN Agencies, NGOs and the private sector to draft the 2012 Guidelines for the Prevention and Response to Child Exploitation. These guidelines seek to improve coordination of social services aimed at protecting children from exploitation. Importantly, the guidelines also address the tourism industry by proposing greater collaboration with the hospitality industry, places of entertainment, community taverns, tourism and related sectors in order to improve the reporting of CSEC in their business spheres. The guidelines recognise that this can be achieved through mechanisms such as the Child Protection Code and also recommend the design of awareness raising campaigns which target the public and perpetrators¹¹⁹.

The United Nations Guiding Principles on Business and Human Rights¹²⁰

The United Nations Guiding Principles on Business and Human Rights define the corporate social responsibilities of the government and private businesses in regard to the fulfilment of human rights. The Guiding Principles involve three pillars including the State duty to protect human rights, the corporate responsibility to respect human rights, and access to remedy for victims of human rights abuses. The Guiding Principles are therefore especially relevant to the tourism industry not only because they specify the duty of businesses to uphold human rights (including children's rights to protection from all forms of exploitation and abuse), but also because they provide that a business should participate in remediation processes so that it can address adverse human rights impacts that it has caused or contributed to. Under the Guiding Principles, effective company-level grievance mechanisms ensure that employees, contractors, local communities and others can raise their concerns and have them be considered. Such mechanisms should be legitimate, accessible, predictable, equitable, transparent, rights-compatible, and a source of continuous learning.¹²¹

South Africa contributed to the design and pilot phase testing of the Guiding Principles. Tesco (a UK supermarket group) was one of four companies that volunteered to pilot the principles in its South African supplier farms¹²². But this involvement at an early stage did not lead to a more significant involvement of the South African government in the implementation process. The Institute for Human Rights and Business (IHRB) report to the United Nations Human Rights Council¹²³ shows that the poor implementation is not due to a lack of regulations or missing policies (and it provides a list of all relevant

¹¹⁸ Department of Social Development (2012), *Guidelines for the Prevention of and Response to Child Exploitation*, NCPD Task Team and Directorate, Republic of South Africa.

¹¹⁹ Department of Social Development (2012), *Ibid.* p. 20.

¹²⁰ Business and Human Rights Resource Centre Website, Available at: <http://www.business-humanrights.org/SpecialRepPortal/Home/Protect-Respect-Remedy-Framework/GuidingPrinciples> (Accessed on 23 November 2013)

¹²¹ United Nations Global Compact Website, Available at: http://www.unglobalcompact.org/issues/human_rights/The_UN_SMSG_and_the_UN_Global_Compact.html (Accessed on 28 November 2013).

¹²² Ethical Trade Website, Available at: <http://www.ethical-trade.org/in-action/member-performance/tescos-pilot-of-ruggies-principles-in-south-africa> and Tesco Fruit Supply Chain in South Africa Website: Available at: <http://www.business-humanrights.org/media/documents/ruggie-grievance-mechanism-pilots-report-harvard-csri-jun-2011.pdf> (Accessed on 28 November 2013).

¹²³ Universal Periodic Review Session 13: South Africa November 2011: http://lib.ohchr.org/HRBodies/UPR/Documents/session13/ZA/IHRB_UPR_ZAF_S13_2012_InstituteForHumanRightsandBusiness_E.pdf

regulatory and policy provisions in South Africa relating to business and human rights). However, the IHRB does see a clear need for a national Corporate Social Responsibility (CSR) strategy.

Although these Guiding Principles do not specifically mention the tourism industry and exploitation of children in relation to tourism, tourism businesses might be encouraged by the Guiding Principles to approach human rights issues. This would include the duty to ensure prevention and appropriate response to child sex tourism when identified. Compliance with these principles does have potential to strengthen the protection of children from involvement in CSEC and promote the use of reporting mechanisms. So far the tourism industry in South Africa is not involved in the process. Perhaps this is because it is still unclear which government department should take the overall responsibility for the implementation of the Guiding Principles in South Africa, therefore this instrument is not yet established as a cross-section approach in South Africa.

The Children's Rights and Business Principles Initiative¹²⁴

Aligned with the UN Guiding Principles on Business and Human Rights, UNICEF, Save the Children and the UN Global Compact launched the Children's Rights and Business Principles initiative in March 2012 to encourage businesses to respect and support children's rights whilst advancing their business interests and promoting a sustainable development agenda. These principles are particularly pertinent to protecting children from CSEC and also ensuring an appropriate response when these forms of exploitation occur. The principles also aim to raise awareness of the positive and negative impact of business on children. The Children's Rights and Business Principles provide businesses with tools to implement child protection measures through the integration of a children rights approach.

Although these principles have particular relevance for the tourism industry, the Children's Rights and Business initiative is not yet well known in South Africa. There is a need to promote interest in and commitment to these guidelines and integrate them into business commitments to advance the care and protection of children in all businesses, including the tourism industry. If adopted as part of a broader children protection strategy, compliance with these principles has the potential to promote the reporting of and appropriate response to CSEC in the tourism industry.

¹²⁴ The Children's Rights and Business Principles, Available online at: http://www.unglobalcompact.org/docs/issues_doc/human_rights/CRBP/Childrens_Rights_and_Business_Principles.pdf (Accessed on 28 November 2013).

4. REPORTING MECHANISMS

While it is critical to raise awareness of CSEC relating to tourism, it is equally important to provide effective reporting infrastructure to enable public action. Tourism staff, tourists and travellers are often in a position to observe situations where children may be at risk of CSEC, but often do not know or do not have access to reporting hotlines in order to notify the appropriate authorities. These systems need not be limited to telephone hotlines, but can extend to include a variety of mechanisms to encourage higher levels of reporting including, telephone services, mobile phone text messaging, online report forms, email, chat forums, drop boxes in schools or communities, and mail.¹²⁵ Such reporting mechanisms serve as a critical connection to protect children from CSEC.

South African law requires the mandatory reporting of all forms of child sexual exploitation. The relevant legislation and reporting requirements is included at Annex F. In truth, many people outside formal child protection networks would be unaware of the legal requirement to report CSEC. Nevertheless, there appears to be a strong level of public awareness of reporting mechanisms as Childline alone receives over one million calls to their toll-free hotline (which operates 24 hours/seven days/all year) from children and adults each year for a range of issues relating to children.

Multiple organisations are operating various hotlines in South Africa, but there is not yet any dedicated number for reporting cases of commercial sexual exploitation of children in the tourism sector. In South Africa, hotlines serve as a critical connection to prevent children from becoming victims of commercial sexual exploitation or to identify and protect children who have already been exploited. However, while there are multiple numbers which have operators who can deal with CSEC issues, this is not the core business of any one line.

4.1 Reporting Systems in the Child Protection Field

South African Police Services (SAPS) – Crime Stop	
Hotline number	10111
Operating hours	24/7/365
Toll free	Yes
Language/s	English and some African languages
Operators	Government, through the Department of Safety and Security
Details	Located in Metro areas. This is a crime reporting line only – no other services.

There are five primary hotlines which currently address CSEC in various ways. The two primary numbers for CSEC reporting are the South African Police Service (SAPS) Crime Stop hotline and the Childline hotline which are outlined below together with details of other service providers (Lifeline, Salvation Army and The Film and Publications Board). A chart summarising the hotline services is available at Annex H.

The emergency Crime Stop number is a toll-free hotline managed by the South African Police Service (SAPS). This hotline is available for all urgent situations relating to crimes against adults and children. This means that operators are not trained to specifically deal with cases of CSEC, but they are equipped to refer reports to specialist units for investigation. The line has been criticised in recent years due to a public perception regarding lack of action in response to reports. Subsequently, SAPS has made recent efforts to upgrade its service and response in many areas. This reporting mechanism does not appear to be used frequently by children. It is unclear as to what happens to children who contact this line for assistance.

¹²⁵ African Child Policy Forum (ACPF), (2013). op. cit. p. 24

Importantly, we remind you that all cases of rape, sexual assault or any form of violence should be reported to the police. (President Jacob Zuma, Feb 2013)¹²⁶

While it is important to establish a climate of trust so that children and adults feel sufficiently comfortable to report concerns of CSEC to the police, this is not yet the case in South Africa. Unfortunately, like many countries, police efficiency and ability to deal with these cases has been called into question, particularly due to the high attrition rates and low conviction rates.¹²⁷ During the focus group discussions and in responses to the questionnaire, respondents highlighted concerns about law enforcement efforts to address CSEC. On some occasions, these concerns were not aired until the police left the room, and there was still considerable anxiety about discussing the issues of policing. Respondents' concerns primarily related to police lack of sensitivity to children, police fear of the trafficking syndicates, perceived problems of police protecting brothel owners and police themselves sexually exploiting children. Respondents advised that this cumulative lack of confidence in the police inhibits the use of reporting lines. One respondent shared their experience:

Recently, I observed a disguised man walking with two girls checking rates at hotels. I photographed them then reported it to a passing police vehicle whom looked completely disinterested. We watched them for a short while stop at every hotel and eventually called the police who provided a case number but was never reported on again. The general attitude was one of immense resistance to get involved even after our guidance to the police team in the vehicle, they were not anxious to ask the man for the children's ID or for valid proof of his relation to the children. (Questionnaire Respondent - Tourism Industry).

While it is understood that many police are fulfilling their appointed duties, individual experiences such as this case serve to diminish public trust in the police reporting systems. While there was a high level of awareness amongst respondents in relation to the reporting mechanisms for CSEC, several were sceptical about police action after reports have been made, noting they had previously experienced low levels of response by the police:

From time to time since December 2010 prostitutes have been housed and conducted business out of a hotel in this area. These prostitutes have varied in age but there are some teenagers. After we made phone calls and complaints to the police in December and January there was some reduction in the number of prostitutes and drug dealers operating from the hotel. Then there were a couple of raids. However, shortly after each raid the same prostitutes have returned. At the beginning of March the number and ages of the prostitutes changed so that their number was dominated by teenagers and some who looked as young as eight or nine years old. Mr R organises these very young children and I understand that he uses the Mini Taxis to bring customers to the hotel. These children carry out their activities through the night until early each morning. They reappear in the early evening in a shocking condition - malnourished, dazed and unsteady on their feet with signs of assault visible. Attempts to photograph the activities have been met with threats of violence. SAPS undertook to set up surveillance but this has not yet been done. I hope it will be possible to bring this shocking situation to an end and hopefully reunite these children with their parents or to remove them to a place of safety. (Report made to Childline by Hotel Manager in Durban).

During a speech earlier this year, President Jacob Zuma attempted to restore public confidence in police and other public officials' capacity to respond to reports of sexual violence, explaining:

The police and the existing courts are empowered under the Domestic Violence Act, the Sexual Offences Act and Children's Act to arrest, prosecute and convict perpetrators of violence against women and children. Our fight has been further bolstered by the re-introduction of the Family Violence, Child Protection and Sexual Offences Units at the SA Police Service from 30 June last year. These units have dedicated investigators and other resources and are assigned to cases where women and children are affected by violence. We urge you to use these units to report cases of violence or attacks. We have also taken a decision to re-open the Sexual Offences Courts.¹²⁸

Childline South Africa is perhaps the best known reporting line for child protection issues. Childline operates a toll free crisis and counselling line. The line is open 24 hours per day, seven days per week, including public holidays and weekends. This service is so widely known in

¹²⁶ Zuma, J. *Launch of the Stop Rape Campaign in Schools*, 28 Feb 2013, Speech, op. cit.

¹²⁷ Louw, W. (2013), op.cit.

¹²⁸ Zuma, J. *Launch of the Stop Rape Campaign in Schools*, 28 Feb 2013, op. cit.

the public arena that Childline receives over one million calls per year, which relate to all forms of child rights' abuses including CSEC. Childline provides the most comprehensive reporting services for cases relating to CSEC in South Africa. According to the African Child Policy Forum:

Childline South Africa	
Hotline number	08000 55555
Operating hours	24/7/365
Toll free	Yes
Language/s	Childline provides services in all eleven official languages, including English, isiZulu, isiXhosa, Sesotho, isiNdebele, Sipedi, Tsetswana, Siswati, Tshvenda, Xitsonga, Afrikaans and also Portuguese
Operators	Childline South Africa, in nine provincial call centres, coordinated by a national office.
Details	Online reporting option also available. Online Counselling and reporting through Mxit chat rooms. Other services are also offered by Childline to support child victims of CSEC.

*Child helplines can be an important avenue for children to report incidents of violence and abuse directly. They are now operating in many parts of the world, and their number is growing in Africa . . . Child helplines are often a child's first point of contact with child protection services and the most trusted and accessible gateway for them to find help. Helplines are in the unique position of being privy to children's true voices without being censored and filtered in any way.*¹²⁹

Childline counsellors are recruited, screened and trained to communicate with children and how to assist with a broad spectrum of challenges that impact on children's lives. The hotline is decentralised and each province in South Africa has a call centre in order to provide suitable language services (covering all 11 official languages) and dedicating attention to key needs in each province (health, welfare and social services, and education).

The line has a strong preventative function. For example, if a counsellor successfully counsels a child who is considering running away, their advice may also successfully prevent that child from entering a situation where they are at

risk of CSEC. While child callers may not be in a position to clearly articulate the form of abuse or exploitation they are experiencing, operators are trained to recognise potential risks. For example, a child might explain that she is prevented from going to school by her 'uncle'. Through further discussion, the operator might learn that the child has been trafficked into the care of an unrelated adult who is sexually exploiting the child in exchange for a home, food and clothing. Childline also refers cases to other services depending on the needs of the child and the services available in their local area. There is a strong follow-up process to ensure that the counsellor is satisfied that the case has been suitably managed. One of the key reasons for the popularity of Childline South Africa is the successful promotional campaigns to enhance public awareness. Childline South Africa also runs a reporting and counselling service through an online platform.

While Childline is effectively managing their enormous call volume, the organisation recognises that more support is needed to meet increasing demand. This was independently confirmed by Save the Children's Baseline Review of South Africa's National Child Protection System:

*Although a strong suite of child protection laws have recently been passed, including the Children's Act, these have not yet translated into comprehensive, integrated services at a local level. A critical shortage of social workers, underfunding and poor coordination across government and between sectors, including with community-based organisations, are some of the factors which plague the system on all levels.*¹³⁰

If the projected tourism growth targets for 2020 are met, extra burdens will be placed on the already over-stretched resources of organisations such as Childline. Future planning will need to consider suitable support to effectively continue the provision of helpline support for children.

LifeLine has 17 centres countrywide, all operating autonomously in response to local need. LifeLine is staffed by highly trained volunteer counsellors and peer educators. Some LifeLine Offices have expanded their service to include face-to-face sessions and group training interventions. LifeLine's community-based projects include Girls on the Move - and Boys

¹²⁹ African Child Policy Forum (ACPF), (2013). op. cit, p. 24.

¹³⁰ Save the Children Southern Africa Regional Office (2010), op. cit. p.2.

Lifeline South Africa	
Hotline number	0800 150 150
Operating hours	24/7/365
Toll free	Yes
Language/s	English and some African Languages
Operators	Lifeline SA through its affiliates, an NGO
Details	Focus is on domestic violence and children are usually referred to Childline.

too through which they educate young people from 13 to 15 years old to make wise choices in their lives over sex, HIV, abuse and rape. When dealing with reports and disclosures directly relating to CSEC, the Lifeline operators refer these to appropriate agencies.

Salvation Army	
Hotline number	08000 73728
Operating hours	Limited
Toll free	Yes
Language/s	English and some African Languages
Operators	Salvation Army
Details	Established prior to the 2010 FIFA World Cup to facilitate the reporting of human trafficking.

The Salvation Army is an NGO working in the field of social justice and welfare. This hotline was established just prior to the 2010 FIFA World Cup with a specific focus on providing assistance to trafficking victims and enabling public reporting of potential trafficking cases. However, this line has received only one report of adult trafficking in the past two years. Salvation Army staff who manage the line are not trained to work with children. Due to lack of use of this hotline, the Salvation Army advised that the service may be discontinued.

The Films and Publications Board	
Hotline number	0800 148 148 Online Report Form
Operating hours	Weekdays
Toll free	Yes
Language/s	English and some African languages
Operators	Government through the Department of Home Affairs
Details	This line only deals with child pornography.

The Films and Publications Board, under the Government Department of Home Affairs, is able to receive public reports regarding online child pornography and other criminal offences related to the use and exposure of children to adult and child pornography. However, this line is not for reporting situations where children are at immediate risk of danger. The line is staffed during regular office hours, but is not available as an out-of-hours service. The website of the Board also has a link enabling online reporting.¹³¹

4.2 Reporting Systems in the Tourism Sector

South Africa tourism sector currently has no dedicated mechanism for reporting cases of CSEC. National organisations such as South African Tourism and the Tourism Grading Council of South Africa (TGCSA) have general feedback forms, but they are not placed visibly and there is little or no encouragement to make use of these reporting channels. Tourists who book their holiday through a tour operator or travel agent (which is the most common method for tourists visiting South Africa) generally have a reporting mechanism directly with the tour operator in their home country. The only national reporting mechanism in the tourism industry is the Tourism Safety Initiative (TSI).

Recognising that crime and safety issues were having a potentially negative impact on South Africa's reputation in international tourism markets, TSI was established by the Tourism Business Council of South Africa (TBCSA) in 2006. TSI operates as an intermediary enabling the tourism sector to effectively liaise with police, security services and disaster management to address crime relating to tourism and therefore provides enhanced protection for the tourism sector. The importance of TSI was proven during the 2010 FIFA World Cup, when TSI enabled the tourism industry and the police services to work together on an on-going and convenient process. The police indicated afterwards that they found it much easier to work with TSI than with hundreds if not thousands of

¹³¹ Film and Publication Board Website, Available at: <http://www.fpbprochild.org.za/ReportAbuse.aspx> (Accessed on 12 December 2013).

individual members of the tourism industry. The police noted that TSI was a credible partner with whom they could work quickly and with confidence.¹³²

Tourism Safety Initiative (TSI)	
Hotline number	Phone: 0861 874 911 Email: info@tourismsafety.co.za Online report form
Operating hours	24/7/365
Toll free	Yes
Operators	Cooperation between tourism industry, police and security services as well as disaster management and similar bodies to co-ordinate the efforts of everyone concerned.
Details	TSI's service relates to all forms of tourism safety. It is not particularly focused on CSEC.

TSI works closely with Business Against Crime South Africa (BACSA) and cross-industry anti-crime initiatives like the South African Banking Risk Information Centre (SABRIC) for the banking industry, the Petroleum Security Initiative (PSI) for the petroleum industry and the Consumer Goods Council of South Africa (CGCSA) for the retail sector. By using combined resources, TSI assists the SAPS on a tactical level and the tourism industry on an operational level to address the following priorities:

- ▶ Sharing information that can lead to arrests, prosecution, and conviction;
- ▶ Creating better knowledge of how and where crime affects tourism;
- ▶ Enabling the police to react in a timely manner;
- ▶ Ensuring that victims of crime are properly supported; and
- ▶ Reducing crime figures.

While TSI does not yet refer to CSEC specifically, their attention on building a robust and safe tourism sector means that addressing the issue of CSEC in the tourism sector appears to have a clear alignment with TSI's overarching objectives and purpose. Many tourism industry respondents suggested that TSI is a trusted reporting mechanism which tourism stakeholders

believe is working very effectively and will be a suitable mechanism for future CSEC prevention efforts in the tourism sector. An example of TSI's online services is provided at Annex I.

4.3 Reporting Challenges

Even though incidents of CSEC are being reported in South Africa, the survey respondents suggested that cases of child sexual exploitation in the tourism sector are underreported. As a consequence, there are potentially many more children who are not receiving support through appropriate interventions. This research identified multiple reasons for underreporting. It is critical to understand these challenges in order to effectively prepare a strategy to enhance reporting mechanisms in the future. Some of the frequently mentioned reasons why victims or observers may not make a report are listed below:

- ▶ Lack of awareness of hotlines. While respondents in the child protection sector were very familiar with hotlines, it was suggested that members of the public or tourism sector lack awareness. Childline has demonstrated that successful marketing can effectively reach the public and enhance the climate of reporting.
- ▶ Lack of awareness of CSEC. Staff working in the tourism sector may be unaware of the cues which indicate that a child may be at risk of CSEC. Further training is required for the tourism sector to build awareness of activities and behaviours which signal that a child may be at risk. This training needs to be supported by appropriate workplace systems and procedures which encourage reporting to an accessible hotline mechanism;
- ▶ Absence of reporting tools which are suited to the tourism sector. The current 'feedback forms' are not suited to a fast paced digital environment. The tourism sector welcomes practical initiatives to protect children which can be easily and effectively incorporated into their daily tasks. An internal tourism reporting mechanism would also help to ease the burden on organisations like Childline who are perceived as better equipped to provide direct services for children;

¹³² More information available at the TSI Website: http://www.satsa.com/pages/SATSA_tsi.asp, (Accessed on 25 November 2013).

- ▶ Lack of trust in the response services. This particularly applies to the police. Many respondents indicated that they need to see more evidence that their reports to police hotlines are being actioned. It was also noted that the Crime Stop hotline is not child-friendly, as staff are not trained to respond to calls made by children;
- ▶ Social workers indicated that victims often feel fearful or ashamed to make a report. This is supported by the global experience which indicates that there are many factors which discourage children from reporting, including fear of perceptions, blame, negative associations, and the intimidating process of making an official report. Social attitudes and perceptions about these offences are often not on the victim's side. Ambiguous notions of consent often place the blame on the victim, or obviate a perpetrator altogether.¹³³ Children sometimes believe that they are responsible for their exploitation and may be reluctant to use those reporting mechanisms that are available;
- ▶ Lack of coordination between organisations results in confusion about which hotline is most suitable. One aspect of multiple helplines is that prospective callers might be confused as to which line to use and when. It is also important to note that children do not always understand concepts of trafficking and exploitation. So when a child reaches out for assistance, they may not identify themselves as trafficked but phone the line because they lack access to school. It is only when the child's circumstances have been investigated by the agency, that it may be discovered that the child has been trafficked or sexually exploited;
- ▶ Children's access to reporting mechanisms might be strictly controlled by those who are exploiting them. Child victims of CSEC often lack access to technology which would enable them to make a call. Furthermore, respondents explained that children who have entered South Africa illegally often mistakenly believe that they will be in trouble if they come in contact with the police. Whereas, according to South African law, children from

other countries who have been trafficked or victims of CSEC are not criminalised. Unfortunately, a lack of knowledge about the legislation may also result in child protection workers misinforming children.

4.4 Possible Future Opportunities for Improving CSEC Reporting in Tourism

Based on the review of hotlines, there are two stand-out operations (Childline and TSI). If these two operations were to collaborate with the support of Fair Trade Tourism, there is enormous potential to build a significant CSEC reporting mechanism in South Africa's tourism industry. This two-way partnership could provide a very feasible way to advance efforts of the tourism sector to engage in protecting South Africa's children from CSEC. Childline, TSI and Fair Trade Tourism would bring critical and complementary expertise, technology, reputations and connections which present a positive platform to build an innovative reporting mechanism that is specifically designed to provide the tourism sector with an accessible and effective way to report potential cases of CSEC:

- ▶ The success of Childline hotline can be seen in two key perceptions; trust and awareness. Over many years, Childline has developed a reputation as a trusted provider of telephone and online services for both children and adults wishing to discuss children's issues. In addition, Childline has undertaken strategic marketing to make their services known to their target audiences. They have selectively undertaken marketing activities using suitable advertising tools to widely promulgate the hotline number, ensuring that it is available to even the most remote communities. Childline should continue to be promoted as an effective child protection reporting mechanism, particularly with a focus on providing services for children;
- ▶ The TSI initiative has already forged a critical bridge between the tourism sector (including the Tourism Business Council of South Africa – TBCSA) and the SAPS to deal specifically with crimes relating to tourism. The tourism sector already knows and trusts the TSI service – they speak the same sectorial

¹³³ Louw, W. (2013), op. cit.

language. This is important, particularly as tourism businesses frequently struggle to make direct connections with law enforcement or NGOs; and

- ▶ Fair Trade Tourism has many years' experience building a responsible tourism environment in South Africa. They have a sound understanding of the commercial tourism sector combined with a practical focus on responsible tourism which places them in an ideal position to support collaboration

between Childline and TSI. As the Local Code Representative (national coordinating body for the Child Protection Code in South Africa) and through its Quality Management System it already has a strong database and network of responsible tourism businesses in South Africa. FTT also holds a long-term positive relationship with the South African National Department of Tourism (particularly, but not limited to, the Department's Responsible Tourism Directorate).

5. RECOMMENDATIONS

This report has examined the situation of CSEC in tourism in South Africa and the associated reporting mechanisms. While it is recognised that reporting mechanisms are one component of an effective child protection system, the recommendations that follow specifically address proposed mechanisms for improved reporting to combat CSEC in tourism. Importantly, the recommendations respect the solid foundation of infrastructure and expertise that already exists and focus on building upon the resources that are already available.

The overarching recommendation is that a partnership is forged between Childline and TSI in order to strengthen reporting mechanisms to address CSEC in tourism in South Africa. The proposed approach is detailed below:

5.1 Use of Existing Structures and Reporting Mechanisms

Childline and TSI already have established structures and mechanisms which, with some minor enhancements, can be utilised to support an effective, coordinated and rapid response to possible cases of CSEC in tourism. In order to utilise the existing structures, the following enhancements are proposed:

- ▶ Strengthen the Childline South Africa hotline reporting mechanism so that it can continue to be utilised for the reporting of CSEC, especially by children and parents. The advantages of this proposal include:
 - ▶ There is already widespread awareness of the Childline hotline amongst children and adults as a result of Childline's trusted reputation and long-term and effective advertising;
 - ▶ Childline has a trained team of professional staff who are well-versed in child protection issues, including CSEC and familiar with reporting requirements, procedures and resources;
 - ▶ The Childline call centres are decentralised to all provinces thus increasing the possibility that children, even those trafficked into South Africa from neighbour countries will be supported in their own language; and
- ▶ All cases reported to Childline are actively followed up to ensure that service providers respond to the needs of each individual child.
- ▶ Utilise the TSI hotline as the future reporting mechanism for the tourism industry to report cases of CSEC. This opportunity makes good strategic sense, especially considering:
 - ▶ TSI's primary objectives of protecting tourism and preventing crime mean that they are well-placed to address the issues of CSEC in tourism;
 - ▶ TSI's existing reporting frameworks (hotline and online reporting) have already been used successfully to enable the tourism sector to connect with the police during the 2010 FIFA World Cup where they achieved positive results in addressing tourism related crimes;
 - ▶ Given TSI's relationship with the SAPS, it is believed that police will welcome this formal connection with the tourism sector with TSI acting as the intermediary;
 - ▶ TSI has already demonstrated its capacity for responsive attention to criminal matters, and this is seen as a crucial factor when dealing with CSEC cases; and
 - ▶ TSI is already known, respected and used by the tourism sector. The proposed use of the TSI reporting networks has been suggested and promoted by tourism sector representatives who indicated that they have found TSI to be highly effective.

5.2 Improving the Reporting Systems

Quality improvements to the existing reporting systems will assist in strengthening the child protection safety net. The following recommendations are proposed:

- ▶ Childline is well-placed to provide training for TSI regarding the specific situations of CSEC which may be encountered in the tourism sector. Through this training, TSI hotline operators will be prepared for appropriately responding to reports of CSEC;
- ▶ An agreement could be established between TSI and Childline to share information relating to CSEC reports within the boundaries of confidentiality. This would be particularly beneficial to Childline and enable them to disclose potential situations where children may be at risk of CSEC;
- ▶ Both TSI and Childline should be adequately resourced to provide a rapid response to any reports of CSEC from their respective audiences. As tourists and child victims are usually mobile, this timely connection will hasten necessary investigations to protect children;
- ▶ Fair Trade Tourism can support the forging of a working relationship between the tourism industry and child protection reporting mechanisms as a basis for formalising agreement establishing how the two sectors could work together to align, improve and coordinate their existing reporting mechanisms;
- ▶ As the Local Child Protection Code Representative, Fair Trade Tourism is able to provide support in relation to training and awareness-raising of CSEC in South African tourism. Fair Trade Tourism can also liaise with current and future South African tourism businesses which join the Child Protection Code to encourage utilisation of the re-

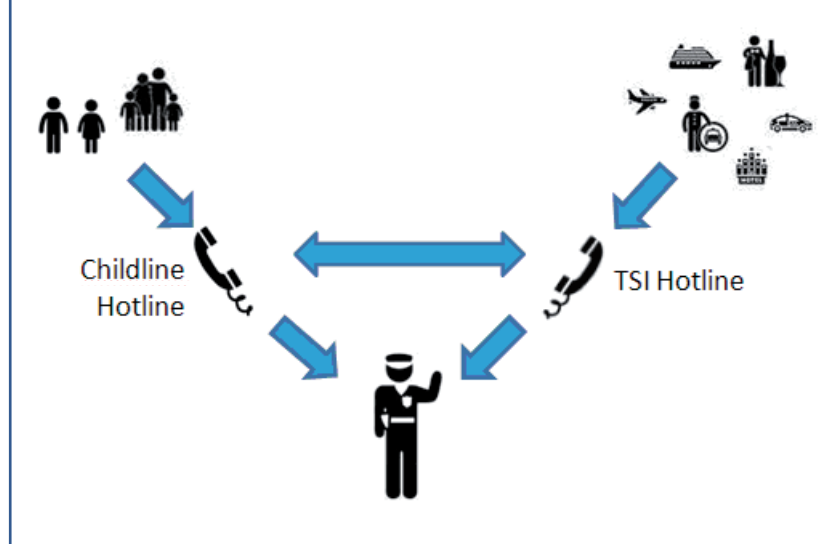
porting mechanisms which result from this proposed program; and

- ▶ TSI will be invited to share lessons on their past experiences with a view to improving their reporting system so that it is adequately prepared for calls relating to CSEC in tourism.

5.3 The Establishment of a Formal Reporting Structure

A formal reporting structure should be prepared which builds on best practice examples of hotline partnerships in other countries. These reporting structures will be established in partnership with the SAPS and will specify the ways in which calls will be received by each hotline, possibly discussed (under the guidelines of confidentiality) with the partner agency, and reported to the police. Clear guidelines will be developed to define roles and ensure the ethical, appropriate and systemised processing of reports and timely referrals to the SAPS. Figure Five provides a simplified model of the structure.

Figure Five – Hotline Reporting Structure



- ▶ Hotline staff and the SAPS should establish formal systems for keeping records of calls received. Following international best practice models for hotline reporting, quarterly reports could be prepared which, without identifying callers, provide a quantitative and transparent account of calls received and actions taken. This data should be shared on agency websites to begin build-

ing public confidence that their reports are being responded to. This information will also assist the child protection and tourism industries in developing a clearer picture of the status of CSEC in South Africa; and

- ▶ Reporting mechanisms must ensure that staff who respond to children have a clear and consistent definition of what constitutes CSEC, child trafficking and child sex tourism to enable appropriate responses and referrals. Childline will be able to support this type of capacity building through the delivery of child protection training for relevant stakeholders.

5.4 Further Recommendations

Hotline numbers are only effective if key audiences are aware that they exist! In order to encourage reporting by key audiences, effective awareness-raising initiatives must be implemented. It is proposed that the following awareness-raising activities are delivered hand-in-hand with the hotline reporting initiative.

Awareness Raising for the Tourism Sector

- ▶ The tourism industry requires a targeted campaign which specifically addresses the issue of CSEC in tourism. This should be a national campaign for the tourism sector which consistently communicates a clear, streamlined message and easy-recall hotline number. The campaign would promote the TSI reporting mechanism (hotline and online reporting) thereby enabling respondents to direct their reports straight to a reliable and responsive centre. This is likely to require ongoing funding, and options for this should be explored by the industry as a whole. TBCSA is possibly the best platform for this activity;
- ▶ As many tourism businesses in South Africa already have access to excellent training and awareness-raising materials, Fair Trade Tourism should identify what materials are already available and conduct testing to assess the most effective tools. These tools could be utilised and adapted for the national campaign. New materials should only be developed if gaps exist in the current campaign materials. To keep costs to a

minimum, electronic material can be made available for tourism businesses to personalise (by adding their logo) and print at their own cost;

- ▶ Ensure that all industry role players are aware of issues around CSEC, how to prevent it and how to report it. This can be facilitated through various communication channels such as newsletters sent by South African Tourism, TBCSA, SATSA and FTT. Information can also be included in the South Africa Tourism training toolkits and welcome campaign. Furthermore, tourism students at tertiary education institutes should also be targeted with awareness-raising on the issues of CSEC in order to build a new generation of tourism professionals who are better-equipped to manage child protection issues in the industry; and
- ▶ To ensure that the industry is aware of CSEC, an online training course should be developed, using and adapting existing e-learning tools to suit the South African context. The 'Everywhere, Every Child'¹³⁴ online training tool prepared by the Association of British Travel Agents (ABTA) and ECPAT is a valuable example. This type of tool would facilitate easy access to training for tourism staff and enable tourism managers to monitor how many people have been trained and measure learning through the use of online tests.

Awareness Raising for Tourists

This must happen in various stages of the international traveller's journey:

- ▶ Before arrival, a strong message should be communicated to tourists that South Africa has a zero tolerance approach to all forms of CSEC. This should be facilitated through international communication channels such as the offices of South African Tourism and the Department of International Communications in source markets;
- ▶ On arrival, tourists should be informed of potential legal consequences of child sex-

¹³⁴ ABTA E-Learning Website, Available at: <http://www.abtae-learning.com/> (Accessed on 12 December 2013).

ual exploitation. This should be facilitated through the National Department of Tourism and their collaboration with the Department of Home Affairs at all national borders. Fair Trade Tourism can explore examples of best practice methods used in other countries and consider ways to adapt these to suit the South African situation;

- ▶ During their stay, tourists can be reminded of child protection messages through materials positioned in tourism businesses. For example, the campaign message including the hotlines can be included on free maps distributed by hotels and hire car companies;
- ▶ Recognising that domestic tourism is different to international tourism, it requires a different strategy. Fair Trade Tourism should investigate the possibility of collaborating with a national initiative to facilitate a local campaign addressing the prevention of CSEC.
- ▶ The Child Protection Code should continue to be actively promoted throughout the tourism sector and the child protection sector. As the local LCR, Fair Trade Tourism can encourage new membership and promote the active engagement of existing members;
- ▶ Fair Trade Tourism, when promoting the Child Protection Code, could be encouraged to promote the Guiding Principles on Human Rights and Business and the Guiding Principles on Children's Rights and Business and encourage the alignment of the Child Protection Code to these Guiding Principles. Government Departments with responsibility for trade, industry and tourism should be invited to support these commitments to the protect human and children's rights; and
- ▶ Promotion of and education on the Child Protection Code should also include basic information on reporting mechanisms, legal obligations to report, and appropriate services for children affected by CSEC in tourism.

Awareness Raising for the Child Protection Sector

- ▶ Role-players in the child protection sector require training on child protection initiatives in the tourism industry – in fact there appears to be little awareness, interaction or coordination between the two sectors. This will facilitate the coordination and mutual support of programs to prevent CSEC. Sharing of resources will also be cost effective in relation to the development of awareness raising materials;
- ▶ Awareness-raising is required for families and communities to alert parents to the risks of CSEC and remind them of their responsibilities with regards to child protection. Parents require improved awareness of the vulnerability of children and their responsibility to provide supervision and report possible cases of CSEC;
- ▶ Children should be educated on the risk of CSEC and encouraged to participate in awareness raising and in developing solutions to child vulnerability in age and developmentally appropriate ways. Awareness-raising in schools is essential as schools provide the second safety net for children. Educators should be made aware of the need to refer children to appropriate resources when families are unable to provide for their children so that the vulnerability of children is reduced;
- ▶ Communities and traditional and religious leaders in communities should be alerted to the vulnerability of children. Support should be provided to support families and children to report situations of concern; and
- ▶ The media should be encouraged to highlight the situation of CSEC in South Africa in a responsible way in order to raise public awareness of the zero-tolerance approach and to encourage heightened reporting.

5.5 Concluding Comment

As the global tourism industry becomes increasingly aware of the situation of CSEC, individual countries have been escalating their attention to child protection and introducing solutions to build child safe tourism practices. While South Africa has taken some positive first steps, critical action is required to strengthen preventative and protective measures within the country's tourism industry. It is positive to note that a strong child protection foundation already exists in South Africa, and the country's laws and policies are mostly compliant with the UN Conventions and the African Charter on the Rights and Welfare of the Child;¹³⁵ police are forming productive relationships with the tourism sector through the TSI initiative to combat tourism related crimes;

NGOs are actively collaborating with the government to strengthen the national child protection system; and the tourism sector is recognising the need to focus on building a responsible tourism industry. The groundwork has been carried out to enable the tourism sector to take urgent, strong and practical action to prepare for the growth of international visitors in coming years. Through the introduction of a collaborative partnerships, it will be possible to strengthen reporting mechanisms and send a strong message to the world declaring that South Africa does not look away when children are at risk of sexual exploitation in the tourism sector, but instead takes positive action to report situations where children are at risk of commercial sexual exploitation.

¹³⁵ Save the Children Southern Africa Regional Office (2010), op. cit. p. 3.

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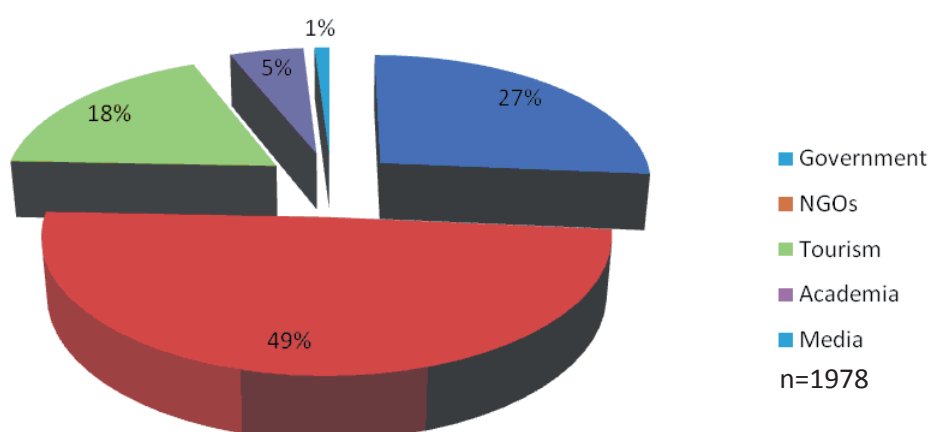
7. ANNEXES

ANNEX A

RESEARCH RESPONDENTS

		Questionnaire	Focus Group Discussions	Interviews	Email Discussions	National Workshop to Discuss Preliminary Research Findings
Government (52)	Social workers	2	2	-	3	1
	Ministry of Justice	2	6	2	13	2
	Police	1	4	1	2	-
	Department of Education	-	1	-	-	-
	Home Affairs	-	1	-	-	-
	Labour	1	-	-	3	1
	Dept. Women, Children . . .	-	2	-	1	1
NGOs (97)	NGOs (social work)	17	38	2	22	6
	INGOs	-	1	-	8	3
Tourism (36)	Tourism	6	7	14	6	3
Media (2)	Media	-	1	1	-	-
Academia (10)	Academia	4	1	1	4	-
TOTALS		33	64	21	62	17

Research Respondents



EXAMPLE CASES OF CSEC RELATING TO TOURISM IN SOUTH AFRICA

Country of Origin	Date of Arrest	Age	Gender	Profession	Details	Conviction/ Status
Germany	2013	50+	M	Church Priest	The accused was arrested for acts of indecency were allegedly committed in 2008 on four boys aged nine and 10, some of German origin, who attended a German-language youth camp near Johannesburg. http://www.timeslive.co.za/local/2013/09/21/south-africa-frees-german-paedophile-suspect-on-bail	Ongoing. Media report that after November's hearing, the accused may be extradited to Germany.
South Africa	2013	-	M	Head of School	The accused is one of six men is alleged to be part in an international child pornography ring. The accused is also suspected of being involved in manufacturing child pornography at multiple location in South Africa for international distribution. Police allege he was in possession of 672 DVDs, 22 memory sticks, eight laptops, two computer tablets, 39 external hard drives and 25 books containing child porn pictures. http://www.sabc.co.za/news/a/83ae4200419de0e78405af17c876c1c7/School-teacher-in-court-for-child-pornography	Ongoing
South Africa	2013	59	M	Maintenance Manager (luxury game reserve/ hotel)	The accused was arrested after a neighbour, who shares a wi-fi network with him, alerted the police when she found what she regarded as child pornography on shared computer files. Thousands of photographs and negatives, some apparently dating back to the 1970s, were seized in the raid on the accused's home. http://www.timeslive.co.za/thetimes/2013/09/06/child-predator-bust	Released on R50 000 bail.
United States	2011	33	M	U.S. Peace Corps volunteer	While volunteering at an NGO, the offender enticed four young girls, all of whom were under the age of six, to engage in illicit sexual acts with him. He persuaded the children to engage in this conduct by playing games with them and providing them with candy. He sexually abused one of the victims approximately two times a week over the course of approximately five months. http://www.ice.gov/news/releases/1210/121011johannesburg.htm	180 months in prison, followed by 10 years of supervised release.
United Kingdom	2006	52	M	Church Priest	The accused visited and volunteered at street-children organisation in Cape Town where he was accused of sexually abusing three children, the youngest being a 10-year-old boy. Pornographic material was found at his flat. The accused denied the charges. http://www.oxfordmail.co.uk/news/766994.popular_priest_to_deny_sex_charge/	Pleaded not guilty. Released by the court for R1 000 bail. Permitted to return to UK also free to return to South Africa.
Germany	2005	64	M	Businessman	Police identified that the accused sexually abused eight girls all under 16 years old. The victims claimed they'd been abused for over two years, forced to perform indecent sexual acts with the accused at multiple venues. Some of the girls, who all come from poor families, were apparently only 11 at the time. http://www.iol.co.za/news/south-africa/state-eyes-car-of-alleged-child-sex-offender-1.489340#.Uo_evuK_AYE	The accused fled to Namibia before arrest. The Western Cape High Court declared that vehicle which belonged to accused be forfeited to the State as it was instrumental in the offences.
Switzerland	2005	46	M	Tourist	The accused (a self-confessed paedophile) was caught having intercourse with a 14-year-old Alexandra boy in his Sandton hotel room in 2005. Police confiscated pornographic material, a laptop computer and cell phone. Media later identified four additional child victims (mostly street children) who had been sexually abused by the accused. http://www.iol.co.za/news/south-africa/swiss-sex-tourist-facing-civil-claim-1.264796#.UpGIR-K_AYF	The accused was released on R10 000 bail.

SOUTH AFRICA'S RATIFICATION STATUS FOR INTERNATIONAL CSEC LAWS AND CONVENTIONS

International Laws and Conventions	Status	Date
International Covenant on Civil and Political Rights (ICCPR)	Signed Effective	Dec 1966 March 1976
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Signed Effective	Dec 1979 Sep 1983
Convention on the Rights of the Child (CRC)	Signed Effective	Nov 1989 Sep 1990
Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography	Signed Effective	May 2000 Jan 2002
Convention Against Transnational Organised Crime(CTOC)	Signed Effective	Dec 2000 Sep 2003
ILO Convention No 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	Signed Effective	Jun 1999 Nov 2000
ILO Convention No 138 concerning the Minimum Age for Admission to Employment	Drafted Effective	Jun 1973 Jun 1976
ILO Convention No 29 concerning Forced or Compulsory Labour	Signed Effective	Jun 1930 May 1932
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the CTOC (The Palermo Protocol)	Signed Effective	Dec 2000 Dec 2003
ILO Convention No 105 concerning the Abolition of Forced Labour	Signed Effective	Jun 1957 Jan 1957

KEY LEGAL PROVISIONS ADDRESSING CSEC IN SOUTH AFRICA

	Child Prostitution	Child Sex Trafficking	Child Pornography	Child Sexual Abuse and Sexual Assault	Child Sex Tourism
Constitution of South Africa no 106 of 1996	Section 28 provides for the protection of children from all forms of exploitation and affirms that all decisions relating to children should be in the child's best interests	Section 28 provides for the protection of children from all forms of exploitation and affirms that all decisions relating to children should be in the child's best interests	Section 28 provides for the protection of children from all forms of exploitation and affirms that all decisions relating to children should be in the child's best interests	Section 28 provides for the protection of children from all forms of exploitation and affirms that all decisions relating to children should be in the child's best interests	
Children's Act no 38 of 2005 as amended	Section 141 – Child labour and sexual exploitation Section 150 – Child in need of care and protection	Section 141 – Child labour and sexual exploitation Section 150 – Child in need of care and protection Chapter 18: Trafficking of children Schedule 2: Child abduction	Section 141 – Child labour and sexual exploitation Section 150 – Child in need of care and protection	Section 141 – Child labour and sexual exploitation Section 150 – Child in need of care and protection	
Criminal Law (Sexual Offences and Related Matters Amendment Act no 32 of 2007	Chapter 3, part 2 – commercial sexual exploitation of children Chapter 5: Services to victims of sexual offences Section 54: The obligation to report sexual offences Section 61: Extra-territorial jurisdiction	Chapter 5: Services to victims of sexual offences Section 54: The obligation to report sexual offences Section 61: Extra-territorial jurisdiction Sections 70 and 71 – trafficking for sexual purposes	Chapter 3 section 19 – deals with child pornography specifically Chapter 5: Services to victims of sexual offences Section 54: The obligation to report sexual offences Section 61: Extra-territorial jurisdiction	Chapter 2, Sections 3, 4, 5, 6, 7 (rape, compelled rape, sexual assault, compelled sexual assault) Chapter 3 Sexual offences against children Chapter 5: Services to victims of sexual offence Section 54: The obligation to report sexual offences Section 61: Extra-territorial jurisdiction	Section 19 – Punishes material that encourages travel for the purpose of sexual exploitation
Films and Publications Act as Amended no 18 of 2004			Section 1 – Definition of child pornography Section 2 – Objects of the Act – to protect children Schedules 3 and 8 – Classification of material		

African Charter on the Rights and Welfare of the Child; 1990	Article 15 - Hazardous labour Article 16 - Protection from all forms of abuse Article 27 - Sexual exploitation	Article 15 - Hazardous labour Article 16 - Protection from all forms of abuse Article 27 - Sexual exploitation Article 29 - Trafficking	Article 15 - Hazardous labour Article 16 - Protection from all forms of abuse Article 27 - Sexual exploitation	Article 15 - Hazardous labour Article 16 - Protection from all forms of abuse Article 27 - Sexual exploitation	
United Nations Convention on the Rights of the Child – as signed and ratified this has the force of law in South Africa; 1989	Articles 32, 34, 35 and 36, 39 and Article 19 which deals with the response to abuse, neglect and exploitation. General Comment 13 on Article 19 which addresses the need for reporting mechanisms for children	Articles 32, 34, 35 and 36, 39 and Article 19 which deals with the response to abuse, neglect and exploitation, Article 9 which deals with the child's separation from their parents, and 11 which regulates the illicit transfer and non-return of children abroad. General Comment 13 on Article 19 which addresses the need for reporting mechanisms for children	Articles 32, 34, 35 and 36, 39 and Article 19 which deals with the response to abuse, neglect and exploitation. General Comment 13 on Article 19 which addresses the need for reporting mechanisms for children	Articles 34, 35 and 36, 39 and Article 19 which deals with the response to abuse, neglect and exploitation. General Comment 13 on Article 19 which addresses the need for reporting mechanisms for children	

SOUTH AFRICAN CIVIL REPORTING REQUIREMENTS

South African legislation specifies civil responsibilities for reporting cases of child sexual exploitation. These responsibilities are summarised in the below table.

	Children's Act	Criminal Law (Sexual Offences and Related Matters) Amendment Act	Films and Publications Act	The Prevention and Combatting of Trafficking in Persons Act
What must be reported?	Abuse and neglect	Sexual offences against children and the disabled	Exposing and involving children in pornography	Any trafficking crime against children including trafficking for sexual exploitation
Who must report?	Any correctional official, dentist, homeopath, labour inspector, legal practitioner, medical practitioner, midwife, minister of religion, nurse, occupational therapist, police official, physiotherapist, psychologist, religious leader, social service professional, social worker, speech therapist, teacher, traditional health practitioner, traditional leader or member of staff or volunteer worker at a partial care facility, shelter, drop-in centre or child and youth care centre. S110 (1)	Everyone	Everyone	Everyone
When should it be reported?	Not clear	Immediately	Not clear	Immediately
What happens if one does not report?	Not clear	It is a criminal offence	It is a criminal offence	It is a criminal offence
Can one be sued if on investigation a case of CSEC is not proven?	No – the reporter is protected	No – the reporter is protected	No – the reporter is protected	No – the reporter is protected
To whom must I report?	Child Protection Organisation, DSD, Police – the reporter can choose to whom the report is made	Police	Police	Police

South African Signatories to The Code of Conduct to Protect Children in Travel and Tourism

There are 38 Signatories of the Child Protection Code in South Africa and 16 Supporters, which cannot actively sign the document but nevertheless want to support it. The Signatories can be classified in four categories: Accommodation Providers, Tour Operators, Car Hire Companies and Other. Besides the signatories, there are Industry Associations and Government Departments who support the Child Protection Code.



Supporters of the Tourism Child Protection Code are:

Accommodation Providers

1	Access Guest Lodge
2	Accor
3	Antrim Villa
4	Bartholomeus Klip Farmhouse
6	Cactusberry Lodge
7	Cape Grace
8	City Lodge
9	Greenways
10	Peech Hotel
12	Radisson
14	Spier
15	Tsogo Sun
16	Umlani Bushcamp
17	Westin Grand (Arabella)
18	Winchester Mansions

Industry Associations

1	ASATA (Association of South African Travel Agents)
2	CTICC (Cape Town International Convention Centre)
3	FEDHASA (Federated Hospitality Association of Southern Africa)
4	Heritage Environmental company
5	Moja Media
6	Open Africa
7	SAACI – South African Association for the Conference Industry
8	SAT (South African Tourism)
9	SATSA (Southern Africa Tourism Services Association)
10	SAVRALA (Southern Africa Vehicle Rental and Leasing Association)
11	TBCSA (Tourism Business Council South Africa)
12	Cape Town Tourism

Tour Operators

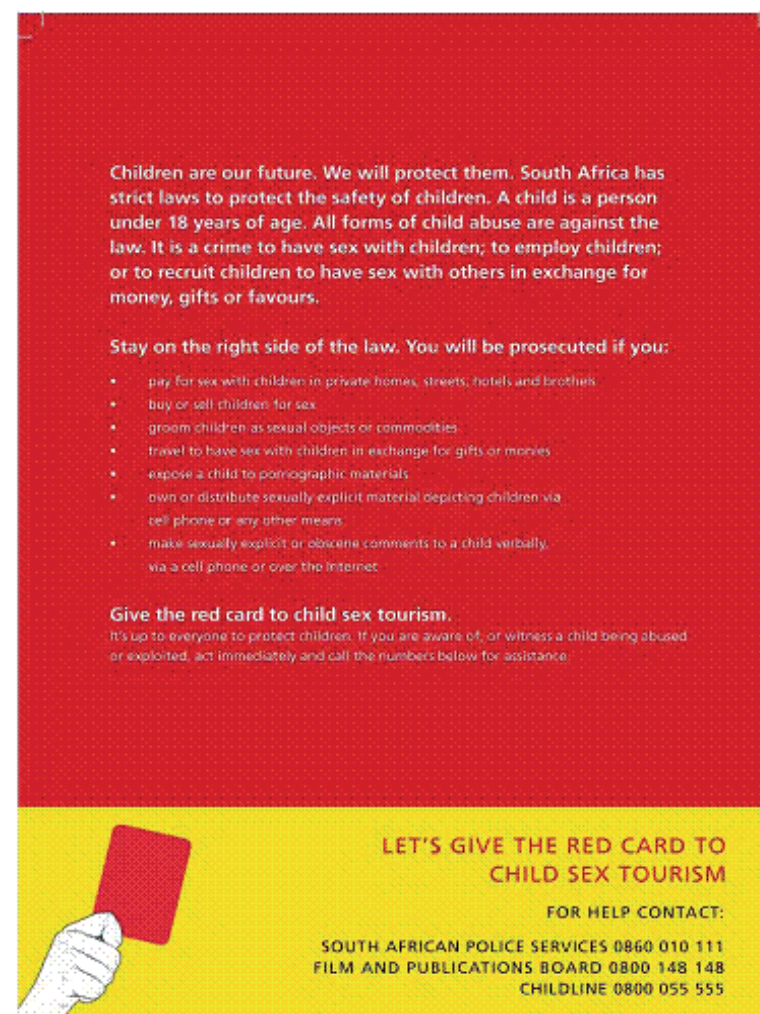
1	AAA Travel
2	Abang Africa Travel
3	African Chapter
4	Andulela Experience
6	ATG Africa Travel Group
7	Baobab Travel (actually UK-Member)
8	Calabash Tours
9	Fairfield Tours
10	Firelight Tours & Safaris
12	Ikhayalam Lodge & Tours
14	Kuvona Cultural Tours
15	Private Safaris
16	Thompson Africa (Cullinan Holdings)
17	Tourvest Holdings
18	Uluntu Africa
19	XO Africa

Government Departments

1	Department of Social Development
2	Department of Tourism
3	Department of Trade and Industry
4	EDRS – Tourism
5	Nelson Mandela Bay Tourism

Car Hire Companies

1	Avis
2	Europcar
3	First Car Rental

RED FLAG CAMPAIGN EXAMPLES¹³⁵

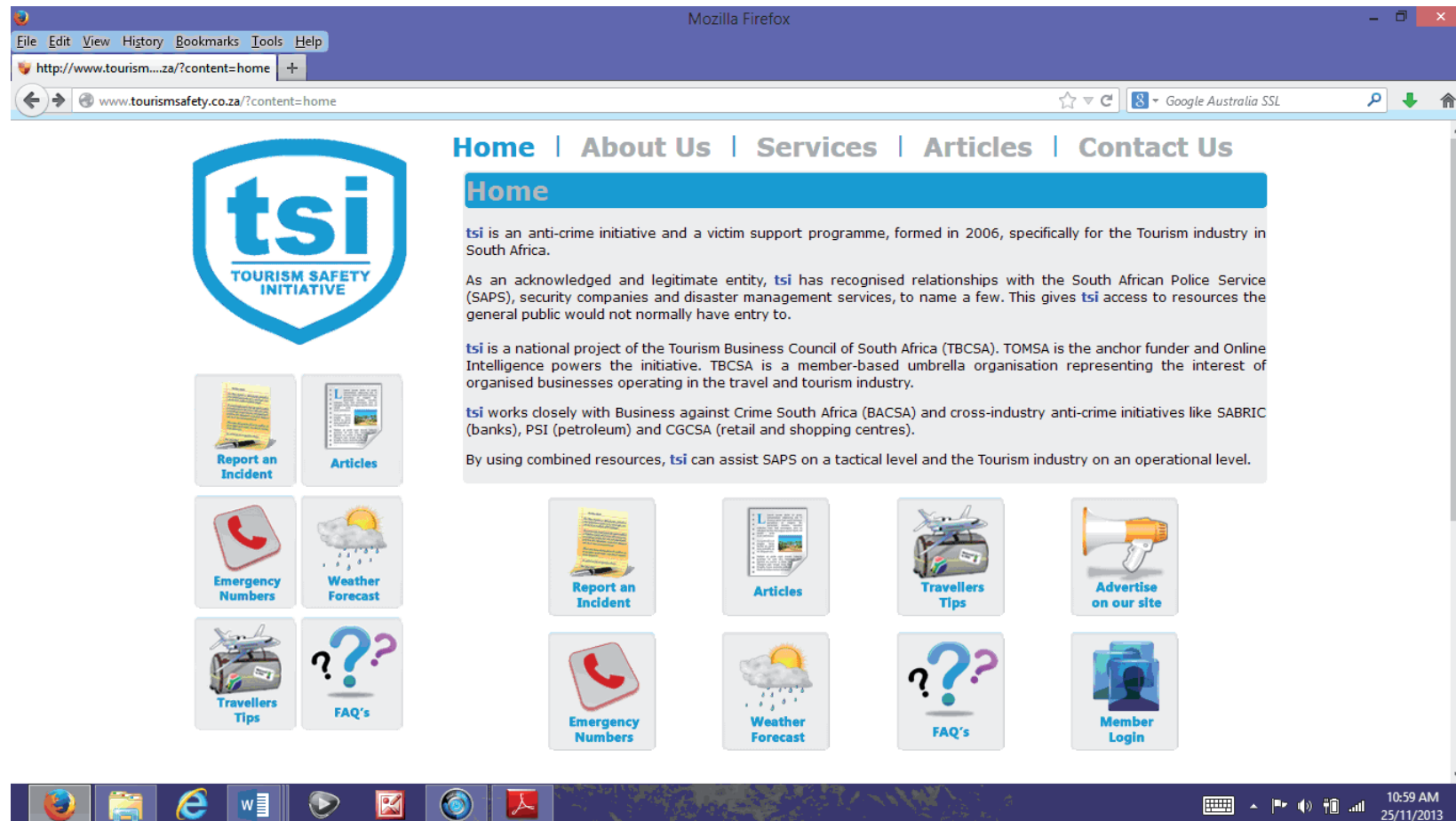
¹³⁵ UNICEF South Africa Website: Available at: http://www.unicef.org/southafrica/resources_8100.html (Accessed on 17 November 2013).

CSEC REPORTING MECHANISMS

Organisation	Hotline Number	Operating Hours	Toll Free Y/N	Languages Spoken	Who are the Operators	Other Details	Key Recommendation for Improving the Reporting Mechanism
Childline	08000 55555	24/7/365	Yes	English, isiZulu, isiXhosa, Sesotho, isiNdebele, Sipeedi, Tsetswana, Siswati, Tshvenda, Xitsonga, Afrikaans, Portuguese	Childline SA, through nine provincial call centres, coordinated by a national office.	National office tel:+27 31 2012059 Other services are also offered by Childline to support child victims of CSEC	Response services require strengthening – resources are required to track reports and advocate for better functioning of the child protection system. Promotional materials to ensure that every child has the number. Meet with the Tourism Industry staff who are responsible for the tourism reporting mechanism and work out a cooperative strategy that will strengthen both.
Childline	Online Counselling and reporting through MXit chat rooms	14:00 to 18:00 Mon to Sat	Yes	This service can be used by any child/adult with concerns about a child but is specifically available to children who are speech and hearing disabled as they can communicate via text	Childline SA national office.	National office tel:+27 31 2012059 Other services are also offered by this organisation to children involved in CSEC, CT and CST	Resources are required to expand this reporting mechanism to 24 hour availability.
South African Police Services	10111	24/7/365	Yes	English and some African languages	Government, through the Department of Safety and Security	Located in Metro areas. This is really a crime reporting line only – no other services.	Responders require training in communication with children and resources available to children.
The Films and Publications Board	0800 148 148	Weekdays	Yes	English and some African languages	Government through the Department of Home Affairs	Located in Midrand, Gauteng. Only deals with child pornography.	Not well publicised and often there is no answer – so if this line were used for reporting CSEC, recommendations include: extending its availability training responders on a broader range of child abuse, neglect and exploitation issues.
Lifeline SA	0800 150 150	24/7/365	Yes	English and some African Languages	Lifeline SA through its affiliates, an NGO	Focus is on domestic Violence and children are usually referred to Childline.	None
Salvation Army	08000 73728	Line may be discontinued	Yes	English and some African Languages	Salvation Army is an NGO	Established just prior to the FIFA world cup to facilitate the reporting of human trafficking.	Line has received only one trafficking report in three years and therefore may be discontinued.

CSEC REPORTING MECHANISMS INITIATED BY THE TOURISM SECTOR

Company	How can staff report child protection violations?	Details (How does this reporting mechanism work?)	Is the service well used?	Who is responsible for managing the mechanism?	Examples of reports	Key Recommendations for Improving the Reporting Mechanism
Tourism Safety Initiative (TSI)	<p>Phone: 0861 874 911</p> <p>Fax: 086 86 2057</p> <p>Email: info@TourismSafety.co.za</p> <p>Online report form</p>	Cooperation between tourism industry, police and security services as well as disaster management and similar bodies to co-ordinate the efforts of everyone concerned.	Yes, a number of tourism industry experts attest that this is the most widely used, and best trusted reporting line for the industry.	SATSA in collaboration with SAPS (call centre).	<p>TSI worked with emergency services during the severe floods that affected the Lowveld and in particular Kruger Park. Because of the co-operation that took place it was possible to make best use of available resources.</p> <p>TSI also worked with the police services in the Eastern Cape to help them re-organise their manpower to better deal with a developing situation of serious crime around the Addo area.</p> <p>TSI works on a continuous basis with Airports Company South Africa (ACSA) to better manage safety and security issues around OR Tambo International Airport.</p>	<p>Invite TSI to expand their current service to include a focus on CSEC.</p> <p>Provide training on CSEC for TSI call centre staff.</p> <p>Establish a partnership between TSI and Childline for sharing suitable information about CSEC in tourism.</p>

TOURISM SAFETY INITIATIVE (TSI) SOUTH AFRICA¹³⁶

¹³⁶ Available online at: <http://www.tourismsafety.co.za/?content=home> (Accessed on 25 November 2013)