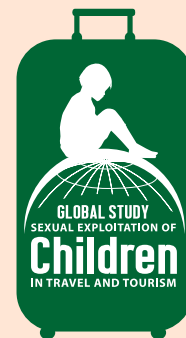


# GLOBAL STUDY ON SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

COUNTRY-SPECIFIC REPORT

## INDONESIA

### 2016



The country-specific report on Sexual Exploitation of Children in Travel and Tourism was made by ECPAT Indonesia.



ECPAT Indonesia is a member of ECPAT International.

The research was conducted in the framework of the Global Study on Sexual Exploitation of Children in Travel and Tourism. More information can be found on [www.globalstudysectt.org](http://www.globalstudysectt.org).

The views expressed are those of the author(s) and do not necessarily reflect those of ECPAT International and donors.

June 2016

Copyright (c) ECPAT Indonesia jointly with Defence for Children-ECPAT Netherlands

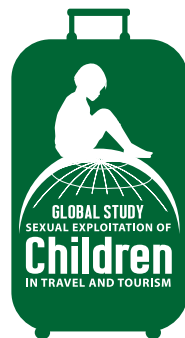
Design by: QUO, Bangkok

The Global Study has been made possible with the financial support from the Ministry of Foreign Affairs of the Netherlands through Defence for Children-ECPAT Netherlands.



Ministry of Foreign Affairs of the  
Netherlands





# GLOBAL STUDY ON SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

COUNTRY-SPECIFIC REPORT

## INDONESIA

2016



# CONTENTS

<b>Acknowledgements</b>	<b>5</b>
<b>Acronyms</b>	<b>6</b>
<b>Executive Summary</b>	<b>7</b>
<b>Chapter 1: Introduction</b>	<b>11</b>
Background	11
Research method	12
Research limitations	13
<b>Chapter 2: Children's vulnerability to abuse and exploitation</b>	<b>14</b>
Child abuse and exploitation in Indonesia	14
General description of children's vulnerability in the research locations	15
<b>Chapter 3: Policy on implementation</b>	<b>17</b>
National policy on child protection	17
Child protection policy in the research location	21
<b>Chapter 4: Sexual exploitation of children in tourism</b>	<b>24</b>
Child sex tourism in Indonesia	24
Situation of child sex tourism in the research location	29
Agents involved in child sex tourism	42
<b>Chapter 5: Challenges in addressing child sex tourism</b>	<b>46</b>
Law and law enforcement	46
Access to services	47
Demand/Supply	47
<b>Chapter 6: Capacity and potential to respond</b>	<b>49</b>
Government	49
Integrated Service Center for Women's Empowerment and Children	49
Police	50
Legal aid institute	50
Tourism business sector	51
Non-governmental organisation (NGO) and international organisation	51
Social action and movement	53
<b>Chapter 7: Closing</b>	<b>55</b>
Conclusions	55
Recommendations	56
<b>References</b>	<b>60</b>

# ACKNOWLEDGEMENTS

The research was led by Ahmad Sofian, and written by Ahmad Sofian, Gede Adhysima Krisna and Andy Ardian. Debby Imelda Tobing was edited and improved the quality of the report. Fitri Novena provided secretariat support.

# ACRONYMS

ASITA	Asosiasi Perusahaan Perjalanan Wisata Indonesia/Association of Indonesian Tourism and Travel Agent
BAPPENAS	Badan Perencanaan dan Pembangunan Nasional/National Development Planning Board
BNN	Badan Narkotika Nasional/National Narcotics Board
BP3A	Badan Pemberdayaan Perempuan dan Perlindungan Anak/Board of Women's Empowerment and Child Protection
BPS	Badan Pusat Statistik/Central Bureau of Statistics
BTB	Bali Tourism Board
CASA	Bali Committee Against Sexual Abuse Bali
ECPAT	End Child Prostitution, Child Pornography, Trafficking of Children for Sexual Purposes
EO	Event Organiser
ESA	Eksplorasi Seksual Anak/Sexual Exploitation of Children
FGD	Focus Group Discussion
GN – AKSA	Gerakan Nasional Anti Kejahatan Seksual terhadap Anak/National Movement Anti Sex Crimes Against Children
KEMENSOS	Kementerian Sosial/Ministry of Social Affairs
KPAI	Komisi Perlindungan Anak Indonesia/Commission for the Protection of Indonesian Children
KPI	Komisi Penyiaran Indonesia/Indonesian Broadcasting Commission
KPPA	Kementerian Pemberdayaan Perempuan dan Perlindungan Anak/Ministry of Women's Empowerment and Child Protection
LAB	Lentera Anak Bali
LBH	Lembaga Bantuan Hukum
LKSA	Lembaga Kesejahteraan Sosial Anak/Child Social Welfare Institution
LSM	Lembaga Swadaya Masyarakat
JIS	Jakarta International School
MA	Mahkamah Agung
PPATK	Pusat Pelaporan dan Analisis Transaksi Keuangan/Financial Transaction Report and Analysis Center
P2TP2A	Pusat Pelayanan Terpadu Pemberdayaan Perempuan dan Perlindungan Anak/Integrated Service Center for Women's Empowerment and Child Protection
UNWTO	United Nations World Tourism Organization
RPSA	Rumah Perlindungan Sosial Anak/Child Social Protection Home
TPPO	Tindak Pidana Perdagangan Orang/Criminal Act of Trafficking in Persons
UU	Undang – Undang/Law
YAP	Yayasan Anak dan Perempuan
YPI	Yayasan Pusaka Indonesia

# EXECUTIVE SUMMARY

Indonesia is one of the world's major tourism destinations. It attracts millions of tourists every year from all over the world, including many local visitors. The high tourism rate in Indonesia is influenced by easy access to its nationwide tourist attractions, high volume of flights and cheap accommodation. The rising number of both local and foreign visitors has led to an increased demand for entertainment facilities, most notably in the sex trade.

Research on child sex tourism in Indonesia conducted by ECPAT Indonesia found that, on the whole, Indonesia did not recognise or offer sex tourism in its popular destinations, although many manipulated the tourism industry to sexually exploit children.

To combat this, Indonesia had implemented a number of policies to protect children. Child protection policies at national level include Law Number 23 Year 2002 on Child Protection, Law Number 21 Year 2007 on the Eradication of the Criminal Act of Trafficking in Persons, Law Number 44 Year 2008 on Pornography, Law Number 11 Year 2008 on Electronic Information and Transaction, Law Number 11 Year 2012 on Juvenile Criminal Justice System, and Law Number 35 Year 2014 on the Revision of Law Number 23 Year 2002 on Child Protection. The Ministry of Tourism had also issued a regulation to protect children in tourism destinations. The regulation was made based on Law Number 10 Year 2009 on Tourism and Regulation of Minister of Culture and Tourism Number PM.30/HK.201/MKP/2010 on Guidelines for the Prevention of Sexual Exploitation of Children in Tourism. In addition to these laws and regulation, the Indonesian Government had launched a national programme called National Movement Anti Sex Crimes Against Children (*Gerakan Nasional Anti Kejahatan Seksual Terhadap Anak* – GN-AKSA), designed specifically to protect children from sexual abuse.

At local level, a number of local governments had issued their own local regulation on child protection. For example, Bali had the Local Regulation of Bali Province Number 6 Year 2014, while DKI Jakarta had the Local Regulation of DKI Jakarta Number 8 Year 2011. Medan had a regulation aimed specifically at the tourism sector, the Local Regulation of Medan Number 4 Year 2014 on Tourism and Medan Mayor Regulation Number 29 Year 2014 on Tourism Industry Registry, as did DKI Jakarta, namely the Local Regulation of DKI Jakarta Number 10 Year 2004 on Tourism.

The research found there were different forms of child sex tourism in Indonesia, the first being child prostitution. Child prostitutes could be found easily in bars, cafés, nightclubs, spas, hotels and, as an increasingly popular new trend, in karaoke rooms. Another emerging trend was the use of apartments to facilitate sexual transactions. Some apartments in Indonesia, particularly in Jakarta, are integrated into shopping centres, allowing them to be used not only for accommodation but also for entertainment purposes. The second form was online prostitution. Almost everyone in Indonesia, including children, was found to be in possession of a hand phone or a smart phone. Easy access to social media such as Facebook, Twitter and BBM, coinciding with the closing down of a number of brothels by the government, had shifted sexual transactions from the streets to online. This made it easier for those planning to visit Indonesia for sex to source information regarding the available sexual services in tourism destinations on the internet before travelling to the country. The third form was paedophilia. Most paedophilia cases revealed by police in Indonesia occurred in Bali, with areas such as Karangasem, Buleleng and Denpasar particularly vulnerable. Almost all child sexual exploitation cases in tourism destinations in Bali involved foreign tourists. They were more likely to target children from poor families who lived away from the tourism destinations, only using the popular areas as a transit point to collect information about the children. The fourth form was halal sex tourism. It was largely prevalent in southern areas of Bogor such as Cisarua and Puncak. The trend emerged in 1992 and primarily involved men from the Middle East. The fifth form was *kopi pangku* in West Kalimantan. The term referred to children between the ages of 12 and 15 who sat on men's laps in roadside coffee shops that usually opened at 10 pm.

Locations of sex tourism could be divided into three. The first was a transit point, which included areas around a bus station, train station and harbour. The second was locations around an industrial area. The third was the areas in the vicinity of a shopping centre. Other locations such as hotels located around a tourism destination, bars, nightclubs, spas, massage parlours, apartments and karaoke rooms were often used to facilitate child sex tourism, as were apartment units in big cities.



Child sex tourism destinations were spread across almost all areas of Indonesia. However, places such as Batam, Jakarta, Bali, Bandung, Bogor, Surabaya and Medan were more vulnerable to child sex tourism than other areas. Areas such as Indramayu, Karawang, Sukabumi, Cianjur, Subang, Tasikmalaya, East Nusa Tenggara, Lampung and Manado were notorious as a sending area for child prostitutes, mostly aged between 12 and 17. There was also the emergence of a new trend of prostitution, whereby the pimps themselves were children. Bali ranked first in terms of the highest number of paedophilia cases in Indonesia. Most of the victims were boys and a small number of them were girls between the ages of 9 and 17.

## CHILD SEX TOURISM IN THE THREE RESEARCH LOCATIONS

### Bali

There were many different forms of child sex tourism in Bali, the main one being child prostitution. Prostituted children could be found in red-light areas in Sanur, Danau Tempe, Kuta and entertainment venues along Sunset Road. Some of these child prostitutes did not need to find their customers directly because they lived in the red-light areas while others had to solicit for custom directly by going to a café, bar, nightclub or other entertainment places. Prostituted children also used 24-hour franchise networks to find customers. This usually involved loitering around franchise food shops where customers could book an appointment with them. By and large, the child prostitutes came from Java Island, especially Banyuwangi and Bandung, although some of them were locals from Bali.

Child prostitutes were found to be above 12 years old. Factors that contributed to their involvement in prostitution included broken family, consumerism (money, mobile phone and other material possessions), and free sex, among other things. Most of their customers were adults between the ages of 30 and 50. They tended to go directly to the red-light areas or made a prior appointment with child prostitutes via mobile phone, messaging service and social media.

Another form of child sex tourism, boy prostitution, was an emerging new trend in Bali. Boy prostitutes were generally aged between 15 and 16, and were involved in prostitution due to financial hardships and the lure of consumerism. Most came from poor families and were sold to customers by their peers.

The other form of child sex tourism to receive serious attention in Bali was paedophilia. Even though it involved local perpetrators, most of the paedophiles were foreigners. Foreigners who were involved in paedophilia cases between 2001 and 2013 came from the Netherlands (three cases), Italy (two cases), France (two cases), Australia (two cases), Germany (one case), Switzerland (one case) and South Africa (one case). Most paedophilia victims were boys between the ages of eight and 15, although some were girls, usually between the ages of 12 and 15. The paedophiles preferred to target girls who were at their early puberty or menstruation for greater sexual gratification. Paedophiles preferred to target boys who they could groom in order to recruit other boys. Most came from poor families and lived around tourist destinations, or worked in tourism destinations as street hawkers and child labourers. Some areas in Bali such as Karangasem, Buleleng, Denpasar and its surrounding areas were particularly vulnerable to paedophilia.

### Medan

Medan, the third biggest city in Indonesia after Jakarta and Surabaya, is a gateway for tourists travelling to Sumatra Island. Illegal child prostitution was a serious concern in Medan, involving students in the city and even spreading to schools. Prostitutes also operated on streets in Medan, usually between 10 pm and dawn. Child prostitutes could be easily found along GM Street and DS Street every night. Small hotels located along NR Street and shop houses around Petisah Market were also used as red-light areas. Every night, shemales also operated behind Gramedia Book Store and along GM Street up to Pardede Hall. Other locations in Medan such as Pusat Pasar and Sambu Market were also used as red-light areas.

Some schools were found to be notorious for child prostitution. The targets were junior high school students between the ages of 15 and 17. They lived in rented accommodation near their school and were often sold by their peers. For example, Rere (pseudonym) had been a pimp since junior high school, selling her schoolmates to her customers. Furthermore, a number of potential customers attempted to target children in malls and fast food restaurants because many child prostitutes frequented and operated there.

### Jakarta

There were different classes of night entertainment places in Jakarta that were used for child prostitution, each having an influence on the kind of visitors and



child prostitutes it attracted. Most visitors of lower class entertainment places in the Semper area or those located under bridges were porters. Middle class entertainment venues were located in Tanjung Priok, its proximity to Tanjung Priok Harbor and main streets making them easily accessible. High-class entertainment venues were located in the Mangga Dua and Sawah Besar areas, and were frequented by a wealthier clientele. Many child prostitutes worked in these locations, alongside high-class prostitutes who operated in elite entertainment centres and star hotels.

Online child sex tourism was a new emerging trend of child sex tourism in Jakarta. Customers could contact and book child prostitutes directly or through their pimps using social media and smartphones. Another trend was soliciting sex transactions in apartments by distributing spa flyers or brochures containing contact mobile phone numbers. Another form of child sex tourism in Jakarta was paedophilia. A paedophilia case was revealed in Jakarta International School where the perpetrator was a foreign teacher who had been recorded as a paedophile in his own country. This indicated that paedophiles from abroad who disguised themselves as teachers might operate in Jakarta.

## PROFILES OF PERPETRATORS

There were a total of 185 child exploiters who were convicted between 2010 and 2015. Of that total, 85 were between the ages of 18 and 29; 33 between the ages of 30 and 39; 28 between the ages of 40 and 49; 12 between the ages of 50 and 59; six above 60 years; and 19 people were under the age of 18.

Child sex tourists came from different countries such as Indonesia, Singapore, Thailand, Malaysia, Australia, UK, Bangladesh, Japan, Korea, China and Saudi Arabia. As well as tourism, many came to Indonesia to work, in a range of jobs that included expatriates in a foreign company in Indonesia, ship crew, project workers, and construction workers. They gained access to child prostitutes by visiting brothels, private clubs, private karaoke rooms and fitness centres. Pimps and children working in entertainment places also offered patrons sex with children.

In general, paedophiles were above 50 years old and had travelled to Indonesia many times before. Paedophilia cases that could be revealed by the Indonesian Police showed that all of the perpetrators were men. They came from Australia, the Netherlands, Italy, Switzerland, Germany, South Africa and France. The list included an architect (Jon Vogel), a surfer (Jimmy Cyril), and an Australian Embassy worker

(WS Brown). The latest paedophilia case involving foreign teachers in Jakarta International School (JIS) was sent to court and the defendants have been convicted. Their modus was to groom children from poor backgrounds after approaching their parents and communities to gain their favour. They provided these children with school kits, food and, in some cases, even a house, all with a view to lead to paedophilia.

In addition to directly finding their potential victims, child sex tourists also used intermediaries to make children available to them. They were spread in provinces across Indonesia such as West Java (Bandung, Cimahi, Cianjur, Bogor and Sukabumi), Central Java (Kendal until Gerobogan), Sulawesi (Palu and Poso), South Sumatra, Bali, Lombok and East Nusa Tenggara. The intermediaries were in various professions including swimming teacher, music teacher, English teacher and Early Childhood Education (Pendidikan Anak Usia Dini – PAUD) teacher, as well as being vocational high school students. Intermediaries of child sex tourism involved both men and women, mainly between the ages of 25 and 40, although some were as young as 15. Some intermediaries sold children for sexual purposes as their main job while others sold children as a side business while working as event organisers, or owners of a model agency or saloon.

## CHALLENGES TO ADDRESS CHILD SEX TOURISM IN INDONESIA

Although child sex tourism is categorised as a crime under international laws and legislations, there is no article in the Indonesian national laws and legislations that defines the crime. Consequently, child sex tourism is a crime that cannot be criminalised. So far, the Indonesian laws and legislations had not imposed any serious legal sanction on buyers of sexual services from children. It was only pimps and intermediaries who could be criminalised. Another problem related to the Indonesian laws and legislations involved targets and sanctions that did not work in harmony with policies at national level or those at local level.

The other challenge facing the problem of child sex tourism in Indonesia was that the country had not yet implemented any national policy to comprehensively address sexual exploitation of children. Prevention and protection programmes were in place only partially and unsystematically. Similarly, provision of services for victims of sexual exploitation of children was poor, largely due to the unavailability of a dedicated government service provider for victims of sexual

exploitation of children. Although the Ministry of Social Affairs had established a Child Social Protection Home (*Rumah Perlindungan Sosial Anak* – RPSA) in certain provinces in Indonesia, the existing RPSAs were designed for children who were victims of physical abuse or sexual abuse in the domestic sector, and not specifically for those who were victims of sexual exploitation. Although the RSPAs were sometimes used to refer children who were victims of sexual exploitation, they did not have access to trained human resources to provide counselling services to victims.

The last challenge in addressing child sex tourism in Indonesia was the rising demand for sex with children from sex buyers every year, an issue hampered by the existing and applicable national laws. Suppliers continued to recruit children and employed them in entertainment places such as nightclubs, karaoke rooms, pubs, massage parlours and brothels. In addition, children were trapped into prostitution business by “selling” themselves to consumers directly, or through an intermediary or a third party that introduced them to potential consumers. This supply and demand relationship had directly contributed to the rising number of child prostitutes in Indonesia.

# CHAPTER 1

## INTRODUCTION

### BACKGROUND

Tourism industry has developed significantly over recent years. Both the number of tourists and the number of tourism facilities and destinations also increase every year. Data released by the United Nations World Tourism Organization (UNWTO) World Tourism Barometer shows that the number of tourist trips abroad increased up to 4.6% in the first half of 2014. From January to June 2014, there were 517 million tourist visits to another country. The number was higher by 22 million compared to the number of foreign tourist visits in the same period in 2013. Based on its area, the highest growth of foreign tourist visits was in Asia-Pacific and America (6%), followed by visits to Europe and Africa (5%).<sup>1</sup>

According to data from the Central Bureau of Statistics of Indonesia (Badan Pusat Statistik – BPS), the number of foreign tourist visits to the country increased from 8,044,462 people in 2012 to 8,802,129 people in 2013. The number of foreign visits was dominated by Singapore with 1,634,149 tourists, followed by 1,430,989 tourists from Malaysia and 997,984 tourists from Australia.<sup>2</sup> The reasons for visiting tourist destinations included vacation, volunteering, business, a temporary post, or travelling as an expatriate. The number of expatriates in Indonesia in 2013 was led by China with 10,291 people, Japan with 9,788 people and South Korea with 6,013 people.<sup>3</sup>

In the Southeast Asia Conference on Child Sex Tourism, it is stated that some areas in Indonesia such as Jakarta, Bali, Lombok and Batam were vulnerable to child sex tourism.<sup>4</sup> Child sex tourists can be local

people, local travellers and foreign tourists. They can be male or female, married or single, rich or poor.<sup>5</sup>

A child sexual abuse case that received significant public attention in Indonesia was that of the abuse by expatriates who worked as teachers at Jakarta International School (JIS) in 2014. There had been similar cases prior to this, such as the case of Peter Dundas Walbran, an expatriate who worked as a teacher. He sexually abused three children in Lombok, West Nusa Tenggara, from 1997 to 2006. Another prominent paedophilia case involved William Stuart Brown, a former Australian diplomat, who was sentenced to 13 years imprisonment.<sup>6</sup>

Tourism is not considered to be the cause of child sexual exploitation, but child sex exploiters were found to make use of the facilities offered by tour companies, hotels, resorts, restaurants, airlines and other transportation companies. There is reason to suspect some businesses may be involved in the process, for example, hotel staff that turn a blind eye to exploitation on the premises, or travel agents that knowingly arrange sex tours abroad.<sup>7</sup> In addition, locals such as taxi drivers, restaurant waiters or waitresses or bar workers could operate as a broker or an intermediary to make children available for sexual purposes. According to an analysis by the Financial Transaction Report and Analysis Center (*Pusat Pelaporan dan Analisis Transaksi Keuangan* – PPATK), there were a total of 200 paedophiles to visit Indonesia in 2014. They were often facilitated by locals, who gave themselves an air of respectability by taking on a side job, most commonly as an event organiser (EO), swimming teacher, English teacher or mineworker.<sup>8</sup>

1 UNWTO. *International tourism up by 5% in the first half of the year*. (2014. Accessed from: <http://media.unwto.org/press-release/2014-09-15/international-tourism-5-first-half-year> [15/10/2014])

2 Central Bureau of Statistics, 2014

3 Ibid.

4 Wima Saraswati. *Child Sex Tourism Is Also Done by Local Tourists*. (2009. Accessed from: [http://nasional.news.viva.co.id/news/read/42259-wisata\\_seks\\_anak\\_juga\\_dilakukan\\_turis\\_lokal](http://nasional.news.viva.co.id/news/read/42259-wisata_seks_anak_juga_dilakukan_turis_lokal) [09/10/2014])

5 ECPAT International. *Combating Child Sex Tourism: FAQs*. (2008. Translated into Indonesian “Memerangi Pariwisata Seks Anak: Tanya & Jawab” by ECPAT Indonesia. Jakarta: ECPAT Indonesia, p.6)

6 Hukum Online. *Extradition of an Australian Paedophile*. (2011. Accessed from: <http://www.hukumonline.com/berita/baca/lt4eafb427cb5da/ekstradisi-pelaku-pedofil-asal-australia> [14/11/2014])

7 ECPAT International. *Commercial Sexual Exploitation of Children: FAQs*. (2001. Translated into Indonesian “Tanya & Jawab tentang Eksploitasi Seksual Komersial Anak” by ECPAT Indonesia. Jakarta: ECPAT Indonesia, p.14)

8 Dedi Priatmojo. *Indonesia Becomes Main Destination for Paedophiles*. (2014, Accessed from [http://fokus.news.viva.co.id/print\\_detail/printing/539319-indonesia-jadi-tujuan-utama-wisata-paedofil](http://fokus.news.viva.co.id/print_detail/printing/539319-indonesia-jadi-tujuan-utama-wisata-paedofil) [24/10/2014])

Unfortunately, the number of research on sexual exploitation of children in tourism is very limited. Consequently, empirical data that can be used as a basis to take concrete actions to address the issue is also limited. To respond to the situation and meet the need, ECPAT Indonesia conducted the Research on Sexual Exploitation of Children in Travel and Tourism. The research aimed:

1. To map the sexual exploitation of children in travel and tourism in Indonesia. The mapping aimed to reveal the exploiters' age and job in Indonesia, the child victims' age and sex, characteristics of tourism destinations that are most commonly used for sexual exploitation of children, and the methods used by the exploiters to make children available to them
2. To learn of the steps taken by various parties to address the issue, including policies made by the central government, local governments, private sectors, NGOs and other organisations

It was hoped that the research findings could be used as a reference to conduct a deeper study on sexual exploitation of children in travel and tourism from a different perspective. The intention was for it to serve as a basis for policy making and advocacy related to the protection of children from sexual exploitation in travel and tourism, leading to concrete action being taken to address the issue effectively. In more practical terms, it was hoped that the research findings could be used as a reference for a wider global study to be conducted by ECPAT Netherlands.

## RESEARCH METHODS

A qualitative approach was applied in the research to assess the extent of child exploitation in the research locations. The following data collection techniques were used in the research.

### 1. Document study

To obtain an initial picture of the extent of sexual exploitation of children in tourism destinations, data was collected from official government documents, books, journals, mass media news coverage, and cases reported to police among other written documents, including the government's national policies and programmes related to sexual exploitation

of children, as well as local government's policies in the research locations. The documents included court decisions, Law of the Republic of Indonesia Number 23 Year 2002 on Child Protection and Law of the Republic of Indonesia Number 35 Year 2014 on the Revision of Law Number 23 Year 2002, Law of the Republic of Indonesia Number 10 Year 2009 on Tourism, Local Regulation of Bali Number 6 Year 2014 on Child Protection, Local Regulation of DKI Jakarta Number 8 Year 2011 on Child Protection, data on tourist visits from the Central Bureau of Statistics (*Badan Pusat Statistik* – BPS) Indonesia and data on tourism destinations from the website of the Ministry of Tourism of the Republic of Indonesia.

### 2. Content analysis

The content analysis was made by collecting data on cases which had been sent to court by visiting the official website of the Supreme Court of the Republic of Indonesia at <http://putusan.mahkamahagung.go.id/> to get a clearer picture of the characteristics of child sex exploiters. According to the site, there were 185 cases of sexual exploitation of children in Indonesia between 2010 and 2015. It also contains data on perpetrators, victims and locations of the cases, as well as data on the age and sex of the perpetrators and victims, modus used by the perpetrators and the subsequent punishments imposed.

### 3. In-depth interviews

The in-depth interviews were conducted with some key informants in the research locations, thanks to ministries having programmes or policies related to sexual exploitation of children in tourism, local government institutions in the research locations, police, non-governmental organisations (NGOs), workers in tourism sector and information on tourists who had a history of sexually exploiting children. A total of 45 key informants were interviewed in the in-depth interviews.

### 4. Focus group discussion (FGD)

The FGDs were conducted as a triangulation of information obtained from the in-depth interviews. There were two FGD sessions in each research location, attended by representatives from all institutions and groups of young people. In total, there were six FGD sessions, attended by 78 informants (43 adults and 35 youths). The key researcher took on the role of moderator in the FGDs.

The research was conducted in three locations. Bali, Medan and Jakarta were chosen as the research locations based on the following considerations.

### **1. Bali**

The Dutch Colonials originally developed Bali as a tourism destination and it remains the main tourism destination in Indonesia. The tourism sector is its primary economic activity.

### **2. Medan**

Medan is the capital of North Sumatra Province and the third largest city in Indonesia after Jakarta and Surabaya. Medan directly borders Malacca Straits, which is an international trade route, and Malaysia, making it a bustling business centre, as well as a tourism destination, especially on Sumatra Island.

### **3. Jakarta**

Jakarta is the capital of Indonesia and serves as both the administration and economic centre of the country. It attracts visitors for many reasons, particularly those in administrative work and in the business sector. It is also a prestigious investment location, and therefore attracts both local businesses and foreign investors.

## **RESEARCH LIMITATIONS**

The researchers faced a number of challenges in the research, the biggest being the lack of time for collecting data and meeting research targets. In addition, relevant parties involved in the research, especially policy makers for child protection, policy makers for the tourism sector and private sectors, did not fully understand the term “child sex tourism”, which made data collection more difficult. The dynamic of face-to-face interviews with potential research respondents was also unpredictable due to the difficulty in approaching them. For example, their hectic schedule meant it was difficult to arrange a time

to interview key informants, with several interviews needing constant rescheduling and, in some cases, cancelled altogether. In addition, some informants such as pimps and employers were keen to hide certain information from the interviewers.

The limited number of organisations concerning child sex tourism and dearth of victims of child sex tourism who were under the age of 18 at the time of the research, made it particularly difficult to glean information about the issue. A number of potential respondents who had been identified, especially child sex workers, were reluctant and refused to be interviewed in fear of a breach in confidentiality, despite repeated assurances by the researchers that their personal identity and data would be kept confidential.

It was also difficult to collect quantitative data from policy makers. This was due to relevant institutions, especially those at a local level, not having clear mechanisms in place for case recording, meaning several cases were not recorded properly. It should also be noted that the recorded cases were only those reported to their own institution. Since the mechanism was not integrated with that of other institutions and law enforcement agencies, it was difficult to get an accurate estimation of the number of child sexual exploitation cases in the research locations. Another obstacle that the researchers faced was the reluctance by some institutions to share their data, or because some data was confidential.

Furthermore, the researchers faced a problem in conducting a deep desk review of child sex tourism because of the communities’ lack of understanding of the definition of “child sex tourism”, as well as the limited number of revealed and published cases in print journal form, which added to the difficulty in collecting data for the research.



# CHAPTER 2

## CHILDREN'S VULNERABILITY TO ABUSE AND EXPLOITATION

### CHILD ABUSE AND EXPLOITATION IN INDONESIA

The number of sexual abuse cases increases every year. For example, in 2011, out of a total of 2,176 cases reported to the Commission for the Protection of Indonesian Children, 329 were sexual abuse cases such as molestations, rapes and commercial sexual exploitation. In 2014, of the total of 5,066 reported cases, 1,217 were sexual abuse cases. This indicates the number of cases reported to the Commission for the Protection of Indonesian Children increased up to 2.5 times within four years.<sup>9</sup>

According to a survey conducted by University of Indonesia (*Universitas Indonesia* – UI) in four provinces in Indonesia in 2009, most of the youth respondents in Aceh, Papua, Central Java and East Nusa Tenggara admitted to having been abused, including sexually abused (Table 1). The abuse occurred primarily at home or in a family environment, and at the hands of those expected to protect children. The abuse was also carried out by teachers in both state schools and Islamic boarding schools.<sup>10</sup> There was even evidence some of the perpetrators worked in government authorities.<sup>11</sup> The survey also found that sex abusers could come from both an educated and an uneducated background.

UNICEF estimated that 30% of sex workers in Indonesia were under the age of 18, with some as young as 10 years old. It was also estimated that

there were 40,000 to 70,000 children who were victims of sexual exploitation. Furthermore, around 100,000 children were trafficked for sexual purposes every year.<sup>12</sup> From 2011 to 2014, Commission for the Protection of Indonesian Children found 932 pornography and cyber crime cases, 2,882 child sexual abuse cases, 197 child trafficking cases, 193 commercial sexual exploitation of children cases and 186 online child prostitution cases. They also found that the number of these cases increased every year.<sup>13</sup>

A survey on child abuse conducted by the Ministry of Social Affairs and the Ministry of Women's Empowerment and Child Protection in 2013, with support from the Central Bureau of Statistics, the National Development Planning Board (*Badan Perencanaan Pembangunan Nasional* – BAPPENAS) and UNICEF, found:

- 6.36% of men and 6.28% of women between the ages of 18 and 24 had experienced at least one of form of sexual abuse before they were 18.
- 8.3% of boys and 4.2% of girls between the ages of 13 and 17 experienced sexual abuse in the last 12 months.
- 40.57% of men and 7.63% of women between the ages of 18 and 24 had experienced physical abuse before they were 17 years old.
- 29% of boys, or one in three boys, and 11.76% of girls between the ages of 13 and 17 experienced physical abuse in the last 12 months.
- 78.7% of boys and 80.1% of girls were not aware of the child protection services available to them.

9 Data on Reported Cases under Child Protection Cluster of Commission of the Protection of Indonesian Children 2011 – 2014. Accessed on 19 April 2015

10 UNICEF, accessed on 19 April 2015 from: [http://webcache.googleusercontent.com/search?q=cache:wj8izuZeAckJ:www.unicef.org/indonesia/id/A7\\_-\\_B\\_Ringkasan\\_Kajian\\_Perindungan.pdf+&cd=7&hl=id&ct=clnk&gl=id](http://webcache.googleusercontent.com/search?q=cache:wj8izuZeAckJ:www.unicef.org/indonesia/id/A7_-_B_Ringkasan_Kajian_Perindungan.pdf+&cd=7&hl=id&ct=clnk&gl=id)

11 KPAI, accessed on 19 April 2015 from: <http://www.kpai.go.id/artikel/peta-permasalahan-perindungan-anak-di-indonesia/>

12 UNICEF, Lembar Fakta Tentang Eksploitasi Seks Komersil dan Perdagangan Anak/Factsheet about Commercial Sexual Exploitation and Trafficking of Children. (2014). Accessed from: [http://www.unicef.org/indonesia/id/Factsheet\\_CSEC\\_trafficking\\_Indonesia\\_Bahasa\\_Indonesia.pdf](http://www.unicef.org/indonesia/id/Factsheet_CSEC_trafficking_Indonesia_Bahasa_Indonesia.pdf)

13 Statistical Data on Child Protection Cases from 2011 to 2014, Commission for the Protection of Indonesian Children, from January to December 2014

## GENERAL DESCRIPTION OF CHILDREN'S VULNERABILITY IN THE RESEARCH LOCATIONS

### Bali

Bali Province consists of Bali Island, surrounded by a number of smaller islands such as Menjangan Island, Sakenan Island, Nusa Penida Island, Nusa Ceningan Island and Nusa Lembongan Island. Bali borders Java Island on the west, Lombok Island on the east, the Java Sea on the north and the Indian Ocean on the south, the southern coastal areas of which boast big waves, making it a big attraction among surfers. It also has a tropical rainforest. In addition to its picturesque beauty, the Balinese culture is also a major draw for local and foreign tourists.

Administratively, Bali Province is divided into eight districts and one municipality, namely: Buleleng District, Jembrana District, Tabanan District, Badung District, Bangli District, Gianyar District, Klungkung District and Karangasem District, as well as Denpasar City, meaning there are a total of nine administrative areas in Bali Province. Data from the Central Bureau of Statistics of the Republic of Indonesia shows that the number of crimes in Bali fluctuates every year. From 2009 to 2014, the lowest number of crimes was in 2013 with 5,980 cases and the highest number of crimes was in 2009 with 7,950 cases.

There is an indication that the high number of foreign tourist visits to Bali has led to an increased presence of drug dealers, who scour the island pretending to be tourists. According to data from Bali Regional Police, there were 47 foreigners who were involved in crimes in 2014. Meanwhile, from January to April 2015, there were 18 crimes involving 59 foreigners. The highest number of crimes was in Denpasar.<sup>14</sup> The various forms of crimes included physical abuse, drug abuse, document falsification, attempted rape, embezzlement, traffic accident and possession of other people's property.<sup>15</sup> It is assumed that Kuta is the area most vulnerable to crimes targeting tourists.<sup>16</sup>

By the end of 2013, Bali Regional Police had not yet completed the investigation of 2,307 out of a total

of 7,703 criminal cases in the province. Of these cases, 639 were qualified theft cases; 541 were motor vehicle theft cases; and 117 were deception and embezzlement cases.<sup>17</sup> According to the Family Welfare Consultation Agency (*Lembaga Konsultasi Kesejahteraan Keluarga* – LK3) Denpasar, there were a total of 26 reported cases of domestic violence in 2013. Meanwhile, the head of the Board of Women's Empowerment and Child Protection (*Badan Pemberdayaan Perempuan dan Perlindungan Anak* – BP3A) of Bali Province stated that there were a total of 51 child sexual abuse cases in the province. The highest number was in Karangasem District with 20 cases, with the lowest recorded cases in Denpasar and Gianyar with two cases each.<sup>18</sup>

**Table 1 Child sexual abuse cases in Bali in 2013**

No	District/City	Number of cases
1	Denpasar	2
2	Jembrana	3
3	Buleleng	10
4	Tabanan	7
5	Bangli	-
6	Badung	-
7	Gianyar	2
8	Klungkung	5
9	Karangasem	20

Source: News "Child Sexual Abuse Increases", *Bali Post*, 2014

### Medan

There are a number of famous business centres in Medan. Among them is Kesawan Area, the first economic centre in Medan, which has been used as an administrative centre, main market, railway, and the site for the post office and colonial banks since 1900.<sup>19</sup> Other business centres in Medan include Central Business District (CBD) Polonia Medan, Metrolink Business Park, Kawasan Bisnis Medan and Belawan Trade Center and Harbor. Other developing business and culinary centres in Medan are located around Medan Outer Ring Road, along GH Street and Halat Street.<sup>20</sup>

14 Ardhiangga, Made. *Many Foreigners Are Involved in Crimes in Bali*. (2015. Accessed from the website of *Tribun News Bali* <http://bali.tribunnews.com/2015/04/25/waduh-bule-banyak-bertindak-kriminal-di-bali> [16/09/2015])

15 Ibid.

16 Rohmat. *Criminal Acts Still Threaten Tourism in Bali*. (2013. Accessed from the website of *Okezone* <http://lifestyle.okezone.com/read/2013/12/12/407/911159/tindak-kriminalitas-masih-hantui-pariwisata-bali> [16/09/2015])

17 Website of *Suluh Bali*. *2,307 Criminal Cases Have Not Yet Finished*. (2013. Accessed from: <http://suluhbali.co/2-307-kasus-kriminal-belum-terselesaikan/> [16/09/2015])

18 Wijaya, Pramana. *Child Sexual Abuse Increases*. (2014. Accessed from the website of *Bali Post* <http://balipost.com/read/sosial-dan-budaya/2014/01/04/410/pelecehan-seksual-anak-meningkat.html> [16/09/2015])

19 Website of *Seputar Indonesia*. *Kesawan Is the Starting Point of Medan as a Metropolitan City*. (2015. Accessed from: <http://www.koran-sindo.com/read/977072/151/kesawan-titik-mula-medan-metropolitan-1426485216> [15/09/2015])

20 Website of *Seputar Indonesia*. *Change Non Productive Area into an Industrial Area*. (2015. Accessed from: <http://www.koran-sindo.com/read/973605/151/ubah-daerah-mati-jadi-kawasan-bisnis-1425785418> [15/09/2015])



The extent of crimes in Medan is best highlighted by the number of crimes in the North Sumatra Province. In general, the number of crimes in North Sumatra increases every year, peaking in 2013 with 40,709 cases. However, the number fell to 35,728 cases in 2014. The number of people at risk of crimes increased in 2013 by 308 people per 100,000 people.

The highest number of crimes in the territorial area of Medan City Resort Police in 2013 peaked at 19,985 cases, and included motor vehicle theft, qualified theft, severe physical abuse and theft with violence. There were 1,189 traffic accident cases and 1,010 drug abuse cases.<sup>21</sup> According to Medan Legal Aid Institute (*Lembaga Bantuan Hukum Medan – LBH Medan*), security was a serious issue in Medan, especially in relation to street crimes. The problem of street robbery needed more awareness raised, especially in the territorial areas of Medan Timur City Sector Police, Medan Barat City Sector Police, Medan Sunggal City Sector Police, Medan Baru City Sector Police and Percut Sei Tuan Sector Police.<sup>22</sup>

For child sexual abuses cases, a study conducted by the Working Group of North Sumatra Child Protection Commission (*Kelompok Kerja Komisi Perlindungan Anak Sumatera Utara*) found that there were a total of 276 child sexual abuse cases in Medan from January 2013 to May 2014. Many of these cases were stopped at police level and not sent to court.<sup>23</sup> According to Pusaka Indonesia Foundation (*Yayasan Pusaka Indonesia – YPI*), they provided legal aid services for a total of 193 child victims between the ages of 13 and 18 in 2014 (93 children were victims of sexual abuse; 48 victims of physical abuse, 14 victims of rape; 15 children were victims of murder and three were victims of neglect).<sup>24</sup>

## Jakarta

As a business and an administrative centre in Indonesia, Jakarta is particularly vulnerable to crimes, with the highest number of reported crimes compared to that of any other city in Indonesia. According to the most recent survey by Economist Intelligence Unit, of the 50 global cities surveyed, Jakarta ranked first in the world in terms of safety concerns.<sup>25</sup> The areas considered most unsafe in Jakarta are Kebayoran Baru, Senen, Tanah Abang and Cengkareng.<sup>26</sup>

According to data from Operation Control Bureau of the Indonesian Police Headquarters collected by the Central Bureau of Statistics of the Republic of Indonesia, the number of crimes in Indonesia decreased from 49,498 cases in 2013 to 44,298 cases in 2014.<sup>27</sup> The highest number of crimes was motor vehicle theft with 3,877 cases, followed by qualified theft with 3,513 cases, severe physical abuse with 1,862 cases, gambling with 1,100 cases, fire with 708 cases, threat with 433 cases and rape with 63 cases.<sup>28</sup>

A phenomenon of child sexual exploitation cases involving children as perpetrators also came to light. Data collected by the National Commission for Child Protection shows that 16% of the 3,339 child sexual abuse cases in 2013 were perpetrated by children, as were 26% of the 2,826 cases reported to the National Commission for Child Protection in 2013. According to the National Commission for Child Protection (*Komisi Nasional Perlindungan Anak – Komnas PA*), the number of sex offenders increased by 10% in 2014. For cases in Jakarta, 54% of the 814 cases reported to the National Commission for Child Protection in 2014 were sexual abuse cases. These cases showed that East Jakarta was the most vulnerable to child abuse, followed by North Jakarta, West Jakarta, South Jakarta and Central Jakarta.<sup>29</sup>

- 
- 21 Website of "Berita Sumut". *Crimes in Medan Increase*. (2013. Accessed from <http://beritasumut.com/view/Hukum---Kriminal/13244/Kasus-Kejahatan-di-Medan-Meningkat.html#.Vfjal dKqqko> [16/09/2015])
  - 22 Utama, Agus. LBH: *Security in Medan Is Alarming*. (2015. Accessed from the website of Waspada <http://waspada.co.id/medan/lbh-keamanan-di-medan-mencapai-tingkat-rawan/> [16/09/2015])
  - 23 Website of Borneo News. *North Sumatra is Emergency of Child Sex Crime*. (2014. Accessed from: <http://borneonews.co.id/berita/9912-sumatra-utara-darurat-kejahatan-seksual-anak> [16/09/2015])
  - 24 Medan City Resort Police. *Child Sexual Abuse Increases in Medan*. (Accessed from the official website of Medan City Resort Police <http://www.polrestamedan.com/index.php/10-kota/24-pencabulan-anak-meningkat-di-medan> [16/09/2015])
  - 25 Linggasari, Yohannie and Donatus Fernanda Putra. *Jakarta Is the Most Unsafe City in the World (CCTV and Sniper Are Prepared)*. (2015. Accessed from the website of CNN Indonesia <http://www.cnnindonesia.com/nasional/20150129081301-20-28184/jakarta-kota-paling-tak-aman-sejagat-cctv-sniper-disiapkan/> [16/09/2015])
  - 26 Syarif, Helmi. *Crimes in Jakarta Follow the Trend*. (2015. Accessed from the website of Seputar Indonesia <http://metro.sindonews.com/read/957662/31/kriminalitas-di-jakarta-mengikuti-tren-1422549547> [16/09/2015])
  - 27 Central Bureau of Statistics of the Republic of Indonesia (BPS). *Number of Crimes by Regional Police, 2000 – 2014*. (Accessed from: <http://bps.go.id/linkTabelStatistik/view/id/1570> [16/09/2015])
  - 28 Roquyah, Siti. *Crime Occurs in Jakarta Every Ten Minutes*. (2014. Accessed from the website of Viva News <http://metro.news.viva.co.id/news/read/573061-2014--setiap-10-menit-ada-kejahatan-di-jakarta> [16/09/2015])
  - 29 Suryanis, Afrilia. *National Commission for Child Protection: DKI Ranks First in Terms of Child Sexual Abuse*. (2014. Accessed from: <http://nasional.tempo.co/read/news/2014/10/22/063616237/komnas-dki-tertinggi-angka-kekerasan-seksual-anak> [16/09/2015])

# CHAPTER 3

## POLICY ON CHILD PROTECTION

### NATIONAL POLICY ON CHILD PROTECTION

Indonesia had shown a serious commitment towards protecting the rights of the child. For example, it ratified the Convention on the Rights of the Child (CRC) on 25 August 1990 through Presidential Decree of the Republic of Indonesia Number 36 Year 1990. The ratification of the CRC was then followed by the issuance of a significant number of laws and regulations on child protection. Below are some of the laws and regulations issued following the ratification of the UN Convention on the Rights of the Child:

1. Law Number 3 Year 1997 on Juvenile Justice
2. Law Number 23 Year 2002 on Child Protection
3. Law Number 23 Year 2004 on the Elimination of Domestic Violence
4. Law Number 13 Year 2006 on Witness and Victim Protection
5. Law Number 21 Year 2007 on the Eradication of the Criminal Acts of Trafficking in Persons
6. Law Number 44 Year 2008 on Pornography
7. Law Number 11 Year 2008 on Electronic Information and Transaction
8. Law Number 11 Year 2012 on Juvenile Criminal Justice System
9. Law Number 40 Year 2008 on the Elimination of Racial and Ethnic Discriminations
10. Law Number 31 Year 2004 on the Revision of Law Number 6 Year 2006 on Witness and Victim Protection
11. Law Number 35 Year 2014 on the Revision of Law Number 23 Year 2002 on Child Protection
12. Decree of the Coordinating Minister of People's Welfare Number 25/Kep/Menko/Kesra/IX/09 on the Eradication of the Criminal Acts of Trafficking in Persons and Sexual Exploitation of Children 2009-2014

13. Presidential Instruction Number 5 Year 2014 on National Movement Anti Sex Crimes Against Children (GN-AKSA)
14. Regulation of Minister of Culture and Tourism Number PM.30/HK.201/MKP/2010 on Guideline on the Prevention of Sexual Exploitation of Children in Tourism

The Indonesian government had also allowed the legal basis for child protection to be broadened through the ratifications of certain international legal instruments. These included:

1. Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts in September 2012
2. Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography in September 2012
3. Ratification of International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in May 2012
4. Ratification of Convention on the Rights of Persons with Disabilities in November 2011
5. Accession of International Covenant on Economic, Social and Cultural Rights in February 2006

In 2014, in response to the high number of sexual cases, especially sodomy cases in Indonesia, the President of the Republic of Indonesia issued Presidential Decree Number 5 Year 2014 on National Movement Anti Sex Crimes Against Children (*Gerakan Nasional Anti Kejahatan Seksual Terhadap Anak – GN-AKSA*). The National Movement was launched as an effort to prevent and eradicate sex crimes against children by establishing the following inter-sector collaborations:

**Table 2 Government institutions involved in National Movement Anti Sex Crimes Against Children of the Republic of Indonesia**

No.	Parties involved	Authorities
1.	Coordinating Ministry of People's Welfare	<ul style="list-style-type: none"> <li>a. To coordinate policies related to the prevention and eradication of sex crimes against children</li> <li>b. To coordinate and evaluate necessary measures to prevent and eradicate sex crimes against children</li> <li>c. To report on the implementation of the National Movement Anti Sex Crimes Against Children to the President periodically every three months, or as and when required</li> </ul>
2.	Coordinating Ministry for Political, Legal and Security Affairs	<ul style="list-style-type: none"> <li>a. To coordinate policies on political, legal and security affairs related to the prevention and eradication of sex crimes against children</li> <li>b. To hold coordination meetings and evaluations regarding the development of the prevention and eradication of sex crimes against children, in conjunction with relevant ministries and institutions, under the coordination of the Coordinating Ministry for Political, Legal and Security Affairs at least once every three months and report the results to the Coordinating Ministry of People's Welfare to present to the President</li> </ul>
3.	Ministry of Education and Culture	<ul style="list-style-type: none"> <li>a. To improve the quality of religious and moral education materials in the education unit</li> <li>b. To include children's rights and responsibilities, reproductive health and children's empowerment in the curriculum</li> <li>c. To protect children in education unit from sex crimes and abuse by teachers and school administrators, as well as other parties within school environment</li> <li>d. To impose severe sanctions on teachers and school administrators who are negligent in their duties to protect children, resulting in any incidence of sex crime or abuse against children</li> </ul>
4.	Ministry of Religious Affairs	<ul style="list-style-type: none"> <li>a. To improve the quality of moral education materials in the religious education unit</li> <li>b. To include children's rights and responsibilities, reproductive health and children's empowerment in the curriculum</li> <li>c. To protect children in the religious education unit from sex crimes and abuse by teachers and school administrators among other parties within the school environment</li> <li>d. To impose severe sanctions on teachers and school administrators who are negligent in their duties to protect children, resulting in any incidence of sex crime or abuse against children in the religious education unit</li> <li>e. To improve socialisation and participation of religious leaders and religious organisations in the prevention and eradication of sex crimes against children</li> </ul>
5.	Ministry of Health	<ul style="list-style-type: none"> <li>a. To communicate, inform and educate children, communities and stakeholders about reproductive health, impacts of sex crimes on children's growth, development and empowerment and to take other preventive measures</li> <li>b. To socialise health workers and health facility workers about responsibilities to inform police and/or relevant stakeholders about possible incidence of sex crimes against children</li> <li>c. To provide quick treatments to victims of sex crimes against children, including physical, mental and social treatments, as well as prevention of disease and other associated health problems</li> <li>d. To give mental or psychological treatment to detainees/prisoners who are child sex offenders in detention centres/prisons in cooperation with the Ministry of Justice and Human Rights and Ministry of Social Affairs</li> </ul>

No.	Parties involved	Authorities
6.	Ministry of Women's Empowerment and Child Protection	<ul style="list-style-type: none"> <li>a. To improve coordination with relevant ministries/institutions and local governments in the improvement of family welfare and security towards the creation of a child-friendly district/city</li> <li>b. To optimise coordination and encourage efforts for supervision towards the prevention and eradication of sex crimes against children, in cooperation with relevant ministries and institutions, Commission for the Protection of Indonesian Children, woman organisations, organisations concerned about child issues, professional associations, Family Welfare Education (<i>Pendidikan Kesejahteraan Keluarga</i> – PKK), academicians, child activists, National and Local Child Forums, media and business sectors</li> <li>c. To socialise and advocate for the improvement of stakeholders' understanding of efforts for the prevention and eradication of sex crimes against children</li> <li>d. To accelerate the revision of Law Number 23 Year 2002 on Child Protection and development of National Plan of Action for the Prevention and Elimination of Child Abuse 2015-2019 in cooperation with relevant institutions</li> <li>e. To make the roles of Integrated Service Center for Women's and Children's Empowerment (<i>Pusat Pelayanan Terpadu Pemberdayaan Perempuan dan Anak</i> – P2TP2A) effective at both provincial and district and municipal levels as an effort for the prevention and eradication of sex crimes against children</li> </ul>
7.	Ministry of Home Affairs	<ul style="list-style-type: none"> <li>a. To increase the provision of facilities and policy supports for local government for the prevention and eradication of sex crimes against children</li> <li>b. To encourage Governors and District Heads and Mayors to allocate funds in their local budget and hire competent human resources for the prevention and eradication of sex crimes against children</li> </ul>
8.	Ministry of Social Affairs	<ul style="list-style-type: none"> <li>a. To build the capacity of Child Social Welfare Institution (<i>Lembaga Kesejahteraan Sosial Anak</i> – LKSA) for the prevention and eradication of sex crimes against children through the strengthening of the family's role</li> <li>b. To optimise support and capacity of professional social workers in social rehabilitation, reintegration and reunification of victims and sex offenders</li> <li>c. To provide mental or psychological services for child sex offenders in cooperation with the Ministry of Health and the Ministry of Justice and Human Rights</li> <li>d. To provide social services to child victims of sex crimes from poor families</li> <li>e. To impose severe sanctions on boards, caretakers, social workers and social welfare workers at Child Social Welfare Institution (LKSA) who are negligent in their duties to protect children, resulting in any incidence of sex crimes against children</li> <li>f. To protect children at Child Social Welfare Institution from sex crimes and abuses by boards, caretakers, social workers and social welfare workers among other parties within the Child Social Welfare Institution</li> </ul>
9.	Ministry of National Development Planning/ Head of National Development Planning Agency ( <i>Badan Perencanaan Pembangunan Nasional</i> – BAPPENAS)	To coordinate and synchronise the planning, monitoring and evaluation of mid-term programmes and activities for the prevention and eradication of sex crimes against children
10.	Ministry of Finance	To provide and allocate sufficient budget to support efforts for the prevention and eradication of sex crimes against children

No.	Parties involved	Authorities
11.	Ministry of Communication and Information	<ul style="list-style-type: none"> <li>a. To improve efforts for the prevention and handling of pornography by blocking pornographic websites and websites containing child abuse and rape</li> <li>b. To improve coordination with the Indonesian Broadcasting Commission (<i>Komisi Penyiaran Indonesia – KPI</i>), printed and electronic media associations as well as internet service providers for the prevention and eradication of sex crimes against children</li> <li>c. To improve socialisation among all stakeholders, including communities, by raising awareness regarding the prevention and eradication of sex crimes against children</li> </ul>
12.	Ministry of Justice and Human Rights	<ul style="list-style-type: none"> <li>a. To accelerate the formulation and making of laws and regulations related to child protection</li> <li>b. To prevent and prohibit alleged child sex offenders from going abroad through the Immigration Office upon the request of the Indonesian Police or Supreme Court</li> <li>c. To provide mental or psychological services for detainees and prisoners who are child sex offenders, in cooperation with Ministry of Health and Ministry of Social Affairs</li> </ul>
13.	Ministry of Tourism and Creative Economy	<ul style="list-style-type: none"> <li>a. To disseminate and socialise efforts for the prevention and eradication of sex crimes against children in tourism destinations</li> <li>b. To improve coordination with tourism stakeholders for the prevention and eradication of sex crimes against children in tourism destinations</li> </ul>
14.	Supreme Court	<ul style="list-style-type: none"> <li>a. To accelerate the handling of cases related to sex crimes against children</li> <li>b. To impose severe punishment on child sex offenders based on proven legal facts or evidence to prevent re-offending</li> <li>c. To supervise conditional criminal decision, supervisory criminal decision and conditional free decision for child sex offenders</li> <li>d. To improve the quality of education and training for prosecutors who handle cases related to children</li> <li>e. To provide legal explanation and extension related to the prevention and eradication of sex crimes against children</li> </ul>
15.	Indonesian Police	<ul style="list-style-type: none"> <li>a. To accelerate the handling and investigation of child sex offenders</li> <li>b. To optimally enforce the law against child sex offenders at investigation level based on the applicable laws and regulations</li> <li>c. To offer protection during the investigation process to children who are victims of sex crimes, in conjunction with other relevant institutions</li> <li>d. To improve police preventive programmes (guidance and counselling) for communities, especially the education unit, for the prevention and eradication of sex crimes against children, in cooperation with relevant institutions</li> <li>e. To improve quality of training for investigators and assistant investigators for the handling of cases of sex crimes against children</li> <li>f. To increase the number of female police personnel to be employed in Woman and Child Service Unit (<i>Unit Pelayanan Perempuan dan Anak – UPPA</i>)</li> </ul>



No.	Parties involved	Authorities
16.	Provincial Government and District/Municipal Government	<ul style="list-style-type: none"> <li>a. To develop policy as well as annual and mid-term action plans for the prevention and eradication of sex crimes against children</li> <li>b. To socialise the prevention and eradication of sex crimes against children</li> <li>c. To improve coordination with all elements of Local Leader Communication Forum (<i>Forum Komunikasi Pimpinan Daerah – FORKOMPINDA</i>) to make efforts for the prevention and eradication of sex crimes against children more effective</li> <li>d. To improve the active roles of local government officials and local communities in the prevention and eradication of sex crimes against children</li> <li>e. To allocate funds in local budget and prepare competent human resources for the prevention and eradication of sex crimes against children</li> </ul>

The Ministry of Tourism uses Law Number 10 Year 2009 on Tourism to regulate and develop tourism in Indonesia. The law focuses on role distribution between the central government and local government in tourism development and industry. Meanwhile, child protection and the prohibition of social norm violation in tourism destinations remains a normative policy.

Decision of the Coordinating Minister of People's Welfare Number 25/Kep/Menko/Kesra/IX/09 on the Eradication of the Criminal Acts of Trafficking in Persons and Sexual Exploitation of Children 2009-2014 includes the Ministry of Tourism in the Sub Task Force, especially in the area of prevention and child participation. In relation to its roles in child protection in tourism destinations, the Ministry of Tourism issued Regulation of Minister of Culture and Tourism Number PM.30/HK.201/MKP/2010 on Guidelines on the Prevention of Sexual Exploitation of Children in Tourism. The regulation outlines efforts that must be taken by the tourism industry and government, especially the Ministry of Tourism and Board of Tourism at provincial and district/municipal levels.

Both the central and local governments must conduct a study and plan a child sexual exploitation prevention programme. It is hoped that the results of the study can be applied in policies on child protection in tourism destinations. In addition, the government is obliged to socialise policies on child protection from sexual exploitation in tourism destinations by including materials or topics related to "Tourism Awareness", socialisation of child-friendly tourism and community empowerment. The government is also required to regularly supervise and evaluate SEC prevention programmes in tourism and report the results to governors and the Ministry of Culture and Tourism.

## CHILD PROTECTION POLICY IN THE RESEARCH LOCATIONS

As a follow up to the national policy on child protection made by the government through the Ministry of Women's Empowerment and Child Protection, local government was obliged to introduce a local regulation on child protection based on their local situation. However, it was felt this should be based on direction given by the central government. Furthermore, there were only a few provincial and district/municipal governments that had issued their own local regulation on child protection. The existing local regulations indicated that relevant local stakeholders did not fully understand child protection issues.

Child protection policy in Bali was based on the Law of the Republic of Indonesia Number 23 Year 2002 and is under the coordination of the Board of Women's Empowerment and Child Protection of Bali Province. As a follow up of the Presidential Instruction on National Movement Anti Sex Crimes Against Children, the Provincial Government of Bali, via the Board of Women's Empowerment and Child Protection of Bali Province, issued a circular to urge district and municipal governments in Bali to take prevention measures, including socialisation and rehabilitation. Subsequently, the child protection policy was included in Local Regulation of Bali Number 6 Year 2014 on Child Protection.

The local regulation focused on the establishment of Local Commission for Child Protection (*Komisi Penyelenggara Perlindungan Anak Daerah – KPPAD*) and Child Social Protection Home (*Rumah Perlindungan Sosial Anak – RPSA*) or Shelter. The

regulation itself was criticised by Bali Legal Aid Institute (*Lembaga Bantuan Hukum Bali* – LBH Bali) and Legal Aid Institute of Indonesian Women's Association for Justice (*Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia Untuk Keadilan* – LBH APIK) Bali, because they felt it was far from its original objectives and goals, namely to offer protection to children in Bali, including child protection in the tourism industry.

The local regulation guaranteed that every child in Bali had the right to live, develop and participate in society with dignity and respect, and was protected from abuse, discrimination, exploitation, and trafficking. However, it did not explain in further detail what the protection based on the rights of the child entailed. It also did not clarify the forms of protection that must be given, who was responsible for the protection and how to coordinate the protection. Another weakness of the local regulation related to its sanction, whereby violators of the rights of the child were sentenced to a minimum term of six months imprisonment, a rule that applied to any form of children's rights violation.

As the regulator of tourism in Bali, the Board of Tourism of Bali Province was yet to have a policy that required the tourism industry to play a role in protecting children from the dangers of sexual abuse and exploitation in tourism facilities within the province. Although there had been Local Regulation of Bali Province Number 2 Year 2012 on Bali Cultural Tourism, it did not regulate any obligation for the tourism industry to offer protection or prohibitive action to help children. Normatively, the local regulation only encouraged the tourism industry to respect and obey moral norms, and prohibited any action that violated those norms, without offering further clarification. So far, the only role that the Board of Tourism of Bali Province played in child protection was in its involvement in the extension and socialisation of tourism, in cooperation with the Woman and Child Service Unit of the Board of Women's Empowerment and Child Protection (BP3A) of Bali Province, Integrated Service Center for Women's and Children's Empowerment (P2TP2A), Police and Commission for Child Protection.

In Medan, the Municipal Government of Medan did not yet have any local regulation on child protection, which indicated the lack of any serious measures taken to protect children. The Municipal Government of Medan used Local Regulation Number 6 Year 2003 on the Prohibition of Beggars and Amoral Actions as their reference to implement social norms by conducting raids against commercial sex workers and entertainment places. Any children found to be

sexually exploited within an entertainment place would be referred to the Board of Social Affairs for guidance.

The Board of Culture and Tourism of Medan had a better policy on child protection in tourism than in Bali. Local Regulation of Medan Number 4 Year 2014 on Tourism stipulated that entertainment venues such as nightclubs and bars must put up notices prohibiting entry to children under the age of 18. In the same year, as a follow up to the local regulation, the Mayor of Medan issued Medan Mayor Regulation Number 29 Year 2014 on Tourism Industry Registry. Part four of the Mayor Regulation, 'Entertainment and Recreational Activity Organiser', regulated the prohibition of children under the age of 18 from gaining entry into certain entertainment places and for those who could enter, to wear school uniforms while in the premises. Medan Mayor Regulation also prohibited certain entertainment venues from employing children under 18 years old. Each tourism industry must take measures to prevent its business from being used to facilitate human and drug trafficking.

The local regulation on child protection in Jakarta was substantially better than those in Bali and Medan. Child protection in Jakarta was regulated under Local Regulation of Jakarta Number 8 Year 2011 on the Protection of Women and Children from Abuse. The local regulation clearly defined the rights of the child, the parties responsible for protecting children such as local government, community, family and parents, preventive measures, services for victims and partnerships with other parties. It also regulated the establishment of an Integrated Service Center for Women's Empowerment and Children. Despite these clarifications, the Local Regulation of Jakarta on Child Protection did not pay special attention to the prevention and elimination of sexual exploitation of children, nor to sexual exploitation in tourism.

The Board of Tourism of Jakarta had, however, introduced a regulation to protect children in tourism. The policy was written into the Local Regulation of Jakarta Number 10 Year 2004 on Tourism. Under the local regulation, the tourism industry is prohibited from employing children and allowing children to visit certain entertainment places according to the applicable laws. Its violators faced being sentenced to a maximum term of three months imprisonment and a maximum fine of IDR 5 million. However, the policy on child protection in tourism made by the Board of Tourism of Jakarta still had a weakness because it did not oblige the tourism industry to prevent the use of tourism facilities to facilitate sexual exploitation of children. It also did not regulate coordination for case handling.



**Table 3 Policy on child protection from sexual exploitation in the three research locations**

No.	Research location	Policy made by the Board of Child Protection	Policy made by the Board of Tourism
1	Bali	Local Regulation Number 6 Year 2014	Nil
2	Jakarta	Local Regulation Number 8 Year 2011	Local Regulation of Jakarta Number 10 Year 2004 on Tourism
3	Medan	Nil	<ul style="list-style-type: none"> <li>a. Local Regulation of Medan Number 4 Year 2014 on Tourism</li> <li>a. Medan Mayor Regulation Number 29 Year 2014 on Tourism Industry Registry</li> </ul>

*Source: Data analysis by the researchers, ECPAT Indonesia 2015*

# CHAPTER 4

## SEXUAL EXPLOITATION OF CHILDREN IN TOURISM

### CHILD SEX TOURISM IN INDONESIA

#### Magnitude of the problem

Conceptually, commercial sexual exploitation of children (CSEC) refers to a commercial transaction that involves the sexual exploitation of a child, such as prostitution and pornography.<sup>30</sup> A declaration at the World Congress against Commercial Sexual Exploitation of Children, defined CSEC as: “sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object.”<sup>31</sup> CSEC includes sex tourism among other forms of commercial transaction of sexual activity whereby a child engages in sexual activities with the goals of having basic needs fulfilled: food, shelter, access to education, and so on. It includes, but is not limited to, forms of transactional sex that were not stopped or reported by household members in receipt of benefits from the perpetrator. Potentially, CSEC also includes arranged marriage of children below the age of consent. As well as child sexual exploitation, which includes child sexual abuse, another major issue is the commercial sexual exploitation of children, and includes child pornography, juvenile prostitution, the trafficking of children for sexual purposes, and child sex tourism.<sup>32</sup> As a consequence of CSEC, psychosocial disorders are common among adults who were sexually exploited as children.<sup>33</sup>

Child sex tourism (CST) is defined as the sexual exploitation of children by a person or persons travelling to a destination with the intention of having sexual contact with children who reside in that area. Child sex tourists can be both domestic travellers and international tourists. CST often involves the use of accommodation, transportation and other

tourism-related services that facilitate contact with children and enables the perpetrator to remain fairly inconspicuous.

Child sex tourism involves the exchange of cash, clothes, food or some other form of consideration to a child or to a third party in return for sexual contact. CST occurs across multiple venues, from brothels in red-light districts to beaches and five-star hotels, as well as in urban, rural or coastal settings. It can occur over a period of time, for example, where there is a prolonged “grooming” process, during which a child sex offender befriends a vulnerable child and obtains his or her trust before exploiting the child sexually. In other instances, the child sex tourist purchases sexual services from a third party in charge of an exploited child, who then makes the child available to the tourist.

Child sex tourists come from all walks of life: they may be married or single, male or female, wealthy tourists or budget travellers. A frequent misperception is that all child sex tourists are middle-aged or older men, when in fact young tourists have been known to travel for the express purpose of sexually abusing children. Child sex tourists may be foreigners, or they may be domestic nationals who are travelling within their own country. Some child sex tourists come specifically to target children, although most are situational abusers who do not necessarily have a sexual preference for children, but take advantage of a situation whereby a child is made available to them.

This type of exploitation can occur anywhere in the world and no country or tourism destination is immune. In fact, CST can occur in one destination and then move to another, as a result of prevention efforts in the original destination being stepped up by government authorities, the tourism industry

30 Clift, Stephen; Simon Carter (2000). *Tourism and Sex*. Cengage Learning EMEA. pp.75–78.

31 *Ibid.*

32 Commercial Sexual Exploitation of Youth in South Africa, Cudore L. Snell  
The Journal of Negro Education, Vol. 72, No. 4, Commercialism in the Lives of Children and Youth of Color: Education and Other Socialization Contexts (Autumn, 2003), pp.506-514

33 The Consequences Of Child Sexual Abuse: Psychosocial Disorders Are Common In Adults Abused As Children Paul E. Mullen BMJ: British Medical Journal, Vol. 303, No. 6795 (Jul. 20, 1991), pp.144-145

and child rights organisations. Therefore, whenever child protection mechanisms increase in certain tourism destinations affected by CST, it is important to note that these measures may put neighbouring destinations at risk.<sup>34</sup>

Indonesia is a target for global child sex tourism syndicates, with a particular interest in tourism destinations such as Bali, Batam, and Lombok. Other island such as Bintan Island in Kepulauan Riau also attracts many travellers from Malaysia and Singapore, who visit the island primarily for vacation or work, although some arrive with the sole intention of having sex with children. Data from the Provincial Government of Kepulauan Riau shows that there are more than 3,000 tourists from the two countries who visit the province every week.<sup>35</sup>

A research conducted by Terre des Hommes (TDH) Netherlands found that there were three Indonesian men who were involved in online child sex tourism cases. They sexually exploited children in tourism destinations by using webcams.<sup>36</sup>

Child sex tourism in Indonesia involved both local and foreign tourists. The sex industry in the country was also well organised and operated in a clandestine fashion. Information about sexual service could be found in public telephone boxes and in brochures containing information regarding the sexual services on offer.<sup>37</sup> A 2009 documentary, *Cowboys in Paradise*, showed how lifeguards in Bali persuaded female tourists to buy their sexual services, happy to be labeled as “gigolos”. They reasoned that they provided a service by reducing the stress of their customers. Their targets were usually female tourists from Europe, Australia, and Asian countries, especially single female tourists from Japan.<sup>38</sup>

According to an article published on the lifestyle website The Richest, there are 10 main destination countries for sex tourism in the world. Four are Southeast Asian countries, namely Thailand, Indonesia, the Philippines and Cambodia. Indonesia ranks fourth in terms of sex tourism. The article went on to say:

*“Indonesia is another country that has a problem with child sex trafficking. Sex tourism exploits and furthers this problem, despite the fact that prostitution is legally considered a ‘crime against decency and morality.’ Although prostitution is illegal, Indonesia remains a popular site for sex tourism. Sex workers can be found in traditional brothels, but one thing that sets the sex tourism industry in Indonesia apart is the popularity of online sex forums and prostitution rings that exist through social media. The availability of sex workers via the internet allows for ratings and facilitates the process of finding a prostitute. It seems like Indonesia’s sex tourism is highly efficient.”<sup>39</sup>*

Child sex workers in Indonesia could be easily found online. In general, cases of child sex tourism in Indonesia took different forms, including child trafficking, child pornography, child prostitution, rape, sodomy, sexual abuse and paedophilia. There were a total of 185 cases of sexual exploitation of children sent to the Indonesian courts from 2010 to the middle of 2015. The total number of cases were comprised of 43 rape cases, 38 sodomy cases, 37 trafficking cases, 24 sexual abuse cases, and one paedophilia case which was sent to the Supreme Court of the Republic of Indonesia. Meanwhile, child sex tourism had not yet been included in the forms of sexual exploitation of children in Indonesia.

34 Extracts from this publication may be freely reproduced, provided that due acknowledgement is given to the source and to ECPAT International. [http://ecpat.net/sites/default/files/cst\\_faq\\_eng.pdf](http://ecpat.net/sites/default/files/cst_faq_eng.pdf) p.6-7

35 Global Monitoring Report on the Status of Action against Commercial Sexual Exploitation of Children, second edition, 2012, ECPAT International, p.11-12

36 WiwikErmawati, WNI DidugaTerlibatWisataSeksAnak Via Webcam [http://www.portalkbr.com/berita/nasional/3010330\\_4202.html](http://www.portalkbr.com/berita/nasional/3010330_4202.html)

37 Sex Holiday Asia. “The Ultimate Sex Travel Guide to Indonesia”. Accessed on 28 April 2015. <http://sexholidayasia.com/destination/indonesia-guide/indonesia-sex-guide/>

38 Global Indonesian Voices. “The Naked Truth behind Bali’s Sex Tourism”, (20 February 2014). Accessed on 28 April 2015. <http://www.globalindonesianvoices.com/11513/bali-sex-tourism/>

39 The Richest. “4. Indonesia”, (21 June 2014). Accessed on 24 April 2015. <http://www.therichest.com/rich-list/most-popular/10-of-the-most-popular-destinations-for-sex-tourism/7/>

**Table 4 Number of cases of sexual exploitation of children in Indonesia from 2010 to 2015**

Year	Form of case								Total
	Trafficking	Pornography	Prostitution	Rape	Sodomy	Sexual Abuse	Paedophilia	Others	
2010	5	0	1	3	0	2	0	0	11
2011	12	1	0	6	2	3	0	3	27
2012	4	9	3	7	2	5	0	3	33
2013	13	7	0	12	16	2	0	2	52
2014	2	4	3	15	15	12	1	6	58
2015	1	0	0	0	3	0	0	0	4
<b>Total</b>	<b>37</b>	<b>21</b>	<b>7</b>	<b>43</b>	<b>38</b>	<b>24</b>	<b>1</b>	<b>14</b>	<b>185</b>

Source: the official website of the Supreme Court of the Republic of Indonesia

UNICEF Indonesia stated that, in general, poverty was the main factor for children's vulnerability to sexual exploitation.<sup>40</sup> It could lead children into gaining limited access to quality education, considering practical solutions to acquiring money easily, and suffering the negative impacts of their neighborhood. Other factors included the absence of services to protect children from exploitation and prostitution, and the way the community viewed exploited children. This factor could be crucial in determining a child's future, by seeing how others have struggled with any trauma or depression resulting from the negative label given by their communities, and thus being discouraged from entering the prostitution business.<sup>41</sup> As well as financial gain, other factors that could make children vulnerable to sexual exploitation included lifestyle, unhealthy dating relationships, deception and peer pressure.<sup>42</sup>

## Child Trafficking

Previous research on child trafficking conducted by ECPAT Indonesia and Child Fund Indonesia in 2013 found that the commercial sexual exploitation of children in Indonesia was of serious concern. It found that most child trafficking cases were for sexual purposes. Of a total of 93 children interviewed in the three research locations, namely, Kupang, West Jakarta and Semarang, 39% of them were sold and employed as singers or female escorts in karaoke

rooms, while 30% were employed as sex workers. Most of the trafficked children in the three research locations were girls. 100% of the victims in Kupang were girls, 87% of the victims in Semarang were girls, while 96% of the victims in West Jakarta were also girls.<sup>43</sup> In Research on the Scope and Magnitude of Online Sexual Abuse of Children in Indonesia conducted by ECPAT Indonesia, the organisation found that online child sexual transaction was more dangerous than those made on the streets. In online prostitution, pimps sold children via various blogs and websites. West Java Regional Police succeeded in revealing an online child prostitution case and arrested a pimp who sold children between the ages of 15 and 18 via the domain [www.bogorcantik.blogspot.com](http://www.bogorcantik.blogspot.com).<sup>44</sup> The pimp was a university student from Bogor, West Java. The research also found the existence of a syndicate of online pornography selling photos of naked children to a paedophilia forum in Australia.<sup>45</sup>

## Halal sex tourism

Halal sex tourism was another triggering factor of child sex tourism in Indonesia. Unofficially, it is sex tourism but because it takes the form of a temporary marriage, it is considered legal. However, under Islamic law, temporary marriage or *mut'ah* is illegal. The Indonesian Ulama Council (*Majelis Ulama Indonesia* – MUI), as the highest institution to regulate Islam in Indonesia, had issued a *fatwa* or edict that

40 Interview with Ali Aulia Ramli, UNICEF Indonesia, on 27 January 2015 in Jakarta

41 *Ibid.*

42 Interview with Budi Prabowo, Ministry of Women's Empowerment and Child Protection, in Jakarta

43 Research conducted by ECPAT-Childfund, Indonesia "Minimizing Child Trafficking in ChildFund's Project Areas", (22 September 2014). Accessed on 24 April 2015. <http://ecpatindonesia.org/resources/mengurangi-perdagangan-anak-di-wilayah-kerja-childfund/>, p.36

44 The website was developed in 2013. After a report by community, the owner of the website was arrested by police and the case was sent to court. The website was also blocked.

45 Research on the Scope and Magnitude of Online Sexual Abuse of Children in Indonesia

decreed temporary marriage as *haram* or prohibited. The practice of temporary marriage between foreign tourists and locals continued in some areas in Indonesia for economic reasons, namely the dowry the groom must pay to the bride's family.<sup>46</sup> Temporary marriages were performed chiefly for the pleasure of the grooms, specifically to meet their sexual gratification.<sup>47</sup>

Research on Marriage in Puncak, Tugu Selatan Village, Cisarua Sub District, Bogor District, West Java, under the Islamic Law Perspective, conducted by Surahman found that halal sex tourism exclusively involved male tourists from the Middle East. Since the emergence of the trend in 1992, they visited Cisarua individually or in a group, especially in May, June and July. As part of their holiday activities, they married young women who were usually related to the owners of the guesthouses they stayed in, for a period of two or more days before returning to their home country in Saudi Arabia, Kuwait or Qatar.<sup>48</sup>

Grooms in temporary marriages in Puncak, Bogor District, were usually commercial sex workers and married women. Some were adults while others were children. Under Islamic Law, *ijab qabul* (declaration and acceptance of marriage) had to be represented by a *wali* but in the temporary marriage, it could be conducted directly between the local women and the male tourists. The so-called dowry was in fact the payment of sexual services provided by the local women.<sup>49</sup>

A survey of 239 young women in Cisarua, Bogor, in 2014 found that they married male tourists from the Middle East not always due to poverty but to fuel a hedonistic lifestyle, often inspired and motivated by other women who had been involved in the practice. Some, however, decided to temporarily marry male tourists from the Middle East for their own sexual gratification because the men in question were charming and handsome. Other factors such as the lack of understanding of their religious teaching, education and understanding of the impacts of

temporary marriage had also contributed to their involvement in the practice. The practice of marrying foreign tourists was a common practice in Puncak and in many instances it was their own parents who encouraged them to marry the foreign tourists.<sup>50</sup>

The phenomenon of temporary marriage between male foreign tourists and local girls was also prevalent in Singkawang, West Kalimantan. In Antara News, Maya Satrini, an activist from Singkawang Social Worker Communication Forum (*Forum Komunikasi Pekerja Sosial Kota Singkawang*) stated that there were more than 100 temporary marriage cases in Singkawang in 2007. Young girls in the city temporarily married men travelling to the city, most commonly from Taiwan, China, Malaysia and Singapore. The men often had the assistance of intermediaries, whose task it was to persuade parents, especially those from poor families in Singkawang, to sell their daughters. Most of the parents who sold their daughters could expect around IDR 5 million from the groom as a dowry towards the temporary marriage. However, after the marriage, their daughters were often neglected and sometimes physically abused. In some instances, they were forced to become sex workers after being taken by their husband to their country of origin.<sup>51</sup>

## Kopi Pangku

In Pontianak, West Kalimantan, the term "*kopi pangku*" was used to refer to child sex tourism in the city, specifically to refer to children between the ages of 12 and 15 years who sat on the laps of men drinking coffee in roadside coffee shops that opened from 10 pm. In addition to kopi pangku, child sex tourism could be found in hotels in Pontianak and its surrounding areas, with the sexual transaction taking place either inside the hotels or in the tourist's car.<sup>52</sup>

## Luruh Duit

According to Budi Prabowo of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia, the involvement of children,

46 *Ibid.*, p.54

47 Surahman. "Marriage in Tugu Selatan Village, Cisarua Sub District, Bogor District (West Java) Under the Islamic Law Perspective" (2011. Jakarta: Universitas Islam Negeri Syarif Hidayatullah). Accessed on 12 June 2015 from: <http://repository.uinjkt.ac.id/dspace/bitstream/123456789/4268/1/SURAHMAN-FSH.pdf>, p.52

48 Lestari, M. In addition to temporary marriage, there are many illegal immigrants who seek asylum in Puncak. In Usep Suhud and Noorfie Syahri Sya'bani. "Halal Sex Tourism in Indonesia: Understanding the Motivation of Young Female Host to Marry with Middle Eastern Male Tourists" (Jakarta: Journal of Economics and Sustainable Development, 2014). Accessed on 3 June 2015. <http://www.iiste.org/Journals/index.php/JEDS/article/viewFile/17530/17914>

49 Surahman. *Op.Cit.*, pp.58-59

50 Usep Suhud and Noorfie Syahri Sya'bani. "Halal Sex Tourism in Indonesia: Understanding the Motivation of Young Female Host to Marry with Middle Eastern Male Tourists" (Jakarta: Journal of Economics and Sustainable Development, 2014). Accessed on 3 June 2015 from: <http://www.iiste.org/Journals/index.php/JEDS/article/viewFile/17530/17914>

51 Ariwibowo, AA. The website of Antara News. "The Number of Temporary Marriages in Singkawang Remains High". (2008). Accessed on 10 June 2015 from: <http://www.antaranews.com/berita/100062/angka-kawin-kontrak-di-singkawang-masih-tinggi>

52 Interview with Ruth, the Head of Sub Sector of Human Rights National Cooperation, Ministry of Justice and Human Rights of the Republic of Indonesia, on 26 January 2015 in Jakarta.



especially girls, both in the online and traditional sex industry was closely related to their cultural practices. *Luruh duit* was a harmful cultural practice in one unnamed area in Indonesia whereby the daughter was perceived as being a blessing by her parents and was thus expected to make the lives of her family better economically. Because of this responsibility, she would do anything to improve the lives of her family, including becoming a sex worker. Even though their daughters got married and divorced many times, their parents were proud of them because this indicated that their daughter was beautiful and therefore, many men wanted to marry them.<sup>53</sup>

## Location of child sex tourism

According to Inang Winarso of the Indonesian Family Planning Association (PKBI), locations of child sex tourism could be divided into three. The first was a transit point, which included areas around a bus station, train station and harbour. The second was the locations around an industrial area. The third was the areas in the vicinity of a shopping centre. Of the three locations, the transit area was the most vulnerable because it had the highest mobility of travellers. This was in line with the assertion that most child sex tourists were made up of local and international visitors and travellers.

Child sex tourists also frequently used hotels and guesthouses located around tourism destinations in Indonesia to sexually exploit children. Some children went directly to the hotels or guesthouses where the child sex tourists were staying, with some hotels offering a short-stay booking system. According to Cyprianus Aoer, the Head of the Indonesian Hotel and Restaurant Association (PHRI), hotels neither offered nor provided guests with sex workers but admitted the premises were often used for sex activities. Although the Indonesian Hotel and Restaurant Association had developed a Code of Conduct for Hotels and cooperated with police, there were still many hotels that breached the Code of Conduct because they facilitated and were used for prostitution. Raids against prostitution in hotels showed that the likely culprits were cheap hotels, non-star hotels and guesthouses. Of a total of 16,000 hotels and guesthouses in Indonesia, only around

9,000 were members of the Indonesian Hotel and Restaurant Association, meaning almost one third of the total number of hotels and guesthouses in Indonesia were not affiliated, making it difficult to socialise the Code of Conduct, and leaving the prohibition of the use of hotels for prostitution out of the jurisdiction of the PHRI.<sup>54</sup>

Other places that were used to facilitate child sex tourism included bars, nightclubs, spas, massage parlours, apartments and karaoke rooms. Some karaoke venues offered a choice of a family karaoke room or a private karaoke room, where sexual services were offered to customers, although there was a possibility that family karaoke rooms were also used for sex tourism.

Police raid conducted in one of the karaoke rooms, the Golden Bird Karaoke in Nagoya, Batam, showed that it had been used to employ trafficked children as sex workers.<sup>55</sup> Two girls trafficked into work in the karaoke room, Am (aged 15) and Ai (aged 14), who both managed to escape from their barracks, revealed they had been forced to have sex with Singaporean men who visited Batam for sexual purposes.<sup>56</sup>

The rapid growth of property business such as apartments in big cities in Indonesia also allowed further facilitation of sex tourism. The pattern of relationship between apartment owner or tenant and developer made it difficult to establish who had control over the apartment units. This meant many apartment unit owners in the same tower and floor did not know each other, making them more desirable for sex business because they were considered more discreet spaces than hotels and guesthouses.

Child sex tourism in Indonesia was closely related to the high number of prostituted children. Data from the Indonesian Family Planning Association (*Perkumpulan Keluarga Berencana Indonesia* – PKBI) estimated there were 230,000 sex workers in 34 provinces in Indonesia in 2011. Assuming 15% of them were children, it would amount to around 34,500 commercial child sex workers.<sup>57</sup> Budi Prabowo of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia said that victims of sexual exploitation of children were between

53 Interview with Ruth, the Head of Sub Sector of Human Rights National Cooperation, Ministry of Justice and Human Rights of the Republic of Indonesia.

54 Interview with Cyprianus Aoer, the Head of the Indonesian Hotel and Restaurant Association in Jakarta.

55 Maulana, Hadi. *Tribun News Batam* "Although Golden Birds Has Been Indicated to Sell Teenagers, It Will Only Be Given Administrative Sanction", (26 Februari 2014). Accessed on 9 October 2014. <http://batam.tribunnews.com/2014/02/26/sudah-teridentifikasi-jual-abg-golden-birds-hanya-akan-diberi-teguran/>

56 Maulana, Hadi. *Tribun News Batam* "Succeed to Escape from Brothel After Having Sex With A Singaporean Old Man", (22 Februari 2014). Accessed on 9 October 2014. <http://batam.tribunnews.com/2014/02/22/berhasil-larikan-diri-dari-rumah-bordir-usai-layani-apek-singapura/>

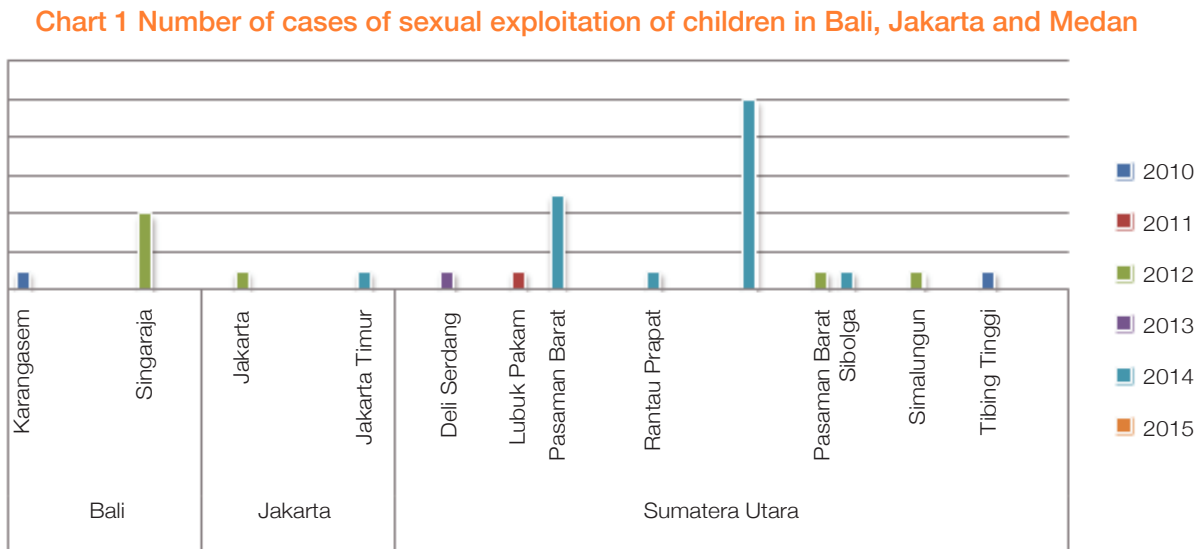
57 *Ibid.*

the ages of 14 and 18 and mostly girls. Although boys were also victims of sexual exploitation, their number was much smaller than that of girls.<sup>58</sup> However, boy prostitution was more hidden than girl prostitution. Nur Azizah, an ex commercial sex worker and now an active member of Yayasan Perempuan dan Anak, said that most of the child sex workers were between the ages of 12 and 16.<sup>59</sup>

## SITUATION OF CHILD SEX TOURISM IN THE RESEARCH LOCATIONS

Data from the Supreme Court of the Republic of

Indonesia showed that there were 185 court decisions related to the sexual exploitation of children from 2010 to 2015. In this period, there were five court decisions related to cases of sexual exploitation of children in Bali (one case in Karangasem and four cases in Singaraja), and two court decisions in Jakarta. Data on any court decisions were unavailable in Medan District Court. However, data on cases of sexual exploitation of children in some districts and cities in North Sumatra was available. The data showed that there was one case in Deli Serdang District, one case in Simalungun District, one case in Tebing Tinggi District, two cases in Sibolga, six cases in Lubuk Pakam and 10 cases in Rantau Parapat.



Source: The official website of the Supreme Court of the Republic of Indonesia

58 Interview with Budi Prabowo, the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia in Jakarta.

59 Interview with Azizah, Yayasan Anak dan Perempuan (YAP), in Jakarta.



## Bali

As the main tourism destination in Indonesia, Bali has various tourist attractions such as beaches, parks,

temples, markets, and local arts and crafts. The table below shows the tourism destinations in Bali as released by Indonesia Travel (official Indonesian tourism website).

**Table 5 Tourism Destinations in Bali**

Category	Name of location	District/City
Temple	Pura Luhur Uluwatu	Badung
	Pura Besakih	Karangasem
	Pura Ulundanu Beratan	Tabanan
	Pura Tanah Lot	Tabanan
	Pura Pulaki	Buleleng
Art Gallery/ Museum	Puri Lukisan	Gianyar
	Rumah Topeng dan Wayang Setia Darma	Gianyar
Theme Park	Water Boom Bali	Badung
	Taman Budaya Garuda Wisnu Kencana	Badung
	Taman Nusa	Gianyar
	Bali Bird Park	Gianyar
Hotel, Spa and MICE (Meetings, Incentives, Conferences & Exhibitions)	Pan Pacific Nirwana Bali Resort	Tabanan
	Nirwana Bali Golf Club	Tabanan
	Bali Handara Golf & Country Club	Buleleng
	The Ritz Carlton Bali	Badung
	Thallasso & Spa	Badung
	Mandara Spa Bali	Badung
	Four Seasons Jimbaran	Badung
	Bali International Convention Center	Badung
Nature Park	Batur Geopark	Bangli
	Taman Wisata Danau Buyan dan Danau Tamblingan	Buleleng
	Taman Nasional Bali Barat	Buleleng & Negara
Souvenir	Krisna Oleh-Oleh Khas Bali	
Beach	Amed	Karangasem
	Kuta	Badung
	Nusa Dua	Badung
	Canggu	Badung
	Peti Tenget	Badung
	Suluban	Badung
	Pantai Nyag-Nyag	Badung
	Seminyak	Badung
	Pandawa	Badung
	Green Bowl	Badung
	Sanur	Badung

Category	Name of location	District/City
	Dreamland	Badung
	Tanjung Benoa	Badung
	Pemuteran	Buleleng
	Pulau Menjangan	Buleleng
	Les	Buleleng
	Lovina	Buleleng
City/Village	Ubud	Gianyar
	Tegalalang	Gianyar
	Kintamani	Bangli
	Toya Bungkah	Bangli
	Penelokan	Bangli
	Kedisan	Bangli
	Singaraja	Buleleng

Source: *Pesona Indonesia* website, the Ministry of Tourism of the Republic of Indonesia, 2015.<sup>60</sup>

As the main tourism destination in Indonesia, Bali had a better infrastructure and facilities to support the tourism industry than other areas in the country. The facilities included accommodation, from guesthouses to five-star hotels, plus a wide range of recreational activities on offer, various travel and travel packages and guided tours. Furthermore, Gilimanuk Harbor connects Bali Island and Java Island, while Padang Bai Harbor connects Bali Island and Lombok Island. I Gusti Ngurah Rai International Airport also helped facilitate local and foreign tourist visits to Bali.

Data on the number of foreign tourist visits via I Gusti Ngurah Rai International Airport showed that the number of visits increased every year. Although the Bali bombings in 2001 and 2005 had greatly affected the number of tourist visits, it has since been increasing every year. The Table 6 shows the number of foreign tourist visits to Bali via I Gusti Ngurah Rai International Airport.

**Table 6 Number of foreign tourist visits in Bali via I Gusti Ngurah Rai International Airport**

Year	Number of tourists
2009	2,384,819
2010	2,546,023
2011	2,788,706
2012	2,902,125

Year	Number of tourists
2013	3,241,889
2014	3,731,735

Source: Data from Central Bureau of Statistics of the Republic of Indonesia (BPS), 2014

The Head of Special Service Unit for Children and Women of Bali Regional Police said that in actuality, as a tourism destination, Bali did not offer sex tourism but cultural tourism. Regarding sexual exploitation of children in Bali, Bali Regional Police noted that paedophilia cases in the island involved not only foreigners but also locals, with areas such as Karangasem, Buleleng and Denpasar most vulnerable to paedophilia. Most of the victims were children from poor families who worked as peddlers, beggars or students in the cities, especially those who associated with foreigners but were not aware of paedophilia. Bali Regional Police had not yet investigated any child prostitution cases due to a lack of information. It was also difficult to reveal child prostitution cases because child prostitution syndicates operated in a clandestine manner. Seeing as they provided child prostitutes as a service based on orders by different customers, it was hard for police to arrest them.<sup>61</sup>

According to Lembaga Bantuan Hukum (LBH) Bali and LBH APIK (*Asosiasi Perempuan Indonesia untuk Keadilan*), the number of cases of commercial sexual exploitation of children in Bali was generally high,

60 Website of "Pesona Indonesia". Bali. (Accessed from <http://www.indonesia.travel/destinations/destination/35/bali> [15/09/2015])

61 Interview with Sang Ayu Saparini, the Head of Special Service Unit for Women and Children of Bali Regional Police

yet had not received serious attention from relevant parties, other than when the case was regarded paedophilia. It was difficult to handle cases of sexual exploitation of children because, in addition to the lack of data, the victims and the victims' family were reluctant to report such cases. Integrated Service Center for Women's Empowerment and Children (*Pusat Pelayanan Terpadu untuk Pemberdayaan Perempuan dan Anak – P2TP2A*) of Denpasar said that most of the exploiters and abusers were locals who lived in the vicinity of the child victims. It was only a small number of exploiters who were from outside Bali, including tourists. Child sexual abuse cases in Bali occurred within families, communities, public schools and Islamic boarding schools. However, the cases were not reported to police and handled behind closed doors without involving the authorities because neither the victims nor the abusers wanted to attract media coverage.

There were three forms of child sex tourism in Bali, namely: girl prostitution, boy prostitution and paedophilia. Of the three forms of child sex tourism, paedophilia had received the most serious attention in Bali.

## Child Prostitution

According to the HIV and STI clinic Yayasan Kerti Praja, as published in [www.merdeka.com](http://www.merdeka.com), there were at least five classes of prostitutes in Bali. The first was street prostitutes. They could be found around GS Barat Street, especially on the intersections of Bung Tomo Street and Pidada Street. The second was prostitutes who operated in low class brothels. It was an open secret that there were many sex workers from East Java and West Java who operated in areas in Bali such as Danau Tempe Street, Padanggalak and Sanur. The sexual transaction took place in narrow dark rooms equipped with a cement bag or a thin mattress. The third kind was prostitutes who operated in bungalows located along Danau Poso Street, which caused issues because they were often situated next to local people's houses. The fourth variety involved prostitutes who operated in night entertainment places in Kuta, Legian and Seminyak. The fifth class of prostitutes involved those who operated in entertainment places used as brothels around Legian and By Pass Ngurah Rai Street.<sup>62</sup> Although prostitutes did not operate in all areas in Bali Province and only worked in tourism destinations around Denpasar and Badung, their different classes indicated that prostitution had developed and transformed over the years. It was not only that customers sought out

the prostitutes but also that prostitutes were intent on finding potential customers. The classification of prostitutes into five classes in Bali also indicated that different classes of prostitutes attracted different types of customers. This indirectly showed that Bali was a destination area for sex tourism in Indonesia.

**Table 7 Classification of prostitutes in Bali**

No	Class of prostitutes	Locations
1	Street prostitutes	Around GS Barat Street, especially on the intersections of Bung Tomo Street and Pidada Street
2	Prostitutes operating in low class brothels	Danau Tempe Street, Padang Galak, Sanur
3	Prostitutes operating in bungalows	Danau Poso Street
4	Prostitutes operating in night entertainment places	Kuta, Legian, Seminyak
5	Prostitutes operating in entertainment places used as a brothel	Legian, By Pass Ngurah Rai

Source: Yayasan Kerthi Praja (quoted from <http://www.merdeka.com/peristiwa/5-kelas-prostitusi-di-bali.html>, 18/04/2015)

Luh Anik Ariani, a counsellor at Yayasan Gerasa Bali, verified that children were involved in the prostitution business in Bali. She regularly helped child prostitutes who were operating in the red-light areas of Sanur, Danau Tempe, Kuta and Sunset Road. She confirmed a number of child prostitutes lived in the red-light areas so did not need to seek out customers, while others lived outside the red-light areas so had to find their customers themselves by frequenting cafés, bars, nightclubs and other entertainment venues. Child prostitutes also used 24-hour franchise networks to find their customers. They commonly loitered in franchise food shops where customers booked appointments with them. In general, the child prostitutes came from Java Island, especially Banyuwangi and Bandung, although some were locals from Bali. Child prostitutes were over 12 years old. There were different factors behind their involvement in the prostitution business, including broken family, consumerism (money, mobile phone among other material things), and free sex. Most of their customers were adults between the ages of 30 and 50. They

62 Sutanto, Dharmawan. *Five Classes of Prostitution in Bali*. 2013. In <http://www.merdeka.com/peristiwa/5-kelas-prostitusi-di-bali.html> [18/04/2015]

usually went directly to the red-light areas or made a prior appointment with child prostitutes via mobile phone, messaging services or social media.

In her work with six former child prostitutes aged between 13 and 15, Ariani revealed the different factors in their involvement in prostitution included poverty, lifestyle and trafficking by a family member. They employed different methods to find their customers, such as going directly to entertainment places, sharing client information with their peers and working in brothels.

She also verified that prostitution involved boys as well as girls. Boy prostitution was an emerging new trend in Bali that generally involved boys between the ages of 15 and 16. They were lured into the profession due to economic factors and consumerism. According to Ariani, it was often their peers who helped them source their customers. Boy prostitutes had created their own community, and most commonly operated around Renon, Denpasar. Most of their customers were men and were primarily truck drivers and tourists.<sup>63</sup>

## Paedophilia

Data showed that most of the paedophilia cases in tourism destinations in Indonesia occurred in Bali. According to the Committee Against Sexual Abuse (CASA), an NGO based in Bali, the issue of paedophilia was raised in Bali for the first time in 1996 when Nusa Daily reported that there were 180 children in Karangasem, Bali, who had been sexually exploited by an American man. However, at the time, the understanding of child sexual abuse and exploitation among the Indonesian public was still limited. In 1998, CASA Bali (previously known as *Kelompok Peduli Masalah Anak*) was invited to attend a workshop on child sexual abuse, with the aim to get a better understanding of the issue, learn how to prevent it, and realise the importance of socializing it among the communities. In 2001, there was a paedophilia case involving an Italian tourist, who was punished by 10 months imprisonment despite sexually abusing nine children, which indicated the advocacy work was not yet satisfactory. Failure to impose more severe punishment on the child predator was due to the absence of a Law on Child Protection in Indonesia when the case occurred. At the time, paedophilia

was perceived as a case only perpetrated by foreign tourists. Failure to advocate the case resulted in more serious attention given to paedophilia cases, especially those involving foreigners in Bali.

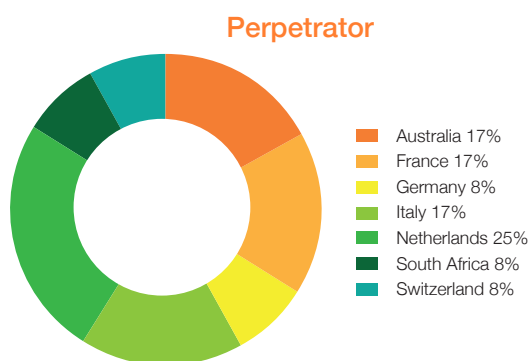
In 2003, police succeeded in revealing a paedophilia case, this time involving an Australian Diplomat in Bali. The case was revealed when the victim went in for a medical check up and treatment for an anal problem, which led the doctor to suspect the boy had been sodomised and suggested his parents report this to police. Although at that time Indonesia had drafted a Law on Child Protection that set a minimum term of three years imprisonment and a maximum term of 15 years, CASA Bali found it difficult to advocate the case because police did not yet have the necessary skills required to investigate cases of sexual exploitation of children. Since the paedophile was an Australian diplomat, the organisation also asked the Australian Consulate in Bali to be responsible for the victim's loss and to provide training on the investigation of child abuse cases. Although they initially refused, mounting pressure from local and international media may have contributed towards the Australian Consulate eventually granting the demand. Subsequently, the Australian Consulate provided training for police, judges, prosecutors and NGO workers in Bali to improve their understanding and skills. Partly due to the training, prosecutors managed to secure 11 years of imprisonment against the abuser, with the judge sentencing him to 13 years imprisonment. Even though 13 hours after the court decision, the abuser was found dead in his cell after hanging himself, the case served as a crucial learning point and achievement in the protection of children from sexual abuse in tourism destinations. Despite this, judges involved in the cases that followed doled out lighter punishments to child abusers and exploiters.

The revealed paedophilia cases in Bali showed that all of the paedophiles were foreigners. Although it was assumed that domestic paedophiles also travelled to Bali for sex, up to now there was no strong evidence to support this assumption. Data on paedophilia cases from 2001 to 2013<sup>64</sup> showed that the paedophiles hailed from the Netherlands (three cases), Italy (two cases), France (two cases), Australia (two cases), Germany (one case), Switzerland (one case) and South Africa (one case).

63 Sutanto, Dharmawan. *Five Classes of Prostitution in Bali*.

64 CASA Bali and Integrated Service Center for Women's Empowerment and Children of Denpasar

**Chart 2 Percentage of paedophiles by country of origin**



Source: CASA Bali and Integrated Service Center for Women's Empowerment and Children of Denpasar

Foreign paedophiles in Bali were found to be men. They were above 50 years old, single, and in most cases, retired men who came to Bali for a vacation. Elizabeth Gloria (known in Lovina as Mama Gloria), an expat who established Crisis Care in Lovina, confirmed that paedophiles were indeed between the ages of 50 and 70, most commonly in the 50 to 65 years bracket. A number of them had a history of being involved in sexual exploitation or paedophilia cases in their own country. Although all of them were men, it was possible that women were also involved in such cases. However, up to now, there was no strong evidence for the assumption. The men were mostly single, or when married, left their wives at home. Nor were they necessarily homosexual. They seldom operated in a group, preferring instead to act on their own. They commonly married Indonesian women to enable them to live in Indonesia. Although their Indonesian wives suspected their husbands had a sexual disorientation, they would do nothing in fear of losing their source of income and the possibility of divorce.

Both boys and girls were found to be vulnerable to paedophilia. However, the revealed paedophilia cases showed that most of the victims were boys, although some were girls. The boys were between the ages of 8 and 15, while the girls were between the ages of 12 and 15. The paedophiles preferred to target girls who were at their early puberty or menstruation stage for greater sexual gratification. With boys, paedophiles preferred to target influential boys who, for example, played leadership roles within their group, which made them ideal for recruiting other boys and convincing them to keep their secret. Most came from poor families and lived around tourist destinations, or were children who worked in tourism destinations as street hawkers or child labourers.

It was assumed that the high number of paedophilia cases in Bali was closely related to the promotion and

image of Bali as a haven for paedophiles. A victim of paedophilia who was referred to CASA Bali said that many different foreign tourists came to him every year, claiming to have heard of him through their friends. This indicated that information about Bali as a tourism destination for paedophiles was disseminated through word of mouth. In addition, Siti Syafurah of the Integrated Service Center for Women's Empowerment and Children of Denpasar, found a website that stated that "Bali is a haven for paedophiles". This supported the assumption that paedophiles perceived Bali as a tourist destination where they could have sex with children.

Different from other forms of child sex tourism such as child prostitution and trafficking, paedophilia cases in Bali did not occur in tourism destinations, but in poor areas in villages located far from the popular sites. Tourism destinations and facilities were only used as a transit area while collecting information. Karangasem, Buleleng, Denpasar and its surrounding areas were more vulnerable to paedophilia than other areas in Bali.

According to Bali Regional Police, some paedophiles often disguised themselves as English teachers. Although they could not speak Indonesian fluently, they approached children using basic communication. The children who agreed to be taught English were then invited to play with them and offered gifts as part of the grooming process. After that, they were exploited sexually. Another modus used by the paedophiles was by becoming a sponsor for children's sports activities. They provided their potential victims with sports clothes and equipment. There had been instances where paedophiles had even paid for a house to be built for their victims and families.

Paedophiles used different methods to target children in poor areas in Bali such as Karangasem and Buleleng, including acting as "Santa Claus", so called due to being associated with bearing gifts. Siti Syafurah of the Integrated Service Center for Women's Empowerment and Children of Denpasar said that child abusers used their financial status to win favour among the victims and their families. They sometimes spent a lot of time with the children and their families by living in their house, with any financial support offered seen by the hosts as an act of kindness and generosity. The families trusted the abusers and thus they were not suspicious when their children were in close contact with them. Once that trust was obtained, the exploiters would directly abuse these children sexually.

Ayu Mas Ismayani, a child activist in Bali who had led the handling of a paedophilia case in Bali, shared her experience in obtaining evidence of the paedophilia



case. The victim's father showed her the things offered to them by the paedophile. Although these were not expensive, they proved to be very helpful for the family because they were so poor. The man said:

*"The abuser bought us the bulb in our bathroom. He often came here and gave us rice."*

According to Ismayani, the prices of the bulb and rice would not have amounted to more than IDR 2,000. To the foreign abuser, such a low cost would have been of no consequence, but to the victim's family, these gifts were essential. Furthermore, the abuser targeted poorly educated families. Since the victim's parents were unemployed and they hoped for a better life for their children, anything that the abuser gave them for free towards the child's education, such as drawing books, notebooks and other school kit, was received gratefully.

A similar method was used by another paedophile. Ketut Widana, the Head of Kaliasem Village, shared a story about the modus operandi used by the paedophile Mario who sexually abused children in Kaliasem Village, Lovina, Buleleng. He revealed:

*"Children in Kaliasem Village who still went to school had an initiative to sell fruits such as pineapple, banana, papayas, etc. on the beach to get extra money. At that time, 2001, there were a lot of tourists on the beach. It was not their parents who asked them to sell the fruits. It was purely on their own initiative. Perhaps, these children liked Mario, the paedophile, because he was kind to them. He lured these children with promises and gave them presents. He also gave them delicious foods. They thought that the man was really kind. He promised to give them money, a bicycle, school kits, etc. Because of this, these children were close to him. One day, Mario invited these children to come to the hotel where he stayed. If I am not mistaken, the name of the hotel is A Hotel. Then, he asked these children to take their clothes off and massage him. I do not know exactly what they did in the hotel because I did not directly witness the incident. I only asked some questions to these children after the incident. They said that the man asked them to take their clothes off so that they were stark naked. They slept with the guest. They had oral sex and they sucked on each other's penis. This was repeated for a few days. Perhaps because of this, they were infected with the disease. Their faces were too pale. They often had headaches at school.*

*They, therefore, needed to go home although the class had just started. They also had psychological problems. At that time, their parents thought that their children had normal headaches. Then, they took their children to a public health centre for a medical check up. The doctor who checked them said that these children had a medical problem because their physical stamina got worse and worse. Then, their parents forced them to tell them the truth. Finally, they said that they had sex with their guest, Mario. Then, their parents met me to help them report the case to police. We tried to find the man in Ayodya Hotel. However, one of the hotel staff tried to protect the man. There were three people who went to the hotel to find the man. As we met him, I threw an ashtray at him but I did not know whether or not it hit him. Then, the hotel staff brought him into the hotel. Finally, we reported the case to police in Lovina. The case proceeded because we had evidence. That is the story."*

In response to Mario's case, Kaliasem Village government finally started to socialise the issue among their villagers so that they would be more watchful of guests who were in close contact to children in the village. Four years later, in 2005, Max Le Clerq came to Kaliasem Village. He knew that many children in Lovina were good at football, so he won their favour by offering them free balls, bottled water and sometimes candy. He then established a junior football team consisting of more than 30 children as members, and then went back to his country with the promise of returning with football shoes and to train them. Two months later, he returned and stayed in Manggala Hotel. As promised, he provided football training to these children. Then, he asked the children to come to his hotel for the football shoes, which caused suspicion in the village because he only asked three or sometimes four children at a time to take the shoes. Furthermore, he asked them to come to the hotel in the evening or after the football training. This made the village government officials meet him to ask why the children had to go to his hotel to get the shoes instead of in the football field. After this, according to Wiada, Le Clerq brought the football shoes to the field. However, he refused to train them again. Afterwards, Wiada got information that Le Clerq was arrested for sexually abusing children in another village.

Another method used by paedophiles was by giving a hand phone to children. Mama Gloria said that the phone was a symbol of social status within the community. Although they hailed from poor families, children who owned a phone felt that this would

increase their social standing, and was more desirable to them than books, shoes or clothes. Second-hand phones could be easily and cheaply procured, especially in Europe and Australia, where phones tended to be in good condition because so many handsets were only used for one year. Paedophiles were likely to take these phones to Bali and offer them as gifts to children in the island. According to Mama Gloria, the paedophiles were adept at manipulating the children's psychological conditions to abuse them. They disguised themselves as tourists and dined at small kiosks or food stalls where they could meet members of the local communities more easily. Then, by using basic communication, often in English, they gleaned as much information as they could about poor families in the area. They generally preferred to stay in cheap, small hotels or guesthouses. They would win favour with the hotel staff by tipping them, finding out information about his or her family, how many brothers or sisters they had and how old they were, their family condition, home address and so on. This would often lead the member of staff to feel obliged to invite him to his or her house and meet the family.

Paedophiles in Denpasar and its surrounding areas tended to use a different modus operandi. Although they too pretended to help families improve their social standing, they normally targeted child hawkers whose parents were porters in Badung Market. According to Yayasan Lentera Anak Bali (LAB), an organisation that works with children whose parents are porters, they hailed from poor villages in Karangasem such as Munti Gunung Village and Pedahan Village, and lived in groups in Denpasar. Those from Pedahan Village working in the same job lived together in rented accommodation, usually with one family per room, with each family averaging more than four family members.

In Denpasar and its surrounding areas, paedophiles also tried to approach their potential victims by maintaining links within their community groups. In addition to the children of porters, they targeted children from certain religious groups. This was especially true in a paedophilia case where the victims were nine children from a Muslim community in Serangan, Denpasar. The paedophile in question was a German tourist, but the case was stopped after his lawyers gave IDR 10 million and two cows each to every child's family on the condition that they would not turn up to court, thus guaranteeing the abuser could not be prosecuted. Child activists who provided legal aid service to the victims were powerless to do anything because after receiving the money, the families refused to continue the case. Furthermore, the abuser made them fearful their anonymity would be at

stake by attracting media exposure should the case go ahead.

The children, who were referred to LAB, told the organisation of another foreign tourist, known as Robert, who often visited their neighbourhood and gave them money. These children were savvy enough to only meet him in a group and not individually. When asked to spend the night in his hotel in exchange for money, they chose to sleep in the kitchen rather than in his bed. They would often miss school on days Robert wanted to spend time with them. LAB staff considered Robert to be a shrewd operator. Although he did not physically assault these particular children, he was in the process of grooming the children of a family by financially providing for them and their parents. When LAB staff investigated by asking the family's neighbours, they revealed the children regularly spent the night at Robert's house, who himself had been spotted kneading the children's breasts. As an organisation working to protect these children, LAB staff had sought for an audience with Robert, but the children refused to set up the meeting. Despite several attempts to locate Robert during visits to the community, the LAB staff met with no success.

Another tourist, of Dutch origin, known as John, often invited young boys to play with him, and on occasion, had taken them to visit Ubud. He was known to invite these boys, mostly children of porters, to his villa for dinner and to swim together in the nude. He also gifted these boys with iPhones. However, when LAB staff checked the camera roll on these children's handsets, they could not find a photo or a video of him. It was assumed that John was a homosexual paedophile because according to these children, he was only interested in boys, with a particular fondness for the handsome ones, many of whom had their educational costs covered by John. According to LAB staff, the children in question were keen to tell them about John, but would refrain from further discussion when asked whether or not the man had ever abused them sexually. According to LAB staff, this made it difficult to prove sexual abuse had been committed against these porters' children.

Another method used by paedophiles to lure in their victims was by asking children to massage them. Dewa Ayu Anggi Cahyani of Yayasan Sinar Harapan Bali said that one of children she worked with was asked by a foreigner to massage him. The child admitted:

*"He asked me to bring my friends here too. So I brought my friends here. The foreigner asked them to massage him. When they massaged him, he took his clothes off. When*



*my friends asked him why he took his clothes off, he said that it was okay. Although the man did not touch them, he was ticklish any time they massaged him. The man was very old. When they left, he gave them IDR 500,000. The man also asked them to take their friends here. The man said that he would give them a hand phone if they brought their friends there.”*

According to Cahyani, another factor that worked in the favour of paedophiles came from the children themselves. Due to their neighborhood and orientation to money, some tried to imitate adults. For example, child hawkers who sold bracelets quite often painted their hair red, wore shorts and used eyeliner, signalling to tourists that they were approachable. Additionally, they saw adult street hawkers befriending foreigners, so felt themselves motivated to also have foreigners as friends.

Another shocking modus operandi involved parents themselves introducing their children to tourists. Cahyani had been privy to such an incident when she was a volunteer at Green School, a private international school that attracted many foreigners. One of the children she worked with came to the school regularly wearing make-up and fashionable clothes with the intention of attracting a visiting *bule*.<sup>65</sup> When Cahyani asked the girl why she behaved that way, she admitted it was her parents who had asked her to befriend foreigners because her two elder sisters had married foreigners and her parents were unemployed. After marrying their other two daughters to foreigners, her parents got a car, a house and a spa business. Cahyani had also spotted the girl out at night wearing sexy clothes, whereupon it transpired her own father had brought her out dressed in this fashion in the hope she would attract a foreigner.

In addition to targeting children from poor families, child hawkers and the children of porters, paedophiles in Bali also had the help of intermediaries to find their potential victims. As illustrated by the case presented by Ayu Anggi Cahyani, one of the intermediaries was often the children's parents. In some cases, the mothers sold their children to foreigners, then asked their children to steal his belongings. Problems were solved through financial agreements rather than through the authorities. For instance, when one of the girls under Cahyani's counsel was raped by a foreigner, her parents revealed how the issue was settled, admitting:

*“If the foreigner gives me IDR 250 million as compensation, I will not report the case.”*

In addition to parents, many who acted as intermediaries to help paedophiles find children came in the form of tourism industry workers. For example, Jimmy Cyril Visser, a tourist from South Africa, was able to gain access to children after being helped by a bus driver, I Made Santiasa. According to the Head of LAB, Luh Putu Anggreini, who was also the Head of Integrated Service Center for Women's Empowerment and Children of Denpasar, Santiasa said admitted to having a good relationship with Visser at his trial. Whenever he came to Bali, he always asked Santiasa's help to find children, an allegation Visser denied, claiming he had in fact asked Santiasa to find him women. Santiasa claimed he received IDR 50,000 anytime he brought children to Visser, revealing his preferred method of luring them was by asking:

*“Do you want to go out for a walk, have a meal and get money from a guest?”*

In addition to parents and tourism industry workers, it was assumed that there was an international network which helped paedophiles find children in Bali. However, there was no strong evidence to prove this. There were also a number of obstacles in identifying foreign tourists who would go on to becoming paedophiles.

## Medan

In the tourism sector, Medan won Indonesia Tourism Award (ITA) for 'The Most Favorite City' and 'The Best Service City' categories in Indonesia in 2010. The Municipal Government of Medan had taken various steps to attract more tourists to the city, such as promoting shopping tourism through Medan Big Sale in 2009, and holding the Medan Tourism Expo 2010 in Phuket and Bangkok in 2011 in cooperation with the Association of Indonesian Tours and Travel Agencies (ASITA) of North Sumatra. In the same year, the Municipal Government of Medan, in association with businesses from the culinary industry in Medan, held a Chinese New Year Fair to promote culinary tourism in the city.<sup>66</sup>

Among the many famous tourism destinations in Medan, there is the Maimoon Palace or Putri Hijau Palace, built during the reign of Sultan Makmun Al-Rasyid Perkasa Alamsyah, and the Medan Al-Mashun Mosque or Medan Great Mosque, the 18<sup>th</sup> Century

65 *Bule* refers to Westener who visits Indonesia both as a tourist and expatriat. In general, the term *bule* is used to refer to the white.

66 Research and Development Agency of North Sumatra. *Objectives of Local Government's Policy related to Tourism Development in North Sumatra (A Case Study in Medan)*. (2011). Accessed from: [http://balitbang.sumutprov.go.id/download.php?f=files/files/penelitian\\_balitbang/2011/Pariwisata\\_Sumut.pdf](http://balitbang.sumutprov.go.id/download.php?f=files/files/penelitian_balitbang/2011/Pariwisata_Sumut.pdf), pp.7-11 [15/09/2015]

architectural fusion of Middle Eastern, Indian and European influences that stands as the symbol of Medan. Kesawan Area in Medan twins as a thriving business centre and an old city tourism destination, featuring many examples of Dutch architecture. Another major landmark in Medan is Kampung Keling or Kampung Madras, known as the Little India of Medan, and features many examples of Indian architecture. It is also famous for its many Hindu temples, the Sri Mariamman Temple and Gunung Timur Buddhist Monastery.<sup>67</sup>

In addition to its desirable location, the development of Medan as a business and tourism centre is facilitated by Kuala Namu International Airport, which can help mobilise a total of 22 million people per year,<sup>68</sup> and is the only airport in Indonesia that can be used by a Jumbo Airbus A380 plane.<sup>69</sup> There are also many different types of accommodation in Medan, starting from basic guesthouses to five-star hotels equipped with convention centres. There are also representatives of embassies from countries such as the USA, Australia, Belgium, China, Germany, Japan, Malaysia, Norway, Netherlands and Singapore who reside in Medan.<sup>70</sup> Another facility that helps to support the tourism sector in Medan is Belawan Harbor with a cargo capacity of 1.2 million TEUs.<sup>71</sup>

**Table 8 Number of foreign tourist visits via Kuala Namu International Airport**

Year	Number of tourists
2009	148,193
2010	162,410
2011	192,650
2012	205,845
2013	225,550
2014	234,724

Source: Data from Central Bureau of Statistics of the Republic of Indonesia (BPS), 2014

## Child prostitution

Like the business and tourism sectors, prostitution business had also developed rapidly in Medan. A research report published by Center for Child Study and Protection (*Pusat Kajian dan Perlindungan Anak* – PKPA) in 1999 stated that prostitution had been known widely in Medan since the 1970s, but the rise of child prostitution had only come about in the past 10 years, even spreading to schools and involving young students.

Prostitutes commonly operated on the streets in Medan, usually from 10 pm to dawn. They could be easily found along Gajah Mada Street and Darussalam Street every night, with pedicab drivers on standby to escort them to their customers. There were a lot of small hotels along Darussalam Street, while Sibayak Hotel located in Nibung Street was known to facilitate prostitution. During the day, Nibung Street was a respectable area attracting business customers at its used car showrooms, but transformed into a hub of activity in the evenings thanks to its small hotels. There were also some shophouses around Petisah Market that were used as brothels, where commercial sex workers waited for customers while flanked by bodyguards. Shemales also operated behind Gramedia Book Store and along Gajah Mada Street until around Pardede Hall. Darussalam Street, Gajah Mada Street and Nibung Street made up the heart of the red-light area in Medan at night. There were other red-light areas in the city in places such as Pusat Pasar and Sambu Market along Bintang Street. Prostitution in Medan involved not only adults but also children. Some schools were notorious as sources of child prostitutes, with those located around STM Street and Sisingamangaraja Street being the main places to find young and child prostitutes in Medan. According to Rere, a pimp who went to a school in the area, senior high school and vocational high school students came to school here from a number of areas in North Sumatra, with some even staying in rented accommodation near their school. They became prostitutes after their friends sold them to their customers. Rere admitted being a pimp since junior high school, and that she sold her friends to her regular customers.

67 Website of Bisnis. *The Seven Tourism Destinations to Visit in Medan*. (2013. Accessed from <http://traveling.bisnis.com/read/20130806/224/155281/inilah-7-lokasi-wisata-layak-dikunjungi-di-medan> [15/09/2015])

68 Siregar, Evalisa. *Tourist Arrival Via Kualanamu Increases by 13.54 Percent* (2014. Accessed from the website of Antara News <http://www.antaranews.com/berita/433661/kedatangan-turis-melalui-kualanamu-naik-1354-persen> [15/09/2015])

69 Suhendra, Zulfi. *The First in Indonesia, Kualanamu Airport Can Accommodate A380 Airplane*. (2013. Accessed from the website of Detik <http://travel.detik.com/read/2013/05/13/155118/2244400/1382/pertama-di-indonesia-bandara-kuala-namu-bisa-menampung-pesawat-a380> [15/09/2015])

70 Website of Medan Guide. *List of Embassies in Medan* (Accessed from: <http://www.medanguide.com/daftar-kedutaan?lang=id> [15/09/2015])

71 Yuniar, Maria. *Government takes 0.5% of Belawan Concession*. (2014. Website of Tempo <http://bisnis.tempo.co/read/news/2014/04/04/090567899/pemerintah-ambil-0-5-persen-konsesi-belawan> [15/09/2015])

Poverty was the main factor behind the involvement of students in prostitution. However, children from rich families who felt neglected by their parents also became prostitutes. Unlike adult commercial sex workers, students who were child prostitutes usually did not operate on streets, rather their schoolmates acted as their pimps to sell them to their customers. Another way to find customers was by loitering in fast food restaurants in Titi Kuning and Glugur or at shopping malls in Medan.

Lifestyle was also a contributing factor in the involvement of children in prostitution in Medan. Some nightclubs in Medan were used to facilitate prostitution, with New Zone or NZ, located in Kolonel Sugiono Street, known to feature live child strip dance shows. Child prostitutes also operated in karaoke rooms such as Elegant Karaoke in Gatot Subroto. After agreeing on the price for a sexual service, they would head off to hotels in Medan for sex. According to 18-year-old Risa, the preferred venues for carrying out the sexual transactions were at Asean Hotel and Danau Toba Hotel.

The Board of Social Affairs and Labor Force of Medan released data on the results of raids against vagrants, beggars, commercial sex workers and unmarried couples from 2012 to 2014. The data showed that there were 70 commercial sex workers and unmarried couples who were arrested in the raids in 2012 and 35 of them were children. In 2013, there were 64 commercial sex workers and unmarried couples who

were arrested in the raids, 24 of whom were children. Meanwhile, in 2014, there were 54 commercial sex workers and unmarried couples who were arrested in the raids, 16 of whom were children.<sup>72</sup>

According to the Board of Social Affairs and Labor Force of Medan, the raids were conducted in selected entertainment places and city gardens in the city, and in conjunction with the Board of Culture and Tourism, the National Narcotics Board and other relevant government institutions. Following the raids, the arrested commercial sex workers received guidance, with the parents of the child prostitutes parents called in to the office, failure to do so resulting in the children being sent to a social rehabilitation centre for commercial sex workers in Sibolangit, North Sumatra, although this was originally established to temporarily accommodate adult prostitutes rather than child prostitutes.

## Jakarta

Since Jakarta attracts so many people, there are various facilities to meet the needs of its visitors, such as hotels and convention centres, fitness and spa centres, entertainment venues like malls, bars, nightclubs and karaoke rooms, as well as several cafés and restaurants. According to data from the Indonesian Hotel and Restaurant Association (*Perhimpunan Hotel dan Restoran Indonesia* – PHRI) of Jakarta, there are 176 hotels in Jakarta, classified according to their star rating.

**Table 9 Number of star-hotels in Jakarta**

Type of Hotel/ Resort	Area					TOTAL
	Central Jakarta	South Jakarta	West Jakarta	North Jakarta	East Jakarta	
Five-Star Hotel	17	7	1	-	-	25
Four-Star Hotel	13	8	7	6	-	34
Three-Star Hotel	15	5	6	4	2	32
Two-Star Hotel	12	3	2	1	8	26
One-Star Hotel	6	5	2	-	1	14
Non Star-Hotel and Resort	22	7	10	1	7	47
TOTAL	85	35	28	12	16	176

Source: Data from PHRI DKI Jakarta, 2015

72 The Municipal Government of Medan, Board of Social and Labor Force, January 2015

Tourism destinations in Jakarta did not vary greatly. This was due to it being an administrative and a business centre, meaning the tourism facilities such as hotels and fitness centres were geared towards professionals who came to Jakarta for official purposes. Popular destinations for businessmen were the business centres in Sudirman-Thamrin Business Area, Cakung Industrial Area and Tanjung Priok Harbor. However, there were a few famous tourism destinations in Jakarta, including Old City Area, Taman Impian Jaya Ancol, Kepulauan Seribu, the National Monument and Taman Mini Indonesia Indah.<sup>73</sup>

Other facilities that could be used to support business and tourism sectors in Jakarta included Jakarta Convention Center, Tanjung Priok Harbor, tolls connecting Jakarta to other cities and factories outside the city, Trans Java Island Railway and International Soekarno-Hatta Airport. With the number of Improved Runway Capacity (IRC) at 72 airplanes per hour, it is the busiest airport in Indonesia.<sup>74</sup> The number of tourist visits, especially from abroad, to Jakarta via Soekarno-Hatta International Airport also increased from 2,240,502 in 2013 to 2,246,437 in 2014, a rise of 5,665 people. The table below shows the detailed number of foreign tourist visits to Jakarta via Soekarno-Hatta International Airport.

**Table 10 Number of foreign tourist visits to Jakarta via Soekarno-Hatta International Airport**

Year	Number of tourists
2009	1,390,440
2010	1,823,636
2011	1,933,022
2012	2,053,850
2013	2,240,502
2014	2,246,437

Source: Data from Central Bureau of Statistics of the Republic of Indonesia (BPS), 2014

## Child prostitution

Kramat Tunggak, North Jakarta, used to be the most famous red-light area in Jakarta. However, in 2012, government officially closed down the area and turned it into Jakarta Islamic Center (JIC).<sup>75</sup> However, this did not spell an end to sex tourism, neither by local people from Jakarta nor travellers from other areas and countries. Child sex tourism in Jakarta primarily took the form of child prostitution. Customers came to hotspots to access young girls such as cafés and nightclubs spread across Enggano Street, Tanjung Priok Harbor, Sawah Besar, Mangga Besar, Jatinegara, Senen, Sarinah and Kemang. Famous hotspots in West Jakarta were Kali Angke and Pecenongan.<sup>76</sup> Karaoke rooms, in particular private karaoke rooms, were also often used to facilitate child prostitution. Children were commonly employed as singers or female escorts in karaoke rooms often referred to as *plus-plus*, which were known to also offer customers sex with children.<sup>77</sup> Hotels were not found to be facilitating child prostitution. Cyprianus Aoer of the Indonesian Hotel and Restaurant Association said:

*“We do not employ any children in our hotels. All of our staff are above 18 years old. That is the requirement. Our hotel staff do not work as sex workers. It is the customers who take the child prostitutes to the hotel after they have a transaction outside. The Indonesian Hotel and Restaurant Association cannot impose any sanction on hotels which provide sexual services from children because it is only an association. It is only communities and law enforcers who can impose the sanction. Since it is only an association, it can only check their documents and advise them not to have sex with children in the hotels. The Indonesian Hotel and Restaurant Association has developed a Code of Conduct and cooperated with police.”<sup>78</sup>*

According to one of staff members of Yayasan Anak dan Perempuan (YAP)<sup>79</sup>, there were different classes of night entertainment places in Jakarta that were often used for child prostitution. This had an influence on the characteristics of their visitors and child

73 Website of “Pesona Indonesia”. *DKI Jakarta*. (Accessed from: <http://www.indonesia.travel/destinations/destination/30/dki-jakarta> [16/09/2015])

74 Dhany, Rista Rama. *Every Hour, There Are 72 Aeroplanes That Take Off and Land on Soekarno-Hatta Airport*. (2014. Accessed from the website of Detik <http://finance.detik.com/read/2014/07/18/202854/2641737/4/setiap-jam-ada-72-pesawat-naik-turun-di-bandara-soekarno-hatta> [16/09/2015])

75 Kramat Tunggak, the Most Famous Red-light Area in Southeast Asia. <http://news.okezone.com/read/2012/04/25/504/618221/kramat-tunggak-lokalisasi-tersohor-di-asia-tenggara>

76 FGD with stakeholders, M. Yunus and Civil Police Unit

77 Plus-plus karaoke is a term used in Indonesia to refer to karaoke room which offers not only songs but also sexual service to its visitors.

78 Interview with Cyprianus Aoer, Hotel and Restaurant Association

79 Interview with Lisa of YAP

prostitutes. Most visitors of lower class entertainment places located in Semper area or located under bridges were porters, and mostly comprised of older and more desperate sex workers. Middle class entertainment places were located mostly in Tanjung Priok, especially near Tanjung Priok Harbor and on the main streets, making them all easily accessible. Sex workers in the area were still young, on average between the ages of 20 and 30, although there were indications that some were actually minors who had their identity falsified. Meanwhile, high-class entertainment places were located in Mangga Dua and Sawah Besar areas. Many child prostitutes worked in the locations and could expect a more affluent clientele than those in Semper and Tanjung Priok. High-class prostitutes also operated in the area in elite entertainment centres and star hotels.<sup>80</sup> According to Inang Winarso of the Indonesian Family Planning Association (PKBI), it was difficult to reveal child prostitution cases because child prostitution was more clandestine and exclusive than adult prostitution. Generally, customers needed an intermediary to enable them to make child prostitutes available for them.<sup>81</sup> The lack of data on the number of child prostitutes was also caused by the falsification of their identity cards. One of pimps in Tanjung Priok said that pimps in the area would not accept children who did not have identity cards for fear of courting any trouble associated with child prostitution. She explained that children who worked for her usually had acquired an identity card from their area of origin and she did not care how, only that they possessed one.<sup>82</sup> Children who accompanied guests drinking in nightclubs or cafés, and children working in karaoke rooms and massage parlours were usually between the ages of 14 and 16 and were mostly girls.<sup>83</sup>

## Online prostitution

Online child sex tourism was an emerging new trend of child sex tourism in Jakarta. Customers could contact child prostitutes directly or book them through their pimps, using social media and smartphones. According to one member of staff of the Ministry of Justice and Human Rights of the Republic of Indonesia, online child sex tourism had resulted in

operations shifting from hotels to apartments. Details of services offered were circulated via spa flyers or brochures containing contact phone numbers. After receiving calls from customers, pimps would send or directly take young girls to their apartments. Instead of operating in the red-light area, the sexual transactions were usually made in apartments or designated places that suited both the pimps and the customers, a common practice in Jakarta.<sup>84</sup>

In April 2015, Metro Jaya Regional Police succeeded in revealing a sex tourism case in Kalibata City Apartment in South Jakarta. The owner of a prostitution business used two apartment units in Kalibata City Apartment, one located in Jasmine Tower and the other in Herbras Tower, to accommodate child prostitutes, with the unit in Herbras Tower used for the sexual transactions. Children were sold for sexual purposes via the internet and broadcast via Blackberry Messenger.<sup>85</sup> The child prostitutes involved were 14, 16 and 17 years old, plus a 16-year-old who was six months pregnant.<sup>86</sup>

## Paedophilia

All paedophilia cases reported to the police in Jakarta involved people known by the victims. Police in Jakarta had not yet developed a good understanding of paedophilia. As a result, the filed child abuse cases failed to clearly show whether child abusers had a sexual diorientation that made them plan to have sex with children, or whether they were situational abusers who did not have a special preference to having sex with children. Since situational child abusers were often perceived as paedophiles, this made the available data invalid. It was assumed that a child sexual abuse case in Jakarta International School (JIS) was a paedophile case. The abusers were locals and the victims were foreign children attending JIS. Media coverage of this event also uncovered that JIS had employed William Vahey, a serial American paedophile, as a teacher between 1992 and 2002. This served as the basis for the assumption that foreigners who were paedophiles might disguise themselves as teachers in Jakarta.

80 Interview with Lisa of YAP

81 Interview with Inang Winarso, PKBI Jakarta

82 Interview with Mami Once

83 Interview with Lisa of YAP

84 Interview with the Ministry of Justice and Human Rights of the Republic of Indonesia

85 Kompas Portal news. "Mengungkap prostitusi di Apartemen Kalibata City"/ "Revealed Child Prostitution in Kalibata City Apartment". (26 April 2015) Accessed from: <http://megapolitan.kompas.com/read/2015/04/26/07555261/Mengungkap.Prostitusi.di.Apartemen.Kalibata.City>

86 Kompas Portal news. "Pekerja Seks diBawah Umur di Kalibata City Hamil enam bulan"/ "Underage Sex Worker in Kalibata City Six Months Pregnant". (26 April 2015) Accessed from: <http://megapolitan.kompas.com/read/2015/04/26/10071091/Pekerja.Seks.di.Bawah.Umur.di.Kalibata.City.Hamil.Enam.Bulan>



## AGENTS INVOLVED IN CHILD SEX TOURISM

### Child sex tourists

Child sex tourists in Indonesia came from different backgrounds. They might be locals, foreigners, youths, private company workers, civil servants or professionals. According to Inang Winarso of the

Indonesian Family Planning Association (PKBI), a mapping conducted in 2011 showed that sex buyers were high-risk men and most of them were employed as private company workers and civil servants.

Data on court decisions for cases of sexual exploitation of children from the official website of the Supreme Court of the Republic of Indonesia showed that generally, most of the child exploiters were local men.

**Table 11 Child sexual exploiters in Indonesia by sex category 2010 – 2015**

Year	Sex		Total
	Female	Male	
2010	4	7	11
2011	10	17	27
2012	2	31	33
2013	1	51	52
2014	8	50	58
2015	0	4	4
Total	25	160	185

Source: The official website of the Supreme Court of the Republic of Indonesia

The age groups of child sexual exploiters in Indonesia varied greatly. Of a total of 185 child sexual exploiters who were convicted from 2010 to 2015, 85 people were between the ages of 18 and 29; 33 people were

between the ages of 30-39; 28 people between the ages of 40 and 49; 12 were between the ages of 50 and 59; six were over 60; and 19 people were under the age of 18.

**Table 12 Child sexual exploiters in Indonesia by age group category 2010 – 2015**

	<18	Age groups							Total
		18-29	30-39	40-49	50-59	>60	Others		
Year	2010	2	4	1	1	1	2	0	11
	2011	2	17	5	2	0	1	0	27
	2012	1	16	5	1	9	0	1	33
	2013	4	24	9	12	1	1	1	52
	2014	10	20	13	12	1	2	0	58
	2015	0	4	0	0	0	0	0	4
Total		19	85	33	28	12	6	2	185

Source: The official website of the Supreme Court of the Republic of Indonesia

Child sexual exploiters varied in terms of their employment. Data showed that they included law enforcers, civil servants, private company workers,

farmers, technicians, day labourers, unemployed and students. More detailed information about their jobs can be found in the following Table 13.



**Table 13 Child sexual exploiters in Indonesia by job category 2010 – 2015**

Year	Child sexual exploiters' job											Total
	Private company worker	Military/Police/Civil police unit	Civil servant	Business man	Student	Farmer/Fisherman	Driver/Tailor	Technician	Jobless	Day labourer	Others	
2010	4	1	1	1	3	1	0	0	0	0	0	11
2011	9	0	2	2	6	3	2	0	2	0	1	27
2012	6	0	1	9	3	4	2	5	0	2	1	33
2013	8	0	1	8	3	7	3	0	0	3	19	52
2014	13	0	0	17	7	1	1	1	5	6	7	58
2015	1	0	0	0	0	0	0	0	0	0	3	4
Total	41	1	5	37	22	16	8	6	7	11	31	185

Source: The official website of the Supreme Court of the Republic of Indonesia

According to Budi Prabowo of the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia, most of child sex tourists were those of working age.

*"Child sex buyers vary greatly. Most of them are in their working age. They are between the ages of 35 and 60 years. Most of them are rich because it is only the rich who can visit tourism destinations."*<sup>87</sup>

He added that there was a possibility that the sex buyers could also be women. If so, this would be undertaken in a more clandestine manner by using the services of an intermediary from the existing network.

*"Women must use a mafia network to make boys available for them. They cannot directly go there to choose the boys they want. They cannot do that. They must use an intermediary. However, the situation will be different if they have known the boys. For example, they have met in a café before. Then, they just need to make a deal and meet directly. However, the women generally will contact their network first. It is their network that will provide the boys for them."*

A pimp in one of the cafés in North Jakarta revealed that the majority of guests who came to cafés in Tanjung Priok, North Jakarta, were harbour workers who came from Asian countries, especially Myanmar. Sex buyers also came from Thailand, Malaysia, Bangladesh, Korea, China, Saudi Arabia, Australia and UK. Most of them were members of a ship crew

whose ships were docked in Tanjung Priok Harbor, construction workers, project workers, expatriates and travellers.

Most of the child sex buyers in Medan were married men. The child prostitutes in the city often referred to them as tubang. Some of the child sex buyers were elderly. They generally worked as civil servants, private company workers or as businessmen. They usually came from different areas in North Sumatra such as Langkat and Pematang Siantar, and from areas further north, especially Aceh. Some customers came from abroad from countries such as Malaysia and Singapore.

Many child prostitutes falsified their documents to show an increase in their age. According to Risa, one of child prostitutes in Medan, she decided to falsify her identity card and increase her age because she felt offended by a client.

*"When I was at senior high school, my customer was a civil servant. He actually disliked children who became commercial sex workers. He told me that many students behaved badly. I felt offended. Then, I decided to increase my age."*<sup>88</sup>

Sex buyers in Medan usually had children made available to them by a pimp they had prior acquaintance with. Sex buyers from Aceh were usually businessmen who travelled to Medan looking to buy sex from girls whose sexual services they had previously bought, often recommending them to their friends back in Aceh. Sex buyers from Malaysia displayed a similar pattern, with children being made

87 Interview with Budi Prabowo of the Ministry of Women's Empowerment and Child Protection

88 Interview with Risa (pseudonym), a child sex worker in Medan, in January 2015

available to them through a pimp. The pimp usually showed them photos of the child prostitutes, after which they met them directly to negotiate the sexual services. If satisfied, the customers would promote the pimp to their friends.

In an interview with ECPAT Indonesia, Ali Aulia Ramli of UNICEF revealed it was assumed that some child predators took the route of marriage to legalise sex with children.

*“There are weaknesses in Law on the Eradication of the Criminal Act of Trafficking in Persons and Law on Child Protection. They do not explicitly regulate child prostitution and sexual exploitation. They are ambiguous. For example, if I marry a minor, I cannot be prosecuted. There is no law and regulation that can be used to arrest me. I can just easily say that we were married when we had sex. Data from UNICEF shows that 25% of women between the ages of 19 and 25 got married when they were 18 years old. We do not know whether it is only a common practice or a way that child predators use to legalise their action.”<sup>89</sup>*

Child sex tourists in Bali, especially those targeting female teenagers, were men between the ages of 30 and 45 years. They were local and foreign tourists who generally came to Bali for vacation. To gain access to children, they visited red-light areas, talked to pimps or met the girls directly in entertainment places in Bali. Boy prostitution was an emerging trend in Bali. Luh Anik Ariani, a counsellor at Yayasan Gerasa Bali, found that buyers of boy prostitutes were mostly local men and tourists, but also truck drivers transporting goods to Bali. These truck drivers were often married, but due to their sexual desire and economic factor, bought sexual services from male teenagers.

Most of the paedophiles in Bali were foreign tourists and were above the age of 50. They did not have a family and came to Bali alone, often multiple times, with experience of interacting with local communities. They targeted poor areas and communities in Bali. To win their favour, they approached their potential victims and their families and helped them alleviate their poverty. As well as the children's families, they also forged good relationships with other members of the communities so that they would not be suspicious of them.

## Intermediary/Mediator

Child sex tourists used different methods to make children available to them. Some of them tried to find children themselves by visiting entertainment places directly or by using an intermediary. Financial transaction analysis of sex tourism industries by Financial Transaction Report and Analysis Center (Pusat Pelaporan dan Analisis Transaksi Keuangan – PPATK) found that many child sex tourists used intermediaries, who were usually locals.

An analysis of fund transfers from sex tourists to intermediaries conducted by PPATK found that the transfers were concentrated in certain areas, especially in West Java (Bandung, Cimahi, Cianjur, Bogor and Sukabumi), Central Java (from Kendal to Gerobogan), Sulawesi (Palu and Poso), South Sumatra, Bali, Lombok and East Nusa Tenggara. The intermediaries were usually teachers, most commonly teachers of swimming, music, English and Early Childhood Education (Pendidikan Anak Usia Dini – PAUD). In addition to teachers, the financial analysis also found evidence of a vocational high school student also becoming an intermediary. This could be seen from the high intensity of financial transactions going into her bank account from abroad. She also sold some of her schoolmates to her customers. Regarding the involvement of teachers in child prostitution, below is a statement made by the Financial Transaction Report and Analysis Center.

*“He is an angklung (a kind of musical instrument made of bamboo) trainer. The training involves many people. He is also a piano teacher. However, it is impossible to be a piano teacher in the village. He can interact with the foreigner because he has taught in the foreigner's family. However, since he is a music teacher, it is easy for him to teach angklung. The difference is only the musical instruments. The musical arrangement must be same. So, maybe he has an access to the foreigner.”*

According to the Ministry of Women's Empowerment and Child Protection, both men and women became intermediaries of child sex tourism. They were usually between the ages of 25 and 40, although in Surabaya, some were found to be as young as 15 years old. Some of these intermediaries sold children for sexual purposes as their main job while others sold children as their side job, while working as an event organiser, or owner of a model agency or saloon. It was difficult to identify these intermediaries. Only those who had

---

89 Interview with Ali Aulia Ramli of UNICEF

a full understanding of sex trade codes could identify them. Budi Prabowo of the Ministry of Women's Empowerment and Child Protection said that he had once observed a young man acting as an intermediary in a famous shopping centre in Jakarta. The long-haired man walked around until he found a potential buyer and begin negotiating. He sold boys and men to customers who were primarily married women. Prabowo revealed:

*"Women usually could not directly get access to boys and men for sex, except those they had previously met and got acquainted with in the mall. Actually, the young man was not a prostitute. He [...] had a network. As the woman came, the young man asked her to wait in her car. Within less than ten minutes, the boy prostitute came. He got some money. The money was given in the location directly. Then, the boy got into the car. The woman took him to a hotel or somewhere else. [...] The young man might be a student or a university student. However, he was not a gigolo because as far as I knew and according to my experience, a gigolo usually had a network. They usually gathered in certain places such as a fitness centre or a café."*

An ex-child pimp from Medan who went by the pseudonym Rere admitted he started selling his friends at first grade of senior high school when he was 16 years old. He gave up being a pimp because he had a younger sister and was now pursuing a career as an MC. Rere revealed:

*"I did not sell them. I only facilitated them. The most important thing was that I had shown them the houses. I did directly sell the girls. I only sold them to men I had known. I had a lot of friends and they were shemales. The pimps were not the girls but the shemales. They had been trapped and arrested by police."*

According to Rere, it was his friends themselves who asked him to promote them to his customers. At first, they only accompanied them to dinner, or to a karaoke room and dancing. Eventually, they had sex with the customers in a hotel. Many child prostitutes who sold their own friends did so by introducing them to their existing customers.

Rika, a 20-year-old female pimp became a sex worker and subsequently a pimp after her friend sold her. People in New Zone knew her as Mami Aga. She sold children after she found potential customers by scouring entertainment places and karaoke rooms. She usually sold child prostitutes for a short-time sexual service. Her customers mainly came from Medan, Aceh, Bandung, Singapore and Europe. Many customers, especially those from Aceh, wanted young girls who were still virgins, yet did not want to pay much. They paid a maximum of IDR 1 million. A foreigner from Europe who stayed in Swiss Bell Hotel Medan had once asked Rika to provide him with a young girl for sex. She recalled:

*"At that time, I went to Elegant. When I was angry, I went downstairs and met a Singaporean man. He was with my friend. Then, the man told me that he wanted to have a girlfriend who could speak English."*

In addition to using pimps who managed sex workers in the red-light areas, intermediaries in Bali involved tourism industry workers, as in the case of a bus driver who helped sell children to a foreigner from South Africa in Sanur, Bali, in 2013. It was also a fact that many parents, especially those from poor families, would be proud that their children had foreigners as friends, and would often voluntarily introduce and take their children to meet foreigners. This had shown that parents also indirectly became intermediaries for child sex tourism.

# CHAPTER 5

## CHALLENGES IN ADDRESSING CHILD SEX TOURISM

### LAWS AND LAW ENFORCEMENT

Although under the international laws and legal instruments, child sex tourism is categorised as a crime, there is no article in the Indonesian national laws and legislations that defines the crime. Consequently, child sex tourism is a crime that cannot be criminalised. The ratification of the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography by the Indonesian Government through Law Number 12 Year 2012 was not followed up by harmonising a number of laws, especially the Law on Child Protection, with the ratified Optional Protocol to enable us to criminalise child sex tourists.

In actual fact, Indonesia has had a number of laws passed that could be used to protect children. Indonesia ratified the Convention on the Rights of the Child (CRC) in 1990. A dozen years after the ratification of the CRC, Indonesia enacted Law Number 23 Year 2002 on Child Protection. The law has become a milestone for child protection in Indonesia because it is the first law on child protection. Unfortunately, the law fails to define child sex tourism. However, Article 88 of Law on Child Protection states:

*“Every person who economically or sexually exploits a child for his/her own gain or the gain of some third party shall be subject to a term of imprisonment of not more than 10 years and/or a maximum fine of two hundred million rupiah (IDR 200,000,000).”*

Article 88 of the Law on Child Protection is the only article that can be used to prosecute child sex tourists, although it has some weaknesses because it neither explicitly mentions child sex tourism nor gives an interpretation of the “sexual exploitation of children” mentioned in the article. Therefore, a doctrine can be used to only give an interpretation of sexual exploitation of children. Nevertheless, under the Law on Child Protection, every person who engages a child in sexual intercourse or indecent behaviour

shall be subject to a minimum term of imprisonment of three years and a maximum term of 15 years and a minimum fine of IDR 60 million and a maximum fine of IDR 300 million.

In 2014, Law Number 23 Year 2002 on Child Protection was revised by the Indonesian Government and Legislatures. It became Law Number 35 Year 2014. Law Number 23 Year 2002 on Child Protection was revised in response to the high number of child sexual abuse cases after the public encouraged the Executives and Legislatures to revise the law as soon as possible. However, the revision of the Law was not satisfying because it did not include child sex tourism. The revision of Law Number 23 Year 2002 with Law Number 35 Year 2014 was made to increase the minimum punishments from three years imprisonment to five years imprisonment and maximum fine of IDR 5 billion.

Regarding the criminal act of trafficking people, in 2007, the Indonesian Government enacted Law Number 21 Year 2007 on the Eradication of the Criminal Act of Trafficking in Persons. Under the law, the minimum punishment is three years imprisonment and the maximum punishment is 15 years and the minimum fine is IDR 120 million and the maximum fine is IDR 600 million. Although the law cannot criminalise child sex tourists, it can punish any person caught trafficking children for exploitation purposes, including sexual exploitation of children. However, it cannot be used to criminalise child sex buyers.

Another Indonesian law which is related to child sex tourism is Law Number 11 Year 2008 on Electronic Information and Transaction. The law criminalises every person who distributes, or electronically transmits any document which contains immoral content. It carries a maximum fine of IDR 1 billion. The punishment could be increased by one-third if the moral crime was intended to sexually exploit children. In relation to child sex tourism, the law would be applicable if child sex tourists were caught transmitting child photos to sexually exploit children. Some tourists who had been arrested could be criminalised not only by the Law on Child Protection

but also by the Law on Electronic Information and Transaction.

Law Number 44 Year 2008 on Anti Pornography criminalised every person who distributed any pornographic content, a punishment that could be increased by one-third if the pornographic content was related to children. In addition, Law Number 13 Year 2006 on Labor Force stipulated that every person who used a child illegally to produce pornographic content or used a child for pornographic performance shall be subject to a minimum term of imprisonment of two years and a maximum term of imprisonment of five years and a minimum fine of IDR 200 million and a maximum fine of IDR 500 million.

Indonesia alone ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Trafficking in 2012 through Law Number 10 Year 2012. Unfortunately, the ratification of the Optional Protocol was not followed by the harmonisation of national laws in line with international standards. In fact, the revision of Law Number 23 Year 2002 with Law Number 35 Year 2014 was not based on the ratified Optional Protocol.

### NATIONAL LAWS AND REGULATIONS

- The Indonesian laws do not regulate sexual exploitation of children
- The Indonesian laws do not give severe punishment to buyers of sexual service from children
- The ratification of the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Trafficking is not followed by the harmonisation of national laws with the ratified Optional Protocol

The Indonesian Government has shown its strong political will and, despite having a comprehensive legislation, it was partial and lacked details that could lead to criminalizing child sex buyers. Since they fell within a grey area, the number of child sex buyers who could be criminalised was very low.

### ACCESS TO SERVICES

Indonesia had not as of yet introduced any national policies related to the provision of services to child victims of sexual exploitation. Consequently, service providers for child victims of sexual exploitation remained unavailable. Although the Ministry of Social Affairs had established Child Social Protection Home (*Rumah Perlindungan Sosial Anak* – RPSA)

in some provinces in Indonesia, the existing RPSAs were not specifically designed for children who were victims of sexual exploitation, but for those who were victims of physical abuse or sexual abuse in the domestic sector. Although the RSPAs were sometimes used to refer children who were victims of sexual exploitation, they did not have trained human resources who could provide counselling services to the victims. RPSAs were therefore failing to provide the necessary services to children who were victims of sexual exploitation adequately. Another institution that had been given a mandate to provide services for child victims was the Integrated Service Center for Women's Empowerment and Children. The Integrated Service Center was established in some provinces in Indonesia under the coordination of governor, district head or mayor. The two institutions, however, had some differences.

The Child Social Protection Home fell structurally under the Ministry of Social Affairs. It specifically provided services to abused and neglected children, who were temporarily housed in the Child Social Protection Home until law enforcers had finished handling their case. Meanwhile, the Integrated Service Center for Women's Empowerment and Children fell structurally under the coordination of governor, district head or mayor and its mandate was to specifically provide protection, legal aid and reintegration services to children and women who were victims of domestic violence, sexual abuse and physical abuse. The Integrated Service Center had some weaknesses because it was greatly dependent on the commitment of each individual governor, district head or mayor involved. Consequently, some of the Integrated Service Centers had an adequate amount in their budget while others were low on funds. Children who were victims of sexual exploitation also did not feel comfortable staying in these institutions, due to the absence of special services for them or the lack of staff trained with the necessary skills to work with the child victims. Furthermore, children who were victims of sexual exploitation were not separated from other child victims, often resulting in conflicts among the children and between the child victims and staff.

### DEMAND/SUPPLY

The last challenge in addressing child sex tourism in Indonesia was the increasing demand for sex with children from sex buyers every year. The higher demand for sex with children nationally was hard to address by using the existing and applicable laws. Suppliers continued to recruit children and employed them in entertainment places such as nightclubs, karaoke rooms, pubs, massage parlours and brothels. In addition, children were trapped into the prostitution



business by “selling” themselves to consumers directly or through an intermediary or a third party that introduced them to potential consumers. This relationship between supply and demand had directly contributed to the higher number of child prostitutes in Indonesia.

It was found that supply and demand was closely related in the three research locations. For example, in Medan, the entertainment business had significantly developed in recent years. Hotel business had also developed in line with the rapid growth of trade in the city. Businessmen invested their money in the tourism industry, especially in the hotel and entertainment sectors. This made it an attractive proposition for businesses from various cities and from neighbouring countries such as Malaysia and Singapore to hold their meetings in the city because it was cheap and close. Unfortunately, the rapid growth of the business sector was not accompanied by serious efforts to protect children from the risk sexual exploitation. Sex operators manipulated the situation by offering children for sex to hotel and entertainment business owners. The situation got worse because the illicit trade had given bribes to law enforcers and financial incentives for gangsters to protect and back the businesses. Consequently, there was no one in a position to intervene and cut the business chain. The child sex industry had been perpetuated to such an extent, in many cases children were promoted to customers for sex at a competitive cost, with child sex tourism packages offered, sometimes even included as part of a package, such as a golf package that came with two young girls. Similarly, entertainment places in the city were also used to facilitate child sex tourism. There were different massage packages available, including a fast food-style menu offering a two girls one room package, and a package that guaranteed girls under the age of 18. Child sex tourism packages were designed to be as attractive as possible for an international audience, with the packages priced at Malaysian Ringgit and Singaporean Dollar instead of in the local currency.

Child sex had become a commodity which was offered not only to foreign tourists but also local ones. Medan had long been a popular destination for businessmen from other cities, and had become an attractive proposition for merchants because it offered cheaper cost, more choices, easier access to transportation and its many types of accommodation facilities to suit all budgets. It also boasted numerous entertainment places, from roadside cafés to five-star venues. There were different choices of girls on offer for businessmen, with varying prices, depending on the financial status of the sex buyers. The cheaper the

price, the greater the risks that the buyers might face. For example, low-class child prostitutes were usually poorly educated, considered less attractive and more likely to commit a crime. They might also have poorer health and give their customers a less satisfying sexual service. Therefore, wealthy customers tended to prefer high-class prostitutes who offered services that were more professional and at lower risk, hence more expensive. There was also evidence that some sex operators offered the services of virgins, who naturally came at a high price. Customers who wanted virgins had to pay extra to both the sex operators and the girls whose virginity they took. Once customers were satisfied with the sexual services, they would then often bypass the sex operators and contact the girls directly.

A similar situation could also be seen in Jakarta. Various services were on offer to customers, the sensual massage being the most common. Many massage parlours in Jakarta offered their customers sexual services, with the majority of the masseurs being young girls under the age of 18, whom if asked, would claim to be over 18. Massage parlour owners were aware of the risks of recruiting and employing children, so helped to raise the children's ages by falsifying their identity cards. The extra services on offer was known as “massage plus”, meaning massage plus sex.

Another form of child sex tourism involved sex with students and children who came from a higher social class. This was an emerging new trend in Jakarta and was in the domain of the affluent, with customers including politicians and high ranking government officials paying large sums of money for their services. There was also evidence that the child prostitution business had been used for money laundering. Some of research informants interviewed confirmed that corruptly gained money was used to sexually exploit children, with instances where child prostitutes were not paid in cash but by using a bank transfer.

Child sex tourism in Bali may have found its way into orphanages. The donors were often foreign tourists, and there were some who even established orphanages, although these were managed and run by locals. Despite no report of child abuse and exploitation in orphanages themselves, a number of tourists had visited orphanages and were allowed to take children out to stay with them overnight in their hotel. Bali Regional Police had investigated this but did not find any strong evidence of any incidence of child sexual abuse and exploitation in orphanages.



# CHAPTER 6

## CAPACITY AND POTENTIAL TO RESPOND

### GOVERNMENT

The Indonesian Government had not as of yet implemented any special programme to protect children from sexual exploitation in tourism destinations. As explained earlier, the Indonesian Government had in fact enacted a number of laws to protect children from sexual abuse in general, such as Law Number 23 Year 2002 on Child Protection, Presidential Instruction Number 5 Year 2014 on National Movement Anti Sex Crime Against Children and Regulation of Minister of Culture and Tourism Number PM.30/HK.201/MKP/2010 on Guidelines for the Prevention of Sexual Exploitation of Children in Tourism. Although the Indonesian Government had made a number of policies, they were facing obstacles in their goal to socialise them and from preventing sex crimes from happening. In addition to the national policies, local governments were also encouraged to make local regulations to protect children. It was only DKI Jakarta and Bali that had implemented Local Regulation on Child Protection. Medan did not yet have such a regulation and instead referred to Local Regulation of North Sumatra. Currently, the Ministry of Women's Empowerment and Child Protection was developing a guideline for the establishment of a village child care group/neighbouring unit to protect children at a grass-root level (neighbouring unit and village levels) in general and not in tourism destination in particular.

In addition to the Ministry of Women's Empowerment and Child Protection and the Ministry of Tourism, the Financial Transaction Report and Analysis Center had also helped the Indonesian Government deal with the issue, especially in terms of supervising financial transactions made within sex tourism networks. The Financial Transaction Report and Analysis Center had developed a financial transaction tracking system, Integrated Service User Information System (*Sistem Informasi Pengguna Jasa Terpadu – SIMPESAT*), that could be used to monitor financial transactions by 200 million Indonesian customers. The data was highly classified and could be used by police to fully investigate individuals and sex

tourism networks in tourism destinations in Indonesia. The Financial Transaction Report and Analysis Center had paid particular attention to sex tourism facilitators. It showed that sex tourists were made up of both foreigners and Indonesian residents, with the money spent for sexual transactions transferred not only within Indonesia but also abroad, especially neighbouring countries with a high risk of child sex crimes such as the Philippines and Thailand. To improve its supervision function, the Financial Transaction Report and Analysis Center also cooperated with similar institutions from other countries such as AMP, FAY Australia and Austrek.

### INTEGRATED SERVICE CENTER FOR WOMEN'S EMPOWERMENT AND CHILDREN

The Integrated Service Center for Women's Empowerment and Children is a government institution established at provincial and district/municipal levels aiming to provide services to children and women who were victims of abuse and exploitation. In general, the Integrated Service Center focused its work on victim services and socialisation of child protection to communities in cooperation with other organisations concerned with child issues. There were a number of these service centres in the research locations, such as Integrated Service Center for Women's Empowerment and Children of Bali Province, Integrated Service Center for Women's Empowerment and Children of Denpasar, Integrated Service Center for Women's Empowerment and Children of Buleleng, Integrated Service Center for Women's Empowerment and Children of Medan, and Integrated Service Center for Women's Empowerment and Children of Jakarta. The Integrated Service Center for Women's Empowerment and Children of Denpasar was one of the main centres to play an active role in child protection, especially in tourism. In 2013, the centre successfully worked with children who were victims of sexual abuse at the hands of a South African tourist in Sanur, Bali. It provided legal aid services to the victims to enable them to prosecute the abuser and the facilitator, as well as offering

rehabilitation services to help them reintegrate back into their families and communities.

## POLICE

In handling child sex tourism cases, the Indonesian Police had tried to investigate and collect evidence, but so far had only handled the reported cases, which left a low number of revealed cases of sexual exploitation of children, especially those in tourism destinations. One of the major police achievements in handling child sex tourism cases was when South Jakarta Resort Police revealed a case involving a child prostitution business in Kalibata City Apartment. They succeeded after the Indonesian Police Headquarters cooperated with the relevant regional police forces.

To enable police to provide adequate service to women and children, the Indonesian Police had established a Special Service Unit for Women and Children (*Unit Pelayanan Perempuan dan Anak – Unit PPA*). Such units were located in police stations throughout Indonesia, starting from regional police (provincial level) to resort police (police at district/municipal level). To further protect children, police also liaised with other relevant parties such as the Ministry of Social Affairs, the Ministry of Women's Empowerment and Child Protection, Board of Social Affairs, Board of Women's Empowerment and Child Protection, Civil Police Unit, Integrated Service Center for Women's Empowerment and Children, Ministry of Tourism, Board of Tourism, private sectors, legal aid institutes, as well as non-governmental organisations concerned with child protection. The cooperation was established for case investigation, socialisation of sexual exploitation of children to the communities, socialisation of government policies on child protection in tourism destinations and capacity building in case handling for police officers. For example, on 13th January 2015, Bali Regional Police cooperated with the Indonesian Hotel and Restaurant Association of Bali and Bali Hotel Association to socialise the importance of keeping an eye on guests to hotel and restaurant staff. They had to be watchful of tourists and protect local children from sexual exploitation by hotel guests, as well as protecting the children of the guests from sexual abuse by members of the local communities. This was important because some cases handled by Bali Regional Police showed that child abusers and exploiters targeted not only local children but also foreign children travelling with their parents. Bali Regional Police, together with relevant tourism sectors, was dedicated to creating the image of Bali as a cultural tourism destination and not a sex tourism destination.

As a part of their public protection services from sex tourists, the Indonesian Police also cooperated with Interpol. As the second largest organisation in the world after the United Nations, Interpol maintained a direct link with its 192 member states. For example, when the United States of America sent a red notice to Indonesia, Interpol at the Indonesian Police Headquarters would pass the information to relevant institutions in the country such as Immigration Office and Criminal Investigation Bureau of the Indonesian Police Headquarters to enable them to pass the message on to the Special Service Unit for Women and Children. Interpol could also contact relevant regional police to enable regional police to investigate those mentioned in the red notice.

To improve their child protection service in tourism, the Indonesian Police also cooperated with the Australian Federal Police (AFP), who had previously assisted them, especially the Bali Regional Police, in revealing and handling child sex tourism cases, as well as building the capacity of investigators in case investigations. This cooperation, which was put in place after an Australian Diplomat was involved in a paedophilia case in Bali, was vital because there were many child sex tourists from Australia who travelled and visited Bali.

## LEGAL AID INSTITUTE

Legal Aid Institute (*Lembaga Bantuan Hukum – LBH*) also played a role in the elimination of sexual exploitation of children in tourism destinations by providing legal aid services to sexually abused children and advocating for child protection policies. There were some legal aid institutes in the research locations that provided legal aid services to child victims, such as LBH Medan and LBH Bali. Meanwhile, LBH Jakarta currently focused on the issue of child domestic workers. LBH APIK focused their work on the provision of legal aid services for women and children. In addition to the provision of legal aid services for victims, LBH and other independent organisation networks actively advocated for the improvement of the quality of child protection policies at local and national levels, as well as capacity building for law enforcers. For example, LBH Bali, LBH APIK Bali and local NGOs in Bali, which were members of Jaringan Peduli Anak Korban Kekerasan, took part in advocating for the making of Local Regulation of Bali on Child Protection.

## **TOURISM BUSINESS SECTOR**

### **Accor Hotel Group in Indonesia**

Accor Indonesia and ECPAT Indonesia were united in their commitment to eliminate child prostitution, child pornography and child trafficking. As part of its drive to play an active role in child protection in Indonesia, ACCOR Indonesia had been the main supporter of Child Wise ASEAN, a campaign to fight against child abuse. Since December 2006, ACCOR Indonesia had included an anti-child abuse campaign on in-flight films on board Garuda Indonesia Airways. It had also involved its networks in Jakarta and Bandung in promoting the prevention of sexual exploitation of children in tourism. In 2014, in collaboration with one of members of ECPAT Indonesia, Yayasan Bahtera, it launched a mass campaign 'Stop Child Abuse Now', involving more than 300 people on the streets. This was followed by a similar campaign in 2015 involving more people, but unfortunately, the campaign had not yet been followed by ACCOR networks in other cities in Indonesia.

### **PT Angkasa Pura II**

As the airport regulator in Western Indonesia, PT Angkasa Pura II, in association with ECPAT Indonesia, introduced an anti child sex in tourism campaign. The three-month campaign was conducted in the arrival terminal of Soekarno-Hatta International Airport, with the intention of making tourists who visited Indonesia via the arrival terminal of Soekarno-Hatta International Airport aware that Indonesia had shown its serious commitment towards the elimination of child sex tourism, while warning them of the consequences of sexually abusing and exploiting children in the country.

### **Taxi Putra Jakarta**

Taxi Putra Jakarta was one of the taxi operators in Jakarta that had cooperated with ECPAT Indonesia to educate its drivers so that they would be more watchful of passengers who asked for information about child sex tourism destinations in Jakarta. Taxi Putra Jakarta also supported the socialisation of child sex tourism by providing public service announcement about the issue on board their taxis.

## **NON-GOVERNMENTAL ORGANISATION (NGO) AND INTERNATIONAL ORGANISATION**

### **Yayasan Anak dan Perempuan (YAP) and Yayasan Bandung Wangi**

YAP and Bandung Wangi were two NGOs focusing their work mainly on commercial sex workers. The programmes they had in operation included regular health check-ups, study groups and job placements for sex workers. These programmes allowed them easier access to sex workers and pimps, and a better opportunity to relate and share their experiences. The most important thing for YAP and Bandung Wangi was to identify the child sex workers. They then tried to work with those identified by involving them in group learning and life skill training programmes to enable them with the necessary skills to move into a better profession.

### **International Organisation for Migration (IOM) Indonesia**

IOM Indonesia had a victim assistance fund to assist trafficked children, including those trafficked for sexual purposes in tourism destination. The fund was used to assist trafficking victims by repatriating them back with their families or finding them an extended family. In addition to the repatriation of trafficking victims, IOM Indonesia used the fund for the provision of medical care, social reintegration such as sending them back to school, and provision of legal assistances to access justice.

### **Committee Against Sexual Abuse (CASA) Bali**

CASA Bali is part of the Suryani Institute of Mental Health, a local NGO in Bali that focused its work on mental health, child protection and the elderly. It had extensive experience in handling child abuse cases, especially paedophilia cases. One of their programmes was advocacy. They advocated for the socialisation of Law on Child Protection and encouraged prosecutors and judges to impose more severe punishment on child abusers and exploiters because some prosecutors and judges were reluctant to use the Law on Child Protection to prosecute and convict the abusers and exploiters.

In terms of rehabilitation, they specialised in hypnotherapy to help victims recover from their traumas. Although the law did not require victims to receive therapy, CASA Bali felt it was important to do so to help victims come to terms with if not forget the trauma endured at the hands of paedophiles, as well as aid them in their growth, development and interaction with others. So far, the hypnotherapy service had shown to help with recovery, although the organisation acknowledged that the process was not easy and expensive.

CASA Bali could not provide hypnotherapy treatment to paedophiles due to the lack of scientific literature that doing so might “cure” them. Also, seeing as their advocacy work was instrumental in jailing them, it made it harder for the organisation to approach convicted paedophiles.

### **Lentera Anak Bali and Yayasan Sinar Harapan Bali**

As local organisations concerned with child sexual abuse in tourism destinations, Lentera Anak Bali and Yayasan Sinar Harapan Bali worked with child hawkers and children whose parents were porters in Badung Market. From their work, they found that children whose parents were porters often associated with and went out with foreigners without proper supervision. Although some of the foreigners had sexually abused these children, their families and communities did not seriously respond to the incidences. In fact, they often turned a blind eye to children interacting with foreigners. To minimise the negative impacts of the interaction on children, Lentera Anak Bali participated in joint advocacy with a local NGO network in Bali, but also worked with children and their parents, especially to help them access formal education. By doing so, it was hoped that the children may not follow their parents’ footsteps to become porters, nor be a street hawker in Kuta Beach. Like Lentera Anak Bali, Yayasan Sinar Harapan Bali also provided education services to children whose parents were porters. However, they used a different approach. The organisation directly provided these children with informal education in a system similar to home schooling. This was particularly relevant because many felt reluctant to attend a formal school. The approach was also effective in encouraging and involving older children to access informal education. Through the education programme, these children were more open to share their stories, especially regarding foreigners who often visited them. However, they refused to disclose the full name of foreigners who took them out.

### **End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT) Indonesia**

ECPAT Indonesia and private sectors, especially those working in the tourism sector, conducted a joint campaign for the elimination of sexual exploitation of children in tourism destinations. The organisation succeeded in establishing cooperation with Angkasa Pura II, Indonesian Hotel and Restaurant Association, Indonesian Tourism Actor Association and Putra Taxi for the elimination of sexual exploitation of children in tourism destinations. Angkasa Pura II was keen to be part of the campaign to stop child sex tourism, and placed campaign media in the arrival terminal of Soekarno-Hatta International Airport to warn foreign tourists against abusing and exploiting children sexually. In addition, they provided two information booths to help socialise child sex tourism among airport visitors. The cooperation lasted for three months but further discussions were made to campaign the issue again in the future by using more eye-catching media. Meanwhile, the Indonesian Hotel and Restaurant Association also expressed interest in socialising the issue and providing training for hotel staff in Jakarta to raise awareness of sexual exploitation of children in the city. Similarly, the Indonesian Tourism Actor Association had established a cooperation with ECPAT Indonesia by helping the organisation distribute and place banners produced by ECPAT Indonesia in the offices of its members in all provinces in Indonesia. Putra Taxi warmly welcomed the cooperation programme between ECPAT Indonesia and the company to help the prevention of sexual exploitation of children by training its drivers, staffs and taxis accordingly.

In addition to cooperation with the private sectors, ECPAT Indonesia also provided legal aid services to victims of child sexual abuse and exploitation, such as victims of child sex tourism, child pornography, paedophilia, online child prostitution and child trafficking for sexual purposes. The legal aid services were offered from police to court levels. The organisation also provided referral services to the child victims based on their needs such as counselling, medical check-ups (*visum et refertum*), financial support to minimise the impacts of the abuse on victims. It also helped with purchases such as milk, baby diapers, and other essentials to help meet the needs of the victims’ baby and to ease the process of victim repatriation to their home village. ECPAT Indonesia also cooperated with relevant government institutions such as Witness and Victim Protection



Agency (*Lembaga Perlindungan Saksi dan Korban – LPSK*), Ministry of Social Affairs (PSKW and RPSW shelters) to provide life skill training to the victims before they were repatriated to their family. In some cases, it offered Judicial Commission as one of the institutions being responsible for judge supervision, especially in matters that related to questions raised by the judges to the victims and witnesses in court trial, and any unjust decision made against the victims.

## SOCIAL ACTION AND MOVEMENT

### Individual action

#### Ayu Mas Ismayani

Ayu Mas Ismayani, a child activist in Bali, played an active role in child protection in the island, especially when she led the conviction against the paedophile Jan Vogel. In 2012, the Integrated Service Center for Women and Children of the Indonesian Police Headquarters asked her to reveal a paedophilia case involving the Dutch paedophile. According to our informant from the Indonesian Police Headquarters, Vogel planned to flee so it was imperative the case was handled immediately. Local police tried to get victims to tell them of the sexual abuse, but they refused to tell them the truth. Partly due to skills she had obtained after attending a training course on child victim interview techniques provided by police and the FBI, she succeeded in acquiring the necessary evidence to prosecute the abuser.

The challenges she faced while collecting evidence made Ismayani realise the importance of strengthening local networks in the handling of child abuse cases. Together with independent organisations concerned with children's welfare issues in Bali, she established '*Jaringan Peduli Anak Korban Kekerasan*' in the island. The network aimed to forge smoother links, make it easier to share information and to strengthen advocacy support for victims. In addition, she established a social organisation, *Mimpi Indonesia Bersinar*, through which she encouraged and invited foreign tourists on vacation in Bali to teach English to children, help raise awareness of child protection, and educate children to enable them to protect themselves from paedophilia, pornography, sexual abuse, prostitution and other forms of child abuses.

#### Ketut Widana, head of Kaliasem Village, Lovina

Ketut Widana has been the head of Kaliasem Village since 2003, since the paedophilia case involving a foreign tourist, Mario. After school, children in Kaliasem Village used to sell souvenirs and fruits to tourists visiting the beach in the village and one of them was Mario. According to Ketut Widana, these children often met him on the beach and he lured them by promising to meet their needs. However, some of those children ended up as victims of paedophilia. In response to the case, village government officials, youths, community leaders and police all agreed to fight against paedophilia in Kaliasem Village. They socialised the issue to communities so that they would be more vigilant of guests visiting the village. The socialisation proved effective because, in 2005, when a foreign tourist, Max Le Clerq, distributed football shoes to children in the village and asked them to come to his hotel, the local community leaders became suspicious of him and drove him out of the village. The villagers remain vigilant against foreign tourists interacting with any of them.

Regarding victim rehabilitation, Widana revealed victim rehabilitation involved organisations and other parties concerned with the welfare of paedophilia victims. As the village head, he also helped victim reintegration by urging the community to not shun child victims or give them a negative stigma, and help ease them back to normality.

### Youth movement

#### Buleleng Child Forum, Bali

According to Komang Yuni Agustri, Buleleng Child Forum socialised the dangers of free sex in Bali, especially in Buleleng, to students to raise their awareness of the issue. The Child Forum was aware that as one of tourism destinations in Bali, Buleleng was also vulnerable to sex tourism. The situation had deteriorated through free sex, easy access to internet and information on illicit activities, as well as intensive interaction with tourists. The socialisation targeted schools in rural areas, because the children there had less access to information regarding trafficking and paedophilia than those in urban areas. In addition to directly socialising the issue to raise awareness, Buleleng Child Forum used social media such as Facebook to share information about the dangers

of free sex, paedophilia, trafficking, and adolescent reproductive health.

**Young People Community for Anti-Human Trafficking and Commercial Sexual Exploitation of Children (Komunitas Orang Muda Anti Perdagangan Orang dan Eksploitasi Seksual Komersial Anak – KOMPAK), Jakarta**

Jakarta is one of the major tourism destinations for local and foreign tourists. KOMPAK Jakarta is a media for children and young people to actively participate in

the prevention and elimination of commercial sexual exploitation of children.

In 2014, KOMPAK Jakarta implemented various activities such as capacity building for students, creative campaigns, music shows and seminars to improve the communities' understanding, especially that of children and young people, and encouraged them to actively participate in various prevention efforts. It ensured these were interactive, and always involved the participation students in its prevention efforts.



# CHAPTER 7

## CLOSING

### CONCLUSIONS

Tourism in Indonesia develops rapidly every year. This can be seen from the increasing number of both local and foreign tourists who visit various tourism destinations in the country. The rapid development of tourism in Indonesia has resulted in many problems, one of the most concerning being that of child sex tourism. The government, private sectors and communities living in tourism destinations must work together to curb the rise of child sex tourism. The issue is all the more serious considering the Indonesian Government is anticipating 20 million tourist visits to Indonesia by 2019. Unfortunately, this ambitious target is not accompanied by adequate efforts to prevent and eliminate the issue of child sex tourism.

In general, the Indonesian Government has made a number of policies to protect the rights of children and, in particular, to prevent sexual exploitation of children in tourism destinations. There are some policies related to child protection at national level, such as Law Number 23 Year 2002 on Child Protection, Law Number 23 Year 2004 on the Elimination of Domestic Violence, Law Number 13 Year 2006 Witness and Victim Protection, Law Number 21 Year 2007 on the Eradication of Criminal Acts of Trafficking in Persons, Law Number 44 Year 2008 on Pornography, Law Number 11 Year 2008 on Electronic Information and Transaction, Law Number 11 Year 2012 on Juvenile Criminal Justice System, Law Number 40 Year 2008 on the Elimination of Racial and Ethnic Discriminations, Law Number 31 Year 2014 on the Revision of Law Number 6 Year 2006 on Witness and Victim Protection and Law Number 35 Year 2014 on the Revision of Law Number 23 Year 2002 on Child Protection. At local level, each local government has made its own local regulation related to child protection. For example, the Provincial Government of Bali has made Local Regulation Number 6 Year 2014 and the Provincial Government of DKI Jakarta has made the Local Regulation Number 8 Year 2011. In addition to these laws and regulations, the Indonesian Government has launched the National

Movement Anti Sex Crimes against Children (*Gerakan Nasional Anti Kejahatan Seksual Terhadap Anak – GN-AKSA*). The programme was specifically designed to protect children from sexual abuse. It gives a mandate for the establishment of inter-sector cooperation for the prevention and elimination of child sexual abuse in Indonesia. The Ministry of Tourism has also made a regulation to protect children in tourism destinations. The regulation was made based on Law Number 10 Year 2009 on Tourism and Regulation of Minister of Culture and Tourism Number PM.30/HK.201/MKP/2010 on Guidelines for the Prevention of Sexual Exploitation of Children in Tourism. At local level, the Board of Tourism also has an obligation to promote child-friendly tourism as required by local regulation. Up to now, not all local regulations on tourism are child-friendly. Of the three research locations, it is only Medan and Jakarta that have local regulation on child-friendly tourism. The Municipal Government of Medan has enacted Local Regulation Number 4 Year 2014 on Tourism, while the Mayor of Medan issued Medan Mayor Regulation Number 29 Year 2014 on Tourism Industry Registry. Meanwhile, the Provincial Government of DKI Jakarta implemented Local Regulation Number 10 Year 2004 on Tourism.

Cases of child sex tourism in Indonesia took different forms such as child trafficking, child pornography, child prostitution, rape, sodomy, sexual abuse and paedophilia. There were a total of 185 cases of sexual exploitation of children sent to the Indonesian courts from 2010 to 2015. Of the total number of the cases, 43 were rape cases; 38 were sodomy cases; 37 were trafficking cases; 24 were sexual abuse cases; and one was a paedophilia case that was sent to the Supreme Court of the Republic of Indonesia. Halal sex tourism was an emerging new trend in Indonesia, most commonly witnessed in southern areas of Bogor such as Cisarua and Puncak. The trend, which started in 1992, involved men from Middle East. *Kopi pangku* in West Kalimantan was another emerging trend of child sex tourism. The term refers to teenagers between the ages of 12 and 15 years who sit on men's lap while they drink coffee in roadside coffee shops that usually open at 10 pm.

Locations of sex tourism can be divided into three. The first was a transit point, which included areas around a bus station, train station and harbour. The second was locations around an industrial area. The third was the areas in the vicinity of a shopping centre. Other locations such as hotels located around a tourism destination, bars, nightclubs, spas, massage parlours, apartments and karaoke rooms were often used to facilitate child sex tourism, as were apartment units in big cities.

Child victims of sexual exploitation were between the ages of 12 and 17 years and most of them were girls, mostly due to them being more vulnerable to child prostitution, child trafficking and halal sex tourism than boys. Meanwhile, the revealed cases showed that most of the boys were victims of paedophilia. It was strongly believed that boys also worked as commercial sex workers. However, the practice of boy prostitution was more hidden than that of girl prostitution. Poverty was the main contributing factor in the involvement of children in prostitution. Other factors included free sex, lack of knowledge of sexual exploitation of children, and cultural practices. *Luruh duit* was a harmful cultural practice thought to exist in parts of Indonesia whereby a daughter was perceived as a blessing, and thus it fell on her shoulders to make her family prosperous. Because of this responsibility, she would do anything to improve the lives of her family, including becoming a sex worker.

## RECOMMENDATIONS

Below are some recommendations to address child sex tourism in Indonesia more effectively:

### 1. The implementation and more severe sanction of national and local regulations on child protection, especially in tourism destinations

The government should take concrete steps to harmonise national laws and the OPSC to enable the authorities to criminalise buyers of sexual services from children. Currently, the existing and applicable national laws related to sexual exploitation of children fail to criminalise sex buyers. They can only be used to criminalise recruiters or those benefiting from the sexual exploitation of children. Restitution for child recovery also must be included as one of the main punishments for those who sexually exploit children. In addition, it is recommended that local governments provide shelter or a drop-in centre for victims of sexual exploitation in tourism destination, because so far they have not received recovery and rehabilitation services to help their trauma.

Therefore, victim recovery and rehabilitation are vital to secure their future. It is therefore important to take measures to amend Law Number 23 Year 2002 on Child Protection or Law Number 35 Year 2014 on the Revision of Law Number 23 Year 2002 on Child Protection. Punishments for child sex buyers, such as imprisonment and restitution, must be included in the provisions of the law, allowing them to be criminalised. In addition, it is also necessary to amend the Criminal Procedural Code to make it easier to prosecute sex buyers. The research found that there was no child sex buyers who had been taken to court for buying sexual service from children. So far, sex predators were only charged for obscenity or sex with a minor, both of which were very difficult to prove in court.

### 2. Information dissemination about the prohibition of sexual exploitation of children at a grass-roots level

Indonesia had some legal instruments for child protection in place, starting from policies at national level to policies at provincial and district/municipal levels. Unfortunately, the existing policies on child protection were not properly disseminated to communities. So far, only parties whose speciality lay in child protection issues knew the ins and outs of the policies. It is therefore important to socialise the policies at a grass-roots level. For instance, the socialisation can be achieved through public service announcements (PSAs), containing information about the rights of the child, obligation to protect children, acts which violate the rights of the child, legal sanctions for violating the rights of the child, and where to report sexual exploitation of children. These announcements should place particular stress on the punishment for child sexual exploiters, offer information about the prohibition of sexual exploitation of children in tourism destinations in Indonesia, and ensure announcements regarding the maximum punishment for sexually exploiting children are aired at arrival terminals in Indonesian airports. It is important to educate communities living in tourism destinations about child sex predators. Since communities accept both local and foreign tourists contributed towards their financial needs, they often turned a blind eye to the danger posed by child sex tourists. There was a case of child sexual abuse in Bali involving tourists where local members of the community protected the abusers when the case was reported to police. Therefore, it is important to use a culturally sensitive approach to change communities' attitudes towards possible

child sexual abuse. The cultural approach is important to give locals a better understanding of how the infiltration of western culture can have a negative impact on their traditional ways. Parents should not let their children associate with tourists without appropriate adult supervision.

### **3. Capacity building for law enforcers to enable them to respond and handle cases of sexual exploitation of children quickly, effectively and decisively**

Optimisation of the implementation of laws and regulations on child protection from sexual exploitation must also be supported by capacity building for law enforcers directly related to this issue, such as police, judges, prosecutors and civil police units. In some cases, police could not properly handle cases of sexual exploitation of children, especially those that occurred in tourism destinations, giving the exploiters the opportunity to manipulate the case and victims the time to have second thoughts. Police should continue or proceed with the case even when the exploiters and the victims agree to drop the case. Exploiters frequently faced light prosecution and lighter sentences dealt out by judges who were not sensitive in handling child cases. As government officials responsible for upholding the moral code, it is also important to improve the understanding of civil police unit of child sex workers to ensure they will be more sensitive when raiding against these child sex workers. Training for law enforcers must be provided regularly and sustainably, to equip police with the necessary skills and capacity to work with sexually abused and exploited children in each sub-district, so that reported child sexual abuse cases can be responded to quickly and handled professionally using child-friendly procedures.

### **4. Provision of life skill training and training children on the rights of the child to help them protect and prevent themselves from becoming victims of sexual exploitation**

As the main target of child sex tourists, children must be given sufficient information about what constitutes sexual abuse, how to behave towards strangers, which parts of their body that can and cannot be touched by others and what to do if they are sexually abused. To raise children's awareness of the importance of protecting themselves is paramount and must also be taught to parents at home and teachers in school. It is vital to educate parents and teachers because they are all too often unaware that their children or

students have been sexually exploited, especially when they become victims of child prostitution or child pornography at the hands of domestic or foreign tourists. Education, campaign and training are the key things to focus on when raising awareness among parents and teachers. Seeing as there have been cases where teachers became sex predators, it is strongly recommended that schools develop a child protection policy, train their teachers and establish a child supervision unit. A special unit to supervise children needs to be established in schools or integrated into other units. It is also important to communicate regularly with parents regarding any issues their children may face at home or in school to allow for early prevention of child abuse.

### **5. Provision of training on child sex tourism for parents, teachers and communities**

In fighting against child sex tourism, raising parent and public awareness of the issue through education and socialisation is vital. In some cases of child sex tourism, it is parents themselves who have given access to a foreigner to interact and have contact with their children. In fact, many are proud to see their children associate with foreign tourists. It is strongly recommended that parents and village adat leaders be trained in order to gain a better understanding of the issue and become aware of the possible dangers that may threaten their children. It is particularly important to approach adat leaders and religious leaders living in and around tourism destinations to ensure that the programme will target communities most in danger from sex exploiters.

### **6. Obligation for all tourism sectors to provide child-friendly services and impose sanctions on those that do not provide such child-friendly services**

The number of companies in the Indonesian tourism industry to have developed a code of conduct for the prevention of child sex tourism remains very limited. Consequently, tourism industries such as hotels, massage parlours and karaoke rooms do not take appropriate measures to prevent sexual exploitation of children in their establishments. As well as being child-friendly environments, it is important to introduce children's rights into the business principles of tourism industries. These need to be incorporated into staff training, so they know how to report child sex exploiters discreetly without tarnishing the establishment's reputation. The Board of Tourism must be given the authority to impose sanctions

on tourism industries that refuse to offer child-friendly services. Therefore, it is very important to hold strategic discussions with hotel owners and management to build a constructive dialogue regarding the dangers of child sex tourism and the necessary steps required to fight against the issue. The number of private sectors that are involved in the prevention and elimination of sexual exploitation of children in tourism destinations in Indonesia is also very limited. So far, it is only the ACCOR Hotel Group in Indonesia that has been involved in the effort because the company has an internationally trained awareness of the negative impacts sexual exploitation of children can have on their business. Therefore, strategic measures need to be taken to promote what ACCOR has achieved, thereby encouraging other business sectors to follow suit. NGOs cannot work alone, but need the assistance of business sectors as strategic partners in their bid to effectively prevent and eliminate child sex tourism. Unfortunately, most NGOs in Indonesia still use traditional methods to deal with the issue. Business sectors also think that any involvement with NGOs may be harmful to their reputation. Therefore, a go-between that can unite the two sectors will be needed in the fight against child sex tourism.

#### **7. Close supervision of tourists engaged in philanthropic activities**

There are various forms of child sex tourism in Indonesia. It has spread to many areas in the country. Revealed cases showed that child sex tourist generally disguised themselves as donors to trap potential victims, mainly from poor backgrounds. This made it easier for them to deny being sex tourists when arrested by police, claiming they were simply engaging in social activities. It was thought that children placed in orphanages could become victims of child sex tourism. Therefore, it is important to supervise tourists engaged in philanthropic activities, as well as orphanage donors, orphans and even tourists taking children on vacation. Special training for leaders of orphanages located in tourism destinations is also needed, so that they are equipped with the skills necessary in identifying child sex exploiters, reporting tourists disguising themselves as donors, or if suspicious of those on vacation with children. To prevent children from being institutionalised in care homes, the most effective step is by integrating children into foster families. However, the government still faces many obstacles in this field due to the high number of neglected and poor children. In addition to the

lack of funds, the government also has a poor managerial capacity to supervise the orphanages. Thus, a more concrete effort must be taken to build the capacity of government in terms of orphanage supervision. It is also important to cooperate with local communities to involve them in orphanage supervision, ensuring they contribute to the prevention and elimination of child sexual abuse and exploitation in orphanages.

#### **8. Provision of easy access to services**

Revealed cases of sexual exploitation of children in Indonesia showed that victims often did not know that they could access certain services such as legal aid, trauma healing or counselling, and victim reintegration into community services. In addition to the lack of information available to the victims, an integrated service centre is not always available in all areas and many local governments remain unaware of the importance of such services. Victims who have been traumatised by the incident are frequently judged and blamed by their communities. Thus, it is vital to provide victim-support services so that they can be reintegrated into their communities. In addition to the provision of such services for the victims, it is also important to give child sex exploiters the opportunity to access similar services, such as establishing a therapeutic community, to avoid recidivism after serving their sentences. It is also difficult to meet child victims because families do not give social workers access, making victim recovery more difficult. Therefore, it is important to develop a special programme to make families more sensitive to the victims and build their capacity to support the victims. Such programmes are rarely implemented by NGOs, social workers or the government due to their lack of expertise in this area.

#### **9. Establishment of an integrated regional cooperation, including Government to Government (G to G) cooperation, Police to Police cooperation and NGOs concerned with child issues**

A regional cooperation will be needed to fight against sexual exploitation of children, including child sex tourism. Most of the foreign tourists who visit Indonesia come from East Asian countries (Japan, Korea, Taiwan, Singapore and Malaysia), Australia, European countries and the Middle East. Therefore, the regional cooperation must be focused on these countries, especially in terms of promoting the prevention of the sexual exploitation of children. The regional cooperation can be

established by governments in the form of a Memorandum of Understanding for the elimination of child sex tourism and law enforcement. Police, NGOs and the government need to establish a task force to fight against the sexual exploitation of children in tourism destinations. The task force needs to develop strategic steps to effectively identify, prevent and rehabilitate victims. This must be a shared issue that should be dealt with collectively. The government needs to take more concrete measures by establishing shelters that are designed specifically for children who are

victims of sexual abuse and exploitation. The shelters can be managed professionally by NGOs. It can also be a safe space from where police can investigate cases involving child victims. Thus, the cooperation model will be very useful for not only victim recovery, but also in case handling. These shelters need to be established in tourism destinations with a high number of child sexual abuse cases, as well as areas that are particularly vulnerable to child sexual abuse and exploitation.



# REFERENCES

## Articles and books

Alfrooz Kaviani Johnson. "International Child Sex Tourism: Enhancing the Legal Response in South East Asia". 2011. *International Journal of Children Rights* 19, 55-79, p.58.

Chaterine Beaulieu. "Strengthening laws Addressing Child Sexual Exploitation: A Practical Guide". 2008. ECPAT International, p. 99.

ECPAT Indonesia, Childfund Research. (2013). "*Mengurangi Perdagangan Anak di Wilayah Kerja ChildFund*" / "*Reducing Child Trafficking in the ChildFund Work Area*", p. 36.

ECPAT Indonesia, Research The Scope and Magnitude of Online Sexual Abuse of Children in Indonesia. (2014), p. 22.

John A. Hall. "Sex Offender and Child Sex Tourism: The Case for Passport Revocation". *Virginia Journal of Social Policy and the Law*, p. 156.

Lestari, M. Di Puncak, "*Selain kawin kontrak banyak imigran gelap cari suaka*" / "*Beside marriage contract many illegal immigrants looking for asylum*". On Usep Suhud and Noorfie Syahri Sya'bani. "*Halal Sex Tourism in Indonesia: Understanding the Motivation of Young Female Host to Marry with Middle Eastern Male Tourists*" (Jakarta: Journal of Economics and Sustainable Development, 2014). Retrieved from: <http://www.iiste.org/Journals/index.php/JEDS/article/viewFile/17530/17914> [3/06/2015].

Surahman. "*Praktek Nikah di Puncak Desa Tugu Selatan Kecamatan Cisarua Kabupaten Bogor (Jawa Barat) Ditinjau dari Hukum Islam*" / "*Marriage practice in Puncak Tugu Selatan Village Cisarua District Bogor (West Java) Judging from Islamic Law*". (2011. Jakarta: Universitas Islam Negeri Syarif Hidayatullah), p.52, Retrieved from: <http://repository.uinjkt.ac.id/dspace/bitstream/123456789/4268/1/SURAHMAN-FSH.pdf> [12/06/2015].

UNICEF. "*Lembar Fakta Tentang Eksploitasi Seks Komersil dan Perdagangan Anak*" / "*Factsheet about Commercial Sexual Exploitation and Trafficking of Children*". (2014. Retrieved from: [http://www.unicef.org/indonesia/id/Factsheet\\_CSEC\\_trafficking\\_Indonesia\\_Bahasa\\_Indonesia.pdf](http://www.unicef.org/indonesia/id/Factsheet_CSEC_trafficking_Indonesia_Bahasa_Indonesia.pdf)).

Usep Suhud and Noorfie Syahri Sya'bani. "*Halal Sex Tourism in Indonesia: Understanding the Motivation of Young Female Host to Marry with Middle Eastern Male Tourists*" (Jakarta: Journal of Economics and Sustainable Development, 2014). Retrieved from: <http://www.iiste.org/Journals/index.php/JEDS/article/viewFile/17530/17914> [3/06/2015].

## Online news reports and websites

Aningtias Jatmika. "*Indonesia Tujuan Utama Pedofil Australia*" / "*Indonesia Main Destination of Australian Paedophiles*". (2014. Retrieved from: <http://www.tempo.co/read/news/2014/10/14/120614198/Indonesia-Tujuan-Utama-Pedofil-Australia> [14/10/2014]).

Ariwibowo, AA. News Portal Antara News. "*Angka Kawin Kontrak di Singkawang Masih Tinggi*" / "*Number of Contract Marriage in Singkawang Still High*". (2008). Retrieved from: <http://www.antaranews.com/berita/100062/angka-kawin-kontrak-di-singkawang-masih-tinggi> [10/06/2015].

Boby Andalan. "*Jadi Germo Pelacur, ABG Fitri Dibekuk Polisi*" / "*Becoming a Pimp of Prostitution, Fitri Teenagers Arrested by Police*". (2014. Retrieved from: <http://www.aktual.co/nusantara/084449jadi-germo-pelacur-abg-fitri-dibekuk-polisi> [29/09/2014]).

Dedi Priatmojo. "*Indonesia jadi Tujuan Utama Wisata Paedofil*" / "*Indonesia Becomes Main Destination for*



*Paedophiles*". (2014, Retrieved from: [http://fokus.news.viva.co.id/print\\_detail/printing/539319-indonesia-jadi-tujuan-utama-wisata-paedofil](http://fokus.news.viva.co.id/print_detail/printing/539319-indonesia-jadi-tujuan-utama-wisata-paedofil) [24/10/2014]).

Dwifantya Aquina dan Bobby Andalan. "*Warga Negara Belanda Pedofil Dituntut Empat Tahun Bui*" / "*Dutch Paedophiles Sent to Four Years in Prison*". (2013. Retrieved from: <http://nasional.news.viva.co.id/news/read/395938-warga-negara-belanda-pedofil-dituntut-4-tahun-bui> [29/09/2014]).

Endi. "*Kawasan Mal Puri Kembangan Kian Marak PSK*" / "*Commercial Sex Workers increase in Puri Kembangan Mall Area*". (2014. Retrieved from: <http://www.beritabatavia.com/detail/2014/08/15/4/21781/kawasan.mal.puri.kembangan.kian.marak.psk> [09/10/2014]).

Harian BeritaBali. "*Bali Jadi Destinasi Seks Anak*" / "*Bali Becomes Child Sex Destination*". (2011. Retrieved from: <http://www.beritabali.com/index.php/page/berita/dps/detail/2011/11/06/Bali-Jadi-Destinasi-Wisata-Seks-Anak/201107020651> [26/09/2014]).

Harian Sumut Pos. "*Medan Darurat Kejahatan Seksual Terhadap Anak*" / "*Medan Sexual Crimes Against Children Emergency*". (2014. Retrieved from: <http://sumutpos.co/2014/05/79465/medan-darurat-kejahatan-seksual-terhadap-anak> [26/09/2014]).

Imam Wahyudiyanta. "*Polisi Bongkar Praktik Gigolo di Bawah Umur*" / "*Police Reveal Underage Gigolo Practice*". (2014. Retrieved from: <http://news.detik.com/surabaya/read/2010/11/16/164045/1495799/466/polisi-bongkar-praktek-gigolo-di-bawah-umur> [29/09/2014]).

Indra Akuntono. "*Waspada Predator Anak di Indonesia*" / "*Beware of Child Predators in Indonesia*". (2014. Retrieved from: <http://nasional.kompas.com/read/2013/11/07/1237040/Waspada.Predator.Anak.di.Indonesia> [21/10/2014]).

Jakarta Post Portal News. "*Paedophile Suspect Taught JIS 10 Years: FBI*". (23 April 2014). Retrieved from: <http://www.thejakartapost.com/news/2014/04/23/pedophile-suspect-taught-jis-10-years-fbi.html> [06 August 2015].

Kementerian Pariwisata dan Ekonomi Kreatif Republik Indonesia. "*Siaran Pers Menteri Pariwisata Dan Ekonomi Kreatif: Masyarakat Ekonomi ASEAN Berpotensi Dorong Pertumbuhan Kunjungan Wisatawan Ke Indonesia di Atas 10%*" / "*Press Release Minister of Tourism and Creative Economy: ASEAN Economic Community Growth Potential to Encourage Tourists to Indonesia up to 10%*". (2014. Retrieved from: <http://www.parekraf.go.id/asp/detil.asp?id=2555> [17/10/2014]).

Kompas Portal news. "*Mengungkap prostitusi di Apartemen Kalibata City*" / "*Revealed Child Prostitution in Kalibata City Apartment*". (26 April 2015) Retrieved from: <http://megapolitan.kompas.com/read/2015/04/26/07555261/Mengungkap.Prostitusi.di.Apartemen.Kalibata.City> [10/06/2015].

Kompas Portal news. "*Pekerja Seks diBawah Umur di Kalibata City Hamil enam bulan*" / "*Underage Sex Worker in Kalibata City Six Months Pregnant*". (26 April 2015) Retrieved from: <http://megapolitan.kompas.com/read/2015/04/26/10071091/Pekerja.Seks.di.Bawah.Umur.di.Kalibata.City.Hamil.Enam.Bulan> [10/06/2015].

Lombok Magazine. "*NTB Tekan 'Child Sexual Tourism' Sebagai Dampak Negatif Pariwisata*" / "*NTB Press 'Child Sexual Tourism' as the Negative Impact of Tourism*". (2014. Retrieved from: <http://www.lombokmagazine.com/berita/travel-news/ntb-tekan-child-sexual-tourism-sebagai-dampak-negatif-pariwisata/> [22/09/2014]).

Maulana, hadi. Tribun News Batam "*Berhasil Larikan Diri dari Rumah Bordir Usai Layani Apek Singapura*" / "*Managed To Escape From the Sewing House After Serving Singapore man*". (22 Februari 2014). Retrieved from: <http://batam.tribunenews.com/2014/02/22/berhasil-larikan-diri-dari-rumah-bordir-usai-layani-apek-singapura/> [9/10/2014].

Maulana, Hadi. Tribun News Batam "*Sudah Terindikasi Jual ABG, Golden Birds Hanya Akan Diberi Teguran*" / "*Golden Birds Will Be Reprimanded for Indication of Selling Teenagers*". (26 Februari 2014). Retrieved from: <http://batam.tribunenews.com/2014/02/26/sudah-teridentifikasi-jual-abg-golden-birds-hanya-akan-diberi-teguran/> [9/10/2014].

Nelson, Dean. News Portal The Telegraph. "*Teenager Exposes India's 'One Month Wives' Sex Tourism*" (14 April 2013). Retrieved from <http://www.telegraph.co.uk/news/worldnews/asia/india/9993453/Teenager-exposes-Indias-one-month-wives-sex-tourism.html> [12/06/2015].

News Portal Okezone. "*Kramat Tunggak, Lokalisasi Tersohor di Asia Tenggara*" / "*Kramat Tunggak Famous Localization in Southeast Asia*". Retrieved from: <http://news.okezone.com/read/2012/04/25/504/618221/kramat-tunggak-lokalisasi-tersohor-di-asia-tenggara> [10/06/2015].

OHCHR. "*Combating Child Sex Tourism*". (2013. Dalam <http://www.ohchr.org/EN/NewsEvents/Pages/ChildSexTourism.aspx> [17/10/2014]).

Putusan PN SINGARAJA /Court Decision SINGARAJA District Court Number: 292/ Pid.Sus /2012 / PN.SGR Tahun 2013. (available at <http://putusan.mahkamahagung.go.id/putusan/2ee07f5f7d71df305a1a08ebfb661b0a> [24/10/2014]).

Ramadhian Fadillah. "*Anak Terancam, Kasus Pedofilia di Indonesia Tertinggi se-Asia*" / "*Threatened Child, Indonesia has the Highest Pedophilia Cases in Asia*". (2014. Retrieved from: <http://www.merdeka.com/peristiwa/anak-terancam-kasus-pedofilia-di-indonesia-tertinggi-se-asia.html> [21/10/2014]).

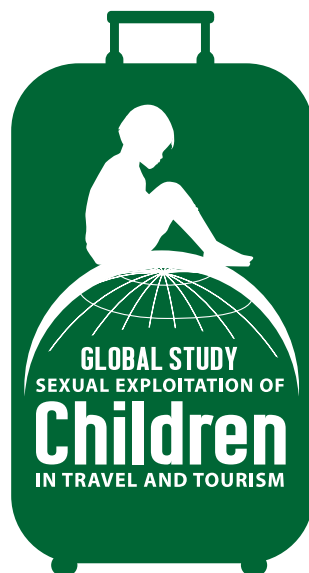
Sutanto, Dharmawan. "*5 Kelas Prostitusi di Bali*" / "*5 Prostitution Classes in Bali*". 2013. Dalam <http://www.merdeka.com/peristiwa/5-kelas-prostitusi-di-bali.html> [18/04/2015].

The Richest. "*4. Indonesia*", (21 Juni 2014). Retrieved from: <http://www.therichest.com/rich-list/most-popular/10-of-the-most-popular-destinations-for-sex-tourism/7/> [24/04/2015].

UNWTO. "*International tourism up by 5% in the first half of the year*". (2014. Dalam <http://media.unwto.org/press-release/2014-09-15/international-tourism-5-first-half-year>).

Wima Saraswati. "*Wisata Seks Anak Juga Dilakukan Turis Lokal*" / "*Child sex tourism also occurs by local tourism*". (2009. Retrieved from: [http://nasional.news.viva.co.id/news/read/42259-wisata\\_seks\\_anak\\_juga\\_dilakukan\\_turis\\_lokal](http://nasional.news.viva.co.id/news/read/42259-wisata_seks_anak_juga_dilakukan_turis_lokal) [09/10/2014]).





**The Global Study was made possible thanks to financial support from the  
Ministry of Foreign Affairs of the Netherlands through Defence for Children  
- ECPAT Netherlands**



Ministry of Foreign Affairs of the  
Netherlands

