



DON'T LOOK AWAY !

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



Assessment on Commercial Sexual Exploitation
of Children related to Tourism and Reporting
Mechanisms in **Gambia**

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‘DON’T LOOK AWAY’

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

Assessment on sexual exploitation of children related to tourism and reporting mechanisms in the Gambia

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Commissioned by Defence for Children - ECPAT the Netherlands

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Executive summary

The main aim of this research is to improve the protection of vulnerable children in the Gambia from being sexually abused in tourism. In doing so, it is important to understand the existing reporting systems in order to be able to propose or strengthen appropriate reporting procedures and mechanisms.

For the purpose of clarity and advocacy to improve the present situation on child sex tourism in the Gambia the research is divided into four main chapters detailing:

1. The background, giving an overview of the problem.
2. Identification of the issues at stake.
3. The findings of the research.
4. The reporting systems established to fight against child sex tourism resulting in recommendations to improve the situation.

Background

Several methods were used to gather data and analyse them: Formal interviews with various stakeholders, (including sex workers and youth), informal and individual discussions with key actors and under-cover monitoring. This survey has a strong qualitative basis, aimed at appreciating the prevalence of sexual exploitation of children related to tourism in the Gambia.

Identification of the issues

Tourism is a multi-faceted, complex industry that is facing incredible challenges leaving children open to the dangers of child sex tourism, which itself is also a complex phenomenon, difficult to separate from the general practices of sex tourism. Deducting the concept of child sex tourism from the concepts of tourism and commercial sexual exploitation there appears to be room for interpretation in the definitions and issues which should be clarified for a common and correct understanding of the issues involved in the fight against child sex tourism.

Findings

After a backdrop, tourism in the Gambia now is back at the levels of 2008-2009. The country is a target for westerners seeking to have sex with children. The sexual exploitation of children is moving to communities close to the Tourism Development Area (TDA). Children from poor families are targeted, meeting them in 'traditional' places catering for Westerners such as bars, restaurants and nightclubs, and in tourist areas such as Kololi, Kotu, Manjai, Kerr Serign and Bijilo. Some gain access to children and develop relationships with them through charitable organizations.

Potential offenders cannot be easily identified among other tourists as they come from diverse cultures, occupations and social classes and are of all ages, married and single and are business and leisure travellers. There are no established statistics on the scope of the problem, but qualitative research conducted through people working in the tourism industry revealed that the phenomenon is still prevalent and connected to the tourism industry.

The study for this report showed that most of the children engaged in commercial sex are aged between 14 to 17 years and mainly girls. However it was also discovered that the number of young boys engaged in commercial sex is on the rise as there is an increasing number of male tourist seeking young boys. Most of the children engaged in commercial sex are poor. Children are mainly Gambian, although some are trafficked from other countries. There is a false 'glamorisation' of prostitution among children engaged in prostitution. For children engaged in prostitution, the prospects of earning vast sums

of money and living a seemingly 'free and modern' lifestyle seemed to override any concerns about risks associated with prostitution. Clients of child prostitutes are mainly tourists from Europe, China and India and many of them come into contact with children under the guise of sponsorships for poor communities.

The survey pays special attention to the following issues:

Children at risk

The Gambia covers a young population with 877,000 individuals under the age of 18 (in 2010), that is 51% of the entire population. Characteristics of vulnerability include one or more of the following: having parents or caregivers who are ill or dying, lacking a home and/or family, living in an unhealthy, unsupportive environment, living in an area with high HIV prevalence or proximity to high-risk behaviours, being isolated, exploited or discriminated against. Gender may also contribute to vulnerability.

The setting of sex tourism

Among tourists, Gambia is known as a beautiful tourist destination. However, some think of it as a destination for sex tourists also. Typical for the Gambia is the fact that it is attractive to both male and female sex tourists. Some of the stakeholders interviewed did not see a real problem in the fact that Gambian women are offering themselves for prostitution, and certainly not in male Gambians selling their sexual services to female tourists. A complicating factor in the case of the Gambia however is the fact that there is a strong belief in a friendship factor involved in the relations between tourists and locals. Sex tourism is also known by the euphemism 'romance tourism'.

Different types of child sex tourism

As in sex tourism for adults, in child sex tourism men have sex with girls, women with boys and there are same sex relations. Most cases of child sex tourism involve men abusing girls. No cases of female tourists exploiting boys have been reported, but female tourists have been witnessed involved with minor Gambian males. In internet cafés, through the web, underage boys are luring European women to come visit. A growing number of men from Europe are seeking Gambian men. The insecure situation of homosexuals in the Gambia prevented deeper research of this issue.

Trafficking internationally

The TIP 2014 report sees the Gambia as a source, transit, and destination country for children and women trafficked for the purposes of forced labour and commercial sexual exploitation. Although child prostitutes are mostly Gambian children it does not rule out the trafficking into the Gambia of vulnerable children from foreign countries by organized gangs.

Trafficking locally: Middlemen

According to most of our respondents in this research, child sex tourism is closely related to the 'friendship business'. It is an organized act and it involves middlemen like tour guides, taxi drivers and hotel workers. Bumsters play a special role in tourism in the Gambia. Unfortunately, the role of middlemen is often played down in studies and there is not much attention for the intermediary role played by tourists themselves.

Bars, restaurants, nightclubs and private houses

Bars restaurants and nightclubs in the Gambia also play a part in facilitating child sex tourism. Bars within the Tourism Development Area are off limits for children, but there are bars, restaurants and nightclubs in the areas neighbouring the TDA facilitating prostitution and child prostitution. Private houses are more and more used for child sex tourism.

Internet

Internet is becoming important for building relationships between Gambians and (sex-) tourists. Thousands of profiles are created by Gambian women on several dating-sites, also by minors. On one dating website, www.afrointroductions.com more than 1000 Gambians made a profile and are looking for a date.

Sponsoring

In many cases of child sex tourism, tourists used sponsorship to justify their relationships with their victims, abusing the poverty of these vulnerable children.

Recommendations

Cooperation

Although cooperation among stakeholders is increasing, there is need for more clarity in tasks and responsibilities in the form of a National Taskforce on child sex tourism that would involve all stakeholders and more regional and international cooperation on child sex tourism.

International legal instruments

The Gambia has ratified nearly all the existing international and regional legal instruments that protect children from all forms of sexual abuse, exploitation and violence, but there is still a need to enact extraterritorial legislation and close more Bilateral agreements.

National legal instruments

Many national laws are relevant to respond to child sex tourism (Tourism Offences Act 2003, Children's Act 2005, Trafficking in Persons Act 2007), but there is still resistance against establishing rights for women and children and a lack of clarity in definitions and concepts used in laws. A number of amendments to these laws and intensification of awareness about them is highly recommended.

Law enforcement

Some special provisions have been put in place to facilitate the enforcement of the law, like the institutionalization of the Tourism Security Unit and a Children's Court. But a strong feeling exists that not enough is being done, especially to fight the middlemen, to strengthen law enforcement in communities and to monitor records at borders. Enforcement has not resulted in enough arrests and convictions.

Code of Conduct

The Gambia Tourism Board has created the 'Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism', which is signed by all the key players in tourism in the Gambia. But it is clear that the implementation of all the elements of this Code needs more attention. Other stakeholders should be involved, information should be efficiently produced and distributed and a real feeling of ownership should be created.

Awareness

The level of awareness in the Gambia is high because measures have been implemented, like a radio programme, tourism career days and other seminars. The role of parents and the falsely glamourized perception of a relation with a tourist need attention with more public and Government awareness of the specifics of child sex tourism. Also more cooperation with sending countries should be created.

Training

Trainings have been carried out for many target groups and a training manual to prevent child sex tourism has been developed. This has to be a continuous and repetitive process. And there should be a special focus on building the capacity of tourism employees and on developing the skills of the police.

Prevention

The main instruments of prevention are the five Neighbourhood Watch Groups in the communities, which raise awareness and report cases to the relevant authorities. Prevention could be improved by allowing more participation of children, strengthen the protective capacity of families and improve access to education and employment. There should be more attention for the role of ICT in child sex tourism.

Rehabilitation

There are some rehabilitation programmes and a shelter exists with counselling for children victims of sexual abuse and exploitation. But according to experts, it is not enough. The shelter needs more facilities for psychological support, schooling, play facilities, legal assistance, etc. There should also be more training for the rehabilitators on the issue.

Research

Although research is being carried out, there is need for more regular and systematic research, creating comparable data on a number of issues, such as on perpetrators, victims, gender, how tourism works, and on new trends in tourism, grooming and internet dating.

The validation meeting of January 22nd 2015 confirmed the following priorities: informing tourists, training of personnel, creating trust and cooperation, guaranteeing confidentiality, keeping track of potential perpetrators and cases, effective referral system, more sanctuaries and active fundraising.

Reporting systems

The survey clearly indicates that the reporting systems fall short of a well-functioning and credible mechanism of reporting. According to the validation meeting, for reporting mechanisms to function well and to be credible, it is important that the system available 24/7, that there is a good and direct response and that the referral process is clear and effective. A separate body to comprise representatives from the Tourism Security Unit and the Department of Social Welfare should be created, and GSM operators should be on board to provide toll free lines/service and to create an app for awareness and to report cases from all over the country.

List of acronyms

ACRWC	African Charter on the Rights and Welfare of the Child
ANWG	Adolescent Neighbourhood Watch Group
ASSET	Association of Small Scale Enterprises in Tourism
BAFROW	The Gambia Foundation for Research on Women's Health, Productivity and the Environment
BRP	Bumster Rehabilitation Programme
CBO	Community based Organizations
CPA	Child Protection Alliance – ECPAT Affiliate
CCPC	Community Child Protection Committee
CEDAG	Child Environmental Development Association Gambia
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CRC	UN Convention on the Rights of the Child
CSR	Corporate Social Responsibility
DFID	Department For International Development
DSW	Department of Social Welfare
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
FGD	Focus Group Discussion
GAMCOTRAP	The Gambia Committee on Traditional Practices Affecting the Health of Women and Children
GHA	Gambia Hotel Association
GTB (GTA)	Gambia Tourism Board
HDI	Human Development Index
ILO	International Labour Organization
ITTOG	Institute for Travel and Tourism of The Gambia
MDG	Millennium Development Goals
MOU	Memorandum of Understanding
NAATIP	National Agency Against Trafficking In Persons
NGO	Non Governmental Organization
NPA	National Plan of Action
NWG	Neighbourhood Watch Group
PAO	Programme Afrique de l'Ouest
POPFILE	Population and Family Life Education
PURA	Public Utility Regulatory Authority
TDA	Tourism Development Area
TSU	Tourism Security Unit
TTAG	Tourism and Travel Association of The Gambia
UNWTO(WTO)	United Nations World Tourism Organization

General introduction

*Every child is entitled to full protection from all forms of sexual exploitation and sexual abuse. States are required to protect the child from sexual exploitation and sexual abuse and promote physical and psychological recovery and social integration of the child victim.*¹

The commercial sexual exploitation of children is a global problem. However, developing countries are among those countries which are most affected by this severe violation of children's rights. Often a high influx of international tourists and travellers increases the problem. A lot of work has been done by international organizations such as ECPAT, UNICEF, ILO, and World Vision, as well as by several Governments in order to understand better the mechanism and root causes of the problem.

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

ECPAT International has a longstanding history of work in promoting the rights of the child and supporting action for their concrete realization, focusing on the child's right to protection from sexual exploitation. ECPAT International and the network members in 75 countries around the world promote and actively support the participation of children and youth in work against commercial sexual exploitation.

In Africa UNICEF and ECPAT International have conducted research during the past years in order to understand better how to prevent and stop sexual exploitation of children and to seek justice and assist victims. For instance, in 2006-2007 ECPAT groups in six African countries (i.e., Zambia, Togo, Gambia, Ethiopia, Kenya and Uganda) in collaboration with ECPAT International initiated a study to examine 'Linkages between HIV/AIDS and the Commercial Sexual Exploitation of Children in Africa'.

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

There is still a lack of information and research. It is necessary to conduct studies which investigate the national situation, in order to maintain a progressive, proactive and pioneering approach to adequately protect children and prevent the escalation of child sex crimes in the future. Therefore ECPAT Austria, ECPAT France, ECPAT Germany, ECPAT Luxembourg and ECPAT Netherlands have coordinated country assessments in five countries in Sub Sahara Africa which are tourist destinations and which are also affected by child sex tourism. Each consortium partner was responsible for the study set-up in the respective African country, but all used the same terms of reference as a basis.

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

The assessments are part of the EU funded project Don't look away - be aware & report the sexual exploitation of children in travel and tourism! This project involves several ECPAT groups from Europe and associated partners-organizations from European countries as well as from African countries (associated partners). The project's duration was from October 2012 until October 2015.

ECPAT France coordinates the project. Consortium partners are ECPAT organizations from Austria, Germany, Luxembourg, Netherlands

¹ Stockholm Declaration and Agenda for Action

and Poland. Associated partners come from: Bulgaria, Belgium, Czech Republic, Estonia, Italy, Switzerland, Spain, Romania, Ukraine, United Kingdom, as well as Brazil, Gambia, Madagascar, Kenya, South Africa and Senegal.

The global aim of this project is to improve the protection of vulnerable children in the tourist destinations of developing countries against sexual exploitation and abuse by persons travelling. Therefore it is essential that we understand the tourism and child protection context of these destinations and the role of the relevant stakeholders.

These assessments provide all actors and especially the travel and tourism sector with information about how to improve child protection and introduce and improve the reporting of cases of sexual exploitation of children in the frame of strengthening child protection mechanisms.

A. Background

A.1. An overview

This survey is an assessment on commercial sexual exploitation of children related to tourism and reporting mechanisms in the Gambia. The main objective is to assess sexual exploitation of children in the Tourism Development Area (TDA) and the reporting mechanism in the Gambia by gathering information to determine its general features and characteristics. Through an analysis of child protection policies (e.g. existing legislation, Action Plans on violence against children and reporting mechanisms, such as child help/hotlines) and reporting systems of the tourism industry (e.g. on child sex tourism/child protection, complaint systems and reporting of human rights violations, including child labour), possibilities are identified of how the existing structures could be used and improved.

A.2. Objectives and outcomes

1. Create a conceptual framework with the definitions of all the concepts involved.
2. Understanding of:
 - a. Existing reporting systems within the travel industry.
 - b. The cooperation between Government, NGOs, tourism industry and how this is regulated in MOUs, and implemented in daily operations.
 - c. Existing reporting systems in the field of child protection.
 - d. The mechanisms for reporting and following up of cases by officials, NGOs, tourism sector and others.
3. Recommendations for the establishment of reporting structures and links to existing mechanisms.
4. Description of the phenomenon of commercial sexual exploitation of children:
 - a. The phenomenon related to tourism.
 - b. Courses of action for the protection of children against sexual exploitation.
 - c. The abusers by category.
 - d. Emerging trends, national strengths and programming gaps in order to review and revise practical tools to fight sexual exploitation of children at the provincial and national levels.
 - e. The national framework for combating sexual exploitation of children and for child protection as well as existing reporting mechanism based on international and national relevant legislation.
 - f. Different forms: prostitution of children, child sex trafficking, child sex tourism, and child pornography.
 - g. Categories of children most at risk and the categories of children who are victims.
 - h. Main areas that feature high levels of sexual exploitation of children across the country ('hotspots'), the places where this occurs (streets, bars, restaurants, hotels, guesthouses, brothels, apartments and houses) in the areas targeted by the study.
 - i. The trafficking routes as well as the people/organizations involved in the trafficking.
 - j. Analysis of causes of sexual exploitation of children and the consequences of this for its victims.
5. An overview of relevant stakeholders.
6. Overview on the country's political and socio-economic situation and the legal framework concerning child protection and the different forms and manifestations of sexual exploitation of children.
7. Data concerning reported cases: child sex tourism, trafficking in children, child abuse, prostitution of children and child pornography.

A.3. Methods

Several methods were used to gather data and analyse them:

- ▶ Desk research of literature.
- ▶ Formal interviews with various stakeholders in the tourism industry: hotel managers, tourist taxi drivers, tour guides, bumsters, tourism security personnel, Immigration personnel and the Ministry of Tourism.
- ▶ Essential elements are the interviews and research carried out with sex workers and youth.
- ▶ Informal and individual talks with key actors in close contact with sexual exploitation of children: facilitators (bumsters, tour guides) and vulnerable children (children selling fruits and nuts in the TDA, children using internet cafés, children begging).
- ▶ Monitoring of the behaviour of key actors.

This survey has a strong qualitative basis. Structured questionnaires with closed and open questions were used in the collection of data for this survey. We also looked for personal stories, impressions and observations.

A.4. Gambian specifics

The method for this research has been developed for the special case of the Gambia, using and adapting the research methodology provided by ECPAT for all five African countries involved in the overall project. Because of the specific situation of the Gambia some adaptations had to be made.

The research main focus is on the relation between prostitution of minors and tourism, trying to get an insight in the question if and how this relation exists. Since the Government heavily controls the sector, tourism developed differently from tourism in other African countries. The existence of the Tourism Development Areas, which have only one access road, where the Tourism Security Unit, run by police, controls everyone going in and out, is an efficient way of keeping children out. A superficial glance at the TDA would suggest there is no exploitation of children in tourism. Investigating whether and in

what ways tourists exploit children sexually, the findings and conclusions of this survey provide key indicators regarding the possible spread of sexual exploitation of children into the immediate communities of the TDA. Recommendations are made for developing means in addition to traditional law enforcement and monitoring to protect children from sexual exploitation related to tourism. Because of the off-season, we focussed on one TDA and its neighbouring areas.

The case of the Gambia is a bit different from other cases, because in the Gambia there has been a functional Code of Conduct to protect children from sexual abuse in tourism and travel for 10 years. This Code is unique because it is related to the Tourism Child Protection Code in the sense that it is based on it, however, it is not an industry driven but Government driven Code. It is obligatory to endorse the Code to be able to get the operating license as a tourism business (hotel).

As a consequence, reporting systems have been in place, connected to, or within the framework of the Code of Conduct. But there are doubts whether these reporting systems work. Where this research deals with reporting, it will focus on these reporting systems.

Another consequence for the research of this 'Gambianized' Tourism Child Protection Code of Conduct is the focus on its functioning. To assess the functionality of reporting, one has to look at the conditions under which the Code and the stakeholders perform. The Code lays out the framework and plays a vital role in both.

We will deal with a number of definitions relevant for child sex tourism. They are important, not only for making sure that everyone is working with the same concepts, but also to make sure that policies address the same issues and groups. For instance when policies address tourists, it is quite important that it is clear who is meant by the tourist. A tourist in the form of a business traveller might use other tourism services than a tourist in the form of a repeat visitor who also owns a second house in the Gambia but whose main home is in another country and whose job is not in the Gambia. Even the discussion on prostitution in the Gambia is influenced by unclear definitions. For example, a male tourist escorted by a Gambian woman will be approached differently when arriving at a hotel than a female tourist escorted by a Gambian

man. From the research it appears that many tourism stakeholders would not consider the last to be a case of prostitution. But when the definition of prostitution is applied there should be no difference between the two.

The research set out to find qualitative and quantitative data. As far as the quantitative data are concerned, it seemed that the relevant authorities were reluctant to cooperate. Researchers tried to get data from police and the Ministries of Justice and Immigration and others, but not many hard numbers were given even after repeated reminders.

To share the information and validate the recommendations with all stakeholders, a tourism stakeholders forum was organized on January 22nd 2015.

This report is intended for the general public, official bodies and professionals working within the subject matter. Because of all the attention that child sex tourism has received in the Gambia over the past 10 years a lot of local knowledge is available. Therefore we were able to work with a research team of highly qualified and knowledgeable experts. In the team we combined the qualities of officials, researchers, activists and journalists. This has had a positive effect on the survey in the sense that we were able to address a wide array of issues connected to the problem, and as a result a large number of recommendations came out.

The project team consisted of:

Frans de Man, overall project leader (m), Adama Bah, project leader research the Gambia (m), Ousman G.A Kebbeh, Gambian Tourism Board (m), Jana Sillen, ChildFund (f), Musukuta Badjie, CPA (f), Njundu Drammeh, CPA (m), Jegam Loom, Network of Aids Services organization (m), Siaka Dibba, ChildFund (m), Lamin Bojang, ITTOG (m)

B. The setting: Identifying the issues

B.1. Tourism

Tourism is a multi-faceted, complex industry that is facing many challenges. It can be an engine for sustainable development but it can also leave children open to one of the most abhorrent forms of exploitation – child sex tourism. Both tourism and child sex tourism are complex phenomena. To understand these and to explain their implications to tourism stakeholders, it is important to first and foremost create an understanding of the characteristics of tourism.

Tourism brings with it images of holidays, beaches and leisure time to relax. However, although this is the common understanding of what tourism is, the concept as defined by the United Nations World Tourism Organization is quite different. A good understanding of what Governments and the tourism industry refer to when talking about tourism is important to deal with a complex issue like child sex tourism. One has to know whom to address, how and for what responsibilities. Below we attempt to explain tourism and its key concepts.

B.1.1. Official definitions of tourism

Trying to grab the essence of the tourism concept is not an easy task. Back in 1994 the United Nations World Tourism Organization (UNWTO, then known as WTO, World Tourism Organization) started its clarification of tourism definitions with the words: “The lack of stability of definitions in the tourism area has been a challenge to consistent, comprehensive data collection.”²

Until 2008 the UNWTO used the following definition: “*Tourism* is defined as the activities of persons travelling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes not related to the exercise of an activity remunerated from within the place visited.”³

But in the International Recommendations for Tourism Statistics from 2008 the concept was newly conceived and elaborated with the help of ‘the international community’. Through a number of steps a definition of tourism is constructed which describes tourism as a phenomenon defined by the consumers. If a tourist makes use of a service this service belongs within the realm of tourism.

Using quotes from this document we will build up the tourism concept:

To start with *tourism* is simply described as: “A social, cultural and economic phenomenon related to the movement of people to places outside their usual place of residence, pleasure being the usual motivation.”

From this the UNWTO came up with more concrete elements: “Travel refers to the activity of travellers. A *traveller* is someone who moves between different geographic locations for any purpose and any duration. A *visitor* is someone who is travelling under certain conditions (..) namely, for holiday, leisure and recreation, business, health, education or other purposes...”

“A *visitor* is a traveller taking a trip to a main destination outside his/her usual environment, for less than a year, for any main purpose (business, leisure or other personal purpose) other than to be employed by a resident entity in the country or place visited. These trips taken by visitors qualify as tourism trips. *Tourism* refers to the activity of visitors. A visitor (domestic, inbound or outbound) is classified as a tourist (or overnight visitor) if his/her trip includes an overnight stay, or as a same-day visitor (or excursionist) otherwise.”

“*Tourism* comprises the activities of all these categories of visitors. This scope is much wider than the traditional perception of tourists, which includes only those travelling for leisure.”

² United Nations and World Tourism Organization (1994) page 32

³ OECD (1998) page 1

“The main purpose of a tourism trip is defined as the purpose in the absence of which the trip would not have taken place. Classification of *tourism trips* according to the main purpose refers to nine categories. This typology allows the identification of different subsets of visitors.” These subsets are:

1. Personal:
 - 1.1. Holidays, leisure and recreation.
 - 1.2. Visiting friends and relatives.
 - 1.3. Education and training.
 - 1.4. Health and medical care.
 - 1.5. Religion/pilgrimages.
 - 1.6. Shopping.
 - 1.7. Transit.
 - 1.8. Other.
2. Business and professional.

These concepts are further clarified in a document called ‘Understanding Tourism: Basic Glossary’, leading to a slightly adapted definition of *tourism*: “Tourism is a social, cultural and economic phenomenon which entails the movement of people to countries or places outside their usual environment for personal or business/professional purposes. These people are called visitors (which may be either tourists or excursionists; residents or non-residents) and tourism has to do with their activities, some of which imply tourism expenditure.”⁴

This complex phenomenon also has characteristics, which are a little easier to identify. From the perspective of the tourist there is:

- ▶ *Domestic tourism*: involving residents of the given country traveling only within this country.
- ▶ *Inbound tourism*: involving non-residents traveling in the given country.
- ▶ *Outbound tourism*: involving residents travelling to another country.

From the perspective of countries there is a difference between countries of origin (sending countries) and destinations (receiving countries).

What is important is that the definition of tourism is a demand side definition, not a supply side definition. It is defined by the activities of a particular type of consumer, defined as the tourist. A product or service is touristic, if a tourist buys it.

The supplier of that service or product then automatically can/will be part of the *tourism sector*.

In the fore mentioned documents the UNWTO describes the *tourism sector* as: “The cluster of production units in different industries that provide consumption goods and services demanded by visitors. Such industries are called *tourism industries* because visitor acquisition represents such a significant share of their supply that, in the absence of visitors, the production of these would cease to exist in meaningful quantity.”

Beside these official definitions, there are others that include all phenomena associated to tourism flows. For example Jafari⁵ defined the *study of tourism* as: “The study of man away from his usual habitat, the industry which responds to his needs, and the impact that both he and the industry have on the socio-cultural, economic, and physical environments.”

McIntosh⁶ defined *tourism* as a complex system in which four key elements interact:

1. The tourist, who generates the demand for tourism experiences.
2. The businesses, which produce the demanded goods and services.
3. The political and administrative system, which affects the organization and development of tourism supply and demand in the destination.
4. The host community, including the part not directly involved in the tourism activity.

To understand the factors contributing to child sex tourism, the elements constituting tourism must be understood first. Since our survey is aimed at trying to identify responsibilities and create a scope for action, we will deal with the responsible stakeholders in tourism, the tourist and the tourism industry.

⁴ <http://media.unwto.org/en/content/understanding-tourism-basic-glossary>

⁵ Jafari, J. (1997) page 6

⁶ McIntosh, R.W. et al. (1995) page 10

B.1.2. The tourist

From the definitions above it can be derived that according to the UNWTO a tourist is a visitor (domestic, inbound or outbound) whose trip includes an overnight stay. A visitor is a traveller taking a trip to a main destination outside his/her usual environment, for less than a year, for any main purpose (business, leisure or other personal purpose) other than to be employed by a resident entity in the country or place visited.

There is some debate over the issue of business vs. pleasure. The concept “tourist” is reserved for persons staying in a place for not more than one year. Those who arrive at a destination with the objective of living there for business, work, or personal migrant workers are prevented from being qualified as tourists. But, any employee of companies not resident in the visited region, as well as self-employed persons staying for a short period of time (less than a year) to provide a service such as the installation of equipment, repair, consultancy, etc. or travellers entering in business negotiation with companies located in the destination, or looking for business opportunities (including buying and selling), or participating in trade fairs are considered (business) tourists.

As a final reference we include the definition of the United Nations as it was formulated in 1994. A *tourist* is an overnight visitor, and a *visitor* is: “Any person traveling to a place other than that of his/her usual environment for less than 12 months and whose main purpose of trip is other than the exercise of an activity remunerated from within the place visited.”⁷

B.1.3. The tourism industry

An important stakeholder in all activities fighting child sex tourism is the tourism industry or tourist industry. We already touched the complexity in defining the tourism industry. Normally an industry takes the name of the product it produces or the activity it undertakes. The clothing industry consists of all businesses, which manufacture the product: clothes. Alternatively it will be called the ‘clothes manufacturing’ industry, naming it after the activity. But tourism is defined in terms of the consumer, the tourist. This means that the tourism industry is not defined by the product or service it provides. The defin-

ing matter is whether a tourist buys this product or not. Trying to describe tourism in the activity it carries out, the core element is not the production process but the selling process: is the product or service sold to a tourist or not. Businesses offering the same service or product, can either be touristic or not, depending on the customer they cater for. This added to the fact that since the tourist consumes many different products and services in a number of different countries or continents, makes the tourism industry a complex industry.

Instead of referring to a tourism industry, the UNWTO therefore refers to *tourism industries*: “Tourism industries (also referred to as tourism activities) are the activities that typically produce tourism characteristic products. Tourism characteristic products are those that satisfy one or both of the following criteria:

- a. Tourism expenditure on the product (either good or service) should represent a significant share of total tourism expenditure (share-of-expenditure/demand condition).
- b. Tourism expenditure on the product should represent a significant share of the supply of the product in the economy (share-of-supply condition). This criterion implies that the supply of a tourism characteristic product would cease to exist in meaningful quantity in the absence of visitors.”⁸

To clarify this complex description, the UNWTO identifies the following products and services as forming part of *tourism industries*:

1. Accommodation services for visitors.
2. Food and beverage serving services.
3. Railway passenger transport services.
4. Road passenger transport services.
5. Water passenger transport services.
6. Air passenger transport services.
7. Transport equipment rental services.
8. Travel agencies and other reservation services.
9. Cultural services.

⁷ United Nations and World Tourism Organization (1994) page 7.

⁸ <http://media.unwto.org/en/content/understanding-tourism-basic-glossary>

10. Sports and recreational services.
11. Country-specific tourism characteristic goods.
12. Country-specific tourism characteristic services.

B.1.4. Tourism definitions in the Gambia

All legislation on tourism and exploitation in the Gambia pay attention to definitions of the concepts. We will continue with a presentation of the relevant concepts in the relevant legislation.

The tourist

The Gambia Tourism Board (GTB) Act 2011 defines *tourist* as: “A visitor in the Gambia for a period of twenty four hours for holiday, leisure, conference, religious, sports, health, business or any similar purpose.”

The tourism industry

The same Act identifies the following *tourism industries*:

- ▶ *Casino*: any premises, including gaming houses, to which members of the public; have access for the purpose of playing a prescribed game.
- ▶ *Hotel*: a guesthouse, rest house, tourist village, flat hotel, inn, lodging house or premises used for the reception of guests or travellers but excludes the premises listed in the to this Act.
- ▶ *Nightclub*: premises open for business at night and having a bar and disco or other entertainment.
- ▶ *Premises*: land on which there is no building if such land is used for tourism purposes.
- ▶ *Restaurant*: premises in which the business of selling food or beverages to the public is carried on.
- ▶ *Tour operator*: a person who carries on the business of organizing tours or excursions to or from the Gambia for reward.
- ▶ *Tourist guide*: a person who is employed to educate tourists about the geography, history, cultures, and life of different communities in the Gambia.

Apart from those described above, the Gambia tourism industry consists of other components, like transport which includes tourist taxis, ground tour operators and motor vehicle hire enterprises, dyers and the producers such as wood carvers and other entities providing direct services to tourists. To make tourism more accessible for small-scale entrepreneurs the GTB Act excludes a number of premises from the definition and thus from regulation for hotels and restaurants. Exempted enterprises are undertakings operated by the Government or the community and a number of other undertakings, such as some types of taxicabs. Also price and size are decisive for exclusion. Hotels which charge less than 150 Dalasi (about 3 euros) or in which the gross yearly receipts is less than 5000 Dalasi (about 100 euros) are also excluded.

B.1.5. Tourism and sex

From the perspective of the tourist, holidays and sex may have a special connection. People frequently behave differently when in a foreign country and adopt other norms and values. Away from home, freed of normal social and moral constraints with less social control and a lower sense of responsibility, enhanced by an exotic environment and the once-in-a-year feeling, this all will make people feel less inhibited. This often results in a more relaxed attitude towards sex. As long as this is translated into mutually consented sex with the partner or other tourists, it is not subject to this survey. It starts to be a bit more complex when tourists start engaging with the local people. And it becomes a problem if sex with local people becomes the primary goal of the holiday.

B.1.6. Sex tourism

Sex tourism is travel to engage in sexual activity. Kauffmann cites Pruitt and LaFont (1995) who define *sex tourism* as a: “Sexual relationships between tourists and locals focused more on romance and courtship rather than on sex for money. Actors are seen as being emotionally involved with each other and desirous of a long-term relationship.”⁹

In this definition sex tourism explicitly is not related to prostitution. Sex tourists will travel to destinations either to have sex with other tourists and/or because they assume that the culture

visited is freer in its attitudes towards sex. To benefit from these touristic misinterpretations, the travel industry has been creating and selling false images. Women and children are portrayed in some brochures as being smiling, exotic, subservient and passive, shaping the image of some countries in the minds of many.

As a result several countries such as Thailand, Vietnam, Philippines, Brazil, Cuba and the Dominican Republic, became destinations for male sex tourists. But sex tourism by women also exists and seems to be a growing phenomenon since more and more women become independent and are travelling. While European women have been known to go to Spain and Greece to enjoy sex with local men for decades, more recently new destinations occur. In her report 'Prostitution et traite des êtres humains', the sociologist Mélanie Claude reports an increase of women travelling for sex to countries like Dominican Republic, Jamaica, Senegal and Gambia. In these countries 20% of the sex tourists is female, against only 5 to 6% in other countries.¹⁰

In 1995 the World Tourism Organization, (now a specialized agency of the United Nations and renamed UNWTO), defined *sex tourism* as: "Trips organized from within the tourism sector, or from outside this sector but using its structures and networks, with the primary purpose of effecting a commercial sexual relationship by the tourist with residents at the destination."¹¹

The UNWTO refers to sex tourism as an organized form of tourism, acknowledging the role of the tourism industry in sex tourism.

B.1.7. Sex tourists

Renault defines *sex tourists* as: "Tourists who engage in sexual activities with prostitutes in the country or countries they are visiting. Such activities are often the primary reason for travel to particular destinations."¹²

O'Connell Davidson adds the notion of northern tourists travelling to southern countries: "In the developed world, this term usually evokes the image of men, often older and in less than perfect shape, travelling to developing countries

(in Asia, Africa, Latin America, or the Caribbean), for sexual pleasures generally not available, at least not for the same price, in their home country."¹³

B.1.8. Tourism and prostitution

The link between travel and prostitution is not new. In the past, sailors and soldiers frequently paid local women for sexual services. During the Vietnam War a flourishing sex trade developed in the Philippines and Thailand providing pleasure for American soldiers while on leave. Over the last few decades, tourism has taken over in many countries with tourists now travelling in large numbers to spots where sex is offered on a large scale. For example, the Amsterdam Red Light district 'de Wallen' is a sight not to be missed by tourists to the Netherlands. Requests for female sexual services were previously mostly from locals until the arrival of tourists and/or foreign military personnel. With the spread of tourism worldwide and the entry of the mass tourism, tourists have become important consumers of prostitution.

Discussing tourism and prostitution often is complex because it involves issues of:

- ▶ **Legality:** in many countries prostitution is illegal.
- ▶ **Morals:** in many cultures prostitution it is seen as wrong, evil and/or perverse but in some it is seen as 'just a job'.
- ▶ **Exploitation:** prostitution is a multibillion-dollar industry in which millions work, often forced and, if not by physical force, the question always remains whether the work is 'voluntary'.

¹⁰ Le Jeune Afrique, 26-3-2010, <http://www.jeuneafrique.com/Article/ARTJAJA2566p036-037.xml0/>

¹¹ "WTO Statement On The Prevention Of Organized Sex Tourism". Adopted by the General Assembly of the World Tourism Organization at its eleventh session - Cairo (Egypt), 17-22 October 1995 (Resolution A/RES/338 (XI)). Cairo

¹² Renault, R. (2006) page 10

¹³ Oppermann, M. (1999) page 251

B.2. Commercial sexual exploitation of children

We will describe commercial sexual exploitation of children in its constituting elements:

- ▶ A child.
- ▶ Exploitation.
- ▶ Sexual exploitation.
- ▶ Commercial sexual exploitation.

About the definition of a child there is no ambiguity. The UN Convention on the Rights of The Child (CRC), the African Charter on the Rights of the Child, the Children's Act 2005 of the Republic of The Gambia and the Trafficking In Persons Act 2007 of the Republic of The Gambia all give the same definition of a *child*: "A child is any person under 18 years of age."

B.2.1. Exploitation (and trafficking)

In defining the concepts, exploitation and trafficking are often used interchangeably. In fact trafficking can be used in a broader sense, as exploitation, or in a narrower sense, as moving people from one place to the other, but there is even a narrower meaning of the concept namely when it is used for the act of pimping.

Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (also referred to as the Trafficking Protocol or UN TIP Protocol, one of the three protocols constituting the Palermo Protocol: the United Nations Convention against Transnational Organized Crime), defines *trafficking* as follows:

- a. "*Trafficking in persons* shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

- b. The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used."

It continues to specify the *trafficking of children*:

- c. "The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered *trafficking in persons* even if this does not involve any of the means set forth in subparagraph (a) of this article.
- d. *Child* shall mean any person less than eighteen years of age."

In the Gambia, exploitation of children is dealt with in the Trafficking Act: "Child trafficking means the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation (Section 38(c))." The definition of *child trafficking* in brief: "A child has been trafficked if he or she has been moved within a country, or across borders, whether by force or not, with the purpose of exploiting the child."¹⁴

ChildFund cites the elements constituting trafficking in the Gambian Trafficking Act as follows (texts are adapted by Jana Sillen for better reading):¹⁵

"(Part I, Preliminary of the Act) *exploitation* is elaborated in the following concepts:

- a. Keeping a person in a state of slavery (the status or condition of a person over whom any or all the powers attaching to the right of ownership are exercised).
- b. Subjecting a person to practices similar to slavery (debt bondage, forced marriage and delivery of children for exploitation).
- c. Compelling or causing a person to provide forced labour or services (labour or services obtained or maintained through force, threat of force or other means of coercion or physical restraint).
- d. Keeping a person in a state of servitude, a condition of dependence in which the labour or services of a person are provided or obtained:

¹⁴ Identical to the Palermo Protocol

¹⁵ Sillen, J. (2012a)

- a. By threats of serious harm to that person or another person.
- b. Through a scheme, plan or pattern intended to cause the person to believe that if the person did not perform the labour or services, the person or another person would suffer serious harm. And this includes sexual servitude. (.....)
- e. The prostitution of a person or engaging in any other form of commercial sexual exploitation, including, but not limited to, pimping, pandering, procuring, profiting from - prostitution, maintaining a brothel, child prostitution and child pornography.
- d. Illicit removal of human organs.
- e. Exploitation during armed conflicts.”

B.2.2. Sexual exploitation

The Tourism Offences Act 2003 considers any of the below mentioned actions as sexual abuse of a child and therefore punishable with a heavy fine or imprisonment, and in some instances both a fine and imprisonment:

- ▶ Making sexual advances towards a child.
- ▶ Having sex with a child.
- ▶ Asking or forcing a child to have sex with someone.
- ▶ Forcing a child to become a prostitute.
- ▶ Making a child pose or perform for pornographic pictures or videos.
- ▶ Distributing, showing or publishing pornographic pictures of children.
- ▶ Showing pornographic pictures to a child.
- ▶ Showing your private parts or sexual organs to a child.
- ▶ Touching, fondling or kissing the private parts of a child.
- ▶ Performing sexual acts with an animal in the presence of a child and/or forces a child to have sex with an animal.

In the Gambia other forms of sexual exploitation are distinguished which are not dealt with in this report such as child marriages, forced marriages, sexual harassment, sexual misconduct, etc. We will focus on commercial sexual exploitation of children and more specifically on child sex tourism.

B.2.3. Commercial sexual exploitation of children

ECPAT defines *commercial sexual exploitation of children* as: “Commercial sexual exploitation of children is the sexual exploitation by an adult of a child or adolescent below 18 years of age that involves a transaction in cash or in kind to the child or to one or more third parties. Commercial sexual exploitation of children includes:

- ▶ The use of girls and boys in sexual activities remunerated in cash or in kind.
- ▶ Trafficking of girls and boys and adolescents for the sex trade.
- ▶ Child sex tourism.
- ▶ The production, promotion and distribution of pornography involving children.
- ▶ The use of children in sex shows (public or private).”¹⁶

In the Gambian context some other definitions are being used. CPA works with the definition of the Declaration of the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, which defined *commercial sexual exploitation of children* 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. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.”¹⁷

Pornography and online sexual exploitation

The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Pornography (OPSC) specifies that *child pornography* involves: “Any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.”¹⁸ ECPAT adds: „While it is important to specifically define each particular manifestation of commercial sexual exploitation of children, there is often no sharp dividing line between non-commercial and

¹⁶ ILO (2007) page 7

¹⁷ The Stockholm declaration (1996) article 5

¹⁸ The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Pornography (OPSC), (Article 2(c), 2002)

commercial exploitation.¹⁹ The various forms of commercial sexual exploitation of children can be inextricably linked. It is particularly important to be mindful that, from a child's perspective, the abuse and its consequences are similar.²⁰

ECPAT states that: "Child pornography includes photographs, visual and audio representations and writing, and can be distributed through magazines, books, drawings, movies, videotapes, mobile phones and computer disks or files. Generally speaking, there are two categories of pornography: that which is not sexually explicit but involves naked and seductive images of children, and that which presents images of children engaged in sexual activity."²⁰

ECPAT further explains the relation between pornography and tourism: "A striking feature of child sex tourists, especially preferential child sex tourists and paedophiles, is the frequency with which they produce, collect and exchange images of abuse. In many child sex tourism cases, the offending adult films or records the abuse inflicted upon the child at the tourism destination, linking child sex tourism with the production of child pornography. The offender may keep the images for his or her own consumption or may share them with other child pornography consumers. The child pornography can also be used for commercial gain, with the tourist who produced it sharing it or placing it on the internet in exchange for money or some other consideration. Child pornography can thus lead to additional child sex tourists being attracted to a tourism destination."²¹

A growing concern is online sexual exploitation. The grooming of children is taking place through internet and other social media. The role of internet is also of growing concern where child sex tourism is involved. From internet cafés in destination countries contacts between tourists and children are established. In the Gambia this is becoming a serious problem, as we will describe further on.

Trafficking in function of sexual exploitation

ECPAT defines *child sex trafficking* as follows: "Child sex trafficking involves the recruitment, transfer, harbouring or receipt of a child within or across borders for the purpose of sexual exploitation."²²

ECPAT further explains: „Children exploited in child sex tourism destinations are often locally based. However, children are also trafficked internally or across borders to service sex tourists. There are multiple cases of minors trafficked to other countries for prostitution and in particular to service tourists who are wealthier than locals. (.....) Furthermore, child sex tourism can be the end purpose of domestic trafficking of children. (....) The existence of a relationship between trafficking in children and child sex tourism is common: trafficked children are particularly vulnerable as they are removed from their communities, cultural context and have a fragile legal status that forces even greater dependency on those profiting from child sexual exploitation (pimps, brothel owners or even clients). Furthermore, tourism destinations are often economic magnets, making both adults and children more vulnerable to false promises of employment or other forms of trickery and coercion employed by traffickers. It is also possible that children are trafficked for reasons other than sexual exploitation, such as child labour in the informal tourism market or for begging purposes, only to end up in sexually exploitative situations. (....) Finally, it should be noted that traffickers and their victims might be users of the same transportation services as tourists. Indeed, with taxis, buses, boats and planes being used to transport tourists and travellers to numerous destinations at increasingly inexpensive costs, it is not surprising that these same services can be used to bring children to places where they can be exploited by tourists. It is important that tourists and tourism professionals are aware that tourism services can be used by both child sex offenders and child traffickers and that children utilising transportation or accommodation services may be trafficking victims. Accommodation venues and transportation companies must have child protection policies and procedures in place which allow them to recognise, report and act on a situation in which a child is being trafficked or sexually exploited.“²³

19 Tautz, S., Bähr, A. & Wölte, S. (2006)

20 ECPAT International (2008) page 8

21 ECPAT International (2008) page 21.

22 UN (2000), Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Article 3

23 ECPAT International (2008) page 19-21

Prostitution

The UN describes *child prostitution* as follows: “Child prostitution involves the use of a child in sexual activities for remuneration or any other form of consideration.”²⁴

ECPAT expands this definition by explaining: “The prostitution of children thus occurs when someone benefits from a commercial transaction in which a child is made available for sexual purposes. Children may be controlled by an intermediary who manages or oversees the transaction, or by a sex exploiter, who negotiates directly with the child. Children are also involved in prostitution when they engage in sex in return for basic needs such as food, shelter or safety, or for favours such as higher grades at school or extra pocket money to purchase consumer goods. These acts may occur in many different locations, such as brothels, bars, clubs, homes, hotels or on the street.”²⁵

B.3. Child sex tourism

B.3.1. Tourism and children

The consequences of tourism development for the development of destinations are manifold. It has a great impact on the lives and the future of children. For this study, focussing on child sex tourism, it is relevant to see the impact of tourism on children from a child rights perspective. As ECPAT describes: “Tourism is sometimes associated with human rights but not often associated with the issue of child rights when, in fact, the industry has a tremendous impact on children’s lives all over the world. Duty bearers such as Governments or tourism companies have key responsibilities in protecting children’s basic rights and, if they do not, there are ways in which they can be held accountable.”²⁶

ECPAT puts tourism development into the context of a child rights approach: “A rights-based approach to development is now being seen as able to make a major contribution to issues such as good governance, ethical development, sustainability and equitable poverty eradication. Tourism development affects the health and wealth of communities in which it operates, meaning that tourism directly affects children in those communities. However, this impact can be both positive and negative. Overall, rapidly increasing tourist arrivals mean that there are simply many adults in the presence of children who may be poorer and more vulnerable than children in the tourists’ home countries. It is this impact of tourism on local communities that highlights the relationship between the tourism development and the need for child protection mechanisms in tourism destinations.”²⁷

From there ECPAT links to child sex tourism: “While a growing tourism-based economy can help improve the economic conditions in which children live, it can also expose children to potential child sex offenders, as booming tourism means travellers can access locations where children and families may be poorer than the visiting tourist. Rapid tourism development or unregulated tourist arrivals can mean that children end up unsupervised in the presence

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

25 ECPAT International (2008) page 6

26 ECPAT International (2008) page 24

27 ECPAT International (2008) page 24

of foreign and domestic tourists. Furthermore, unregulated tourism development can mean the destruction of traditional livelihoods, thereby pushing children into poverty and increasing their likelihood of becoming victims of exploitation. Employment of children in the tourism sector also means that children may be exposed to tourists seeking sexual contact with children.”²⁸

B.3.2. A type of tourism

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

Initially many publications (including some ECPAT documents) defined *child sex tourism* as: “Travel to another country with the explicit intention of sexually abusing a child constitutes child sex tourism.” Thereby limiting the concept to be used only when visitors from abroad commit the crime, excluding domestic travellers/tourists. In more recent ECPAT publications, domestic traveller/tourists are also included. In other definitions the important element of an exchange is added: “Child sex tourism involves the exchange of cash, clothes, food or some other form of consideration to a child or to a third party for sexual contact.”²⁹

In Gambia the GTB defines *child sex tourism* as: “Child sex tourism is the commercial sexual exploitation of children by both men and women, travelling from one location or country to another location or country, to engage into sexual activities with children. Child sex tourism can be committed by foreigners and locals.” Doing so the GTB specifically includes domestic tourists and travellers, and by using the word ‘commercial’ the element of an exchange is included.

B.3.3. A type of tourist

To be consistent with the definition of tourism (a sector being defined by the consumer: the tourist) child sex tourism implies a child being abused by a tourist, a child sex tourist or a child sex offender who travels.

Renault uses the term *child sex offenders*: “Travelling sex offenders are tourists who engage in illegal sexual activities with children in the country or countries they are visiting. Some are opportunistic offenders, who do not necessarily have a sexual preference for children but take advantage of opportunities presented to them in countries where children are easily accessible. Others travel for the purpose of obtaining children for sexual activities, and may repeatedly visit a particular country for such a purpose or even reside there for extended periods of time.”³⁰

ECPAT defines *child sex offender* as: “A child sex offender will refer to those customers who engage in commercial sexual activities with children, whether through the purchase of sex or sexual abuse images.” The use of the term ‘child sex offender’ acknowledges that other terminology, such as ‘child sex customer’, denies the criminality of the activities conducted by these individuals.

CPA adds the category of domestic travellers explicitly: “Travelling to exploit children does not necessarily imply crossing into another country, because domestic travellers can also sexually exploit children in their own country. Thus child sex tourists can be both domestic travellers and international tourists.”³¹

Looking at the realities of child abuse by foreigners in the Gambia, Kauffmann gives a slightly different definition: “Child sex tourists are regular visitors in the Gambia of which some own houses. They return to the Gambia at least twice a year for a longer stay.”³² Thus he raises one of the issues relevant for child sex tourism in the Gambian context, where foreign perpetrators are not all covered by the definitions of tourism.

In its international brochure ECPAT elaborates the concept of the *child sex tourist* into three sub categories:³³

- *Situational child abusers*: abuse children by way of experimentation or through the anonymity and impunity afforded by being a tourist. He or she does not have an exclusive sexual inclination for children. Often, the situational offender is an indiscriminate sex tourist who is pre-

28 ECPAT International (2008) page 24

29 ECPAT International (2008) page 6

30 Renault, R. (2006) page 10.

31 “Protecting Children from Sexual Exploitation in Tourism-an ECPAT Training Resource Kit” page 3

32 Kauffmann, A. (2008) page 21

33 ECPAT International (2008) page 12

sented with the opportunity to interact sexually with a person under 18 and takes it. The majority of child sex tourists are situational offenders.

- ▶ *Preferential child abusers*: display an active sexual preference for children. He or she may still have the capacity to experience sexual attraction for adults but will actively seek out minors for sexual contact. The preferential child sex tourist will generally search for pubescent or adolescent children. It is important to distinguish the preferential child sex tourist from the paedophile. Kauffmann characterizes this type of tourist as follows: “Individuals who prefer children who have reached or passed puberty as sex objects (UNICEF 2001). In contradiction of the paedophilia definition, preferential child abusers consequently and specifically approach adolescents.”³⁴
- ▶ *Paedophiles*: manifest an exclusive sexual inclination for pre-pubescent children. Usually considered as someone suffering from a clinical disorder, the paedophile may not show any preference for the gender of children and may not view sexual contact with children as harmful. Paedophiles, as well as the ‘preferential’ abusers described above, are a minority of child sex tourists. Kaufman uses a definition of UNICEF from 2001: “Individuals who have a true personality disorder, and their sexual interests focus on pre-pubescent children.”³⁵

The Tourism Child Protection Code uses another typology of child sex tourists, which is relevant because of the status of The Code, but which is less clear. A *child sex tourist* is:

- ▶ A situational – indiscriminate sex tourist.
- ▶ A paedosexual, who has an exclusive sexual inclination for pre-pubescent children c.q. a clinical disorder.
- ▶ A travelling child sex offender, who already has a criminal record for sexual abuse or exploitation of children in a country, but is able to travel abroad.³⁶

B.4. Conclusion

In child sex tourism the slightly vague definition of tourism meets complex issues of commercial sexual child exploitation. Having deducted the concept of child sex tourism from the concepts of tourism and sexual exploitation it appears that there is room for interpretation in the definitions and issues relevant to assess what is child sex tourism and what is a child sex tourist. This room for interpretation should at least be clarified, since a common and correct understanding of the concepts involved in the fight against child sex tourism is necessary to target the right groups with the right instruments. The following issues might need attention before a clear communication can take place between stakeholders.

Tourism is not only about holidays; it can principally cover the whole spectrum of travelling and travellers, and to every business catering for them. Talking about the importance of tourism, one should keep in mind that tourism statistics deal with this broad spectrum of travelling, and the resulting numbers do not reflect what a laymen would consider to be tourism.

Therefore, *child sex tourism* is not about tourists in the narrow definition but about travellers in the broadest sense and about all kinds of travellers including: travellers, visitors, business travellers, international and domestic tourists. It could include travellers who return three times a year or own a house in the destination. Targeting child sex tourists is not only about targeting tour operators, but also these other groups of travellers.

Although there is an important distinction between different types of *child sex tourists*, and an occasional abuser is not the same as a paedosexual, they should all be considered perpetrators. The way to address them however clearly differs because of their motives and since there are other paths and instruments necessary to communicate with each group. But from the perspective of child rights, although there is a difference between the abuse of adolescent youth and pre-puberty children, they are all minors and have the same right to adequate protection.

There is the complication of the difference (in general) between sex tourism and prostitution. The definitions do not offer clarity. They refer to sex tourism as not being necessarily related to

³⁴ Kauffmann, A. (2008) page 7

³⁵ Kauffmann, A. (2008) page 7

³⁶ The Code website: <http://www.thecode.org/csec/background/>

prostitution, however, a sex tourist is defined as a tourist travelling with the intention to retrieve sexual services from a local person in a destination in exchange for some remuneration in money or in kind, which in fact is prostitution. When this tourism takes place from a richer to a poorer country and a financial inequality/dependency exists between the tourist and the local partner, the relationship becomes easily unclear. Under these conditions, when does a sexual friendship turn into prostitution (or, for that matter, turns prostitution into friendship)? Besides being an issue of definition, the question is whether it is possible to separate the two phenomena, since sex tourism probably creates conditions for prostitution. It also might lead to the growth of a sex industry, which will lead to more commercial sexual exploitation.

To take this further a relevant question then becomes when does sex tourism become an organized crime, to be treated as trafficking. We will see that in the Gambia, 'friendly' bumsters will assist both men and women looking for friendship and sex. Where is the line between friendly brokerage and pimping or trafficking?

While tourism and its industry are not necessarily responsible for the sexual exploitation of children, child sex tourists use tourism facilities and services as vehicles to facilitate contact with children. This creates a responsibility for

the tourism sector. A number of tourism industry stakeholders are involved in the brokerage and organization of sex and prostitution, like taxi drivers and tour guides.

If by definition, any business becomes part of the tourism industry when it caters for tourists, the question is whether that part of the sex industry that caters for tourist or non-local sex buyers, also is part of the tourism industry. This link between tourism industry and sex industry is a difficult one, since a number of businesses belonging to the latter might be regarded as illegal operations.

Laws exist to protect people. So a good lawyer will always try to interpret law in favour of his client. Therefore legislation has to be clear. In the Gambia the tourism industry is defined in an elaborate way. But it is not always 100% clear what is considered to be included in the tourism industry. Examples are the (small) tourism businesses that, for the purpose of tax and license exemption, are considered 'exempted enterprises'. Although the Tourism Offences Act 2003 is supposed to provide instruments for prosecuting persons when the sexual abuse of children by tourists occurs in their premises, it is not quite clear how the question of these 'exempted enterprises' could be interpreted and used in a court of law to escape any responsibilities.

C. The survey: Findings

C.1. Description

The field survey was conducted during the months of June and July 2013 in several locations within the Senegambia Tourism Development Area and around the communities of Kololi and Kotu in the Gambia. These areas were chosen for the number of tourists they attract. The survey was based on formal and informal interviews and Focus Group Discussions with hotel managers (20), tourist taxi drivers (25), official tourist guides (20), tourism security personnel (2), officials of the Ministry of Tourism and the Department of Social Welfare (4), bumsters (20), international tourists (15) youth associations (49 children), 6 child victims of sexual exploitation, 6 adult female sex workers and 9 adult male sex workers. In 30 occasions observations were held in nightclubs, bars and restaurants that are frequented by sex workers, pimps and clients and in internet cafés. The data was collected by 7 researchers and was coordinated by a local consultant.

C.1.1. Methodology

Tourism activities are mainly concentrated in what is known as the Tourism Development Area (TDA) stretching from Cape Point to Kartong. The TDA is also divided into clusters and the clusters with the biggest concentration of tourists are Cape Point, Fajara, Kotu, Kololi and Senegambia. Each of these clusters has its own peculiarities in terms of commercial sex tourism. However, much of the research was concentrated around the Senegambia TDA and the neighbouring Kololi residential areas since the former hosts most of the major hotels, bars, restaurants and nightclubs (especially in low season, when the research was carried out) and is known for its busy weekend nights. The latter is renowned for its guesthouses and lodges and private homes that serve as a potential hideout for paedophiles.

C.1.2. Survey types

The research surveys were conducted in accordance with the research guidelines provided by ECPAT. In the Annexes is a detailed explanation of the stakeholders identified for the survey and the questions asked.

C.1.3. Interviews

This survey has a strong qualitative basis, aimed at assessing the prevalence of commercial sexual exploitation of children related to tourism in the Gambia. Semi-formal questionnaires were used in the collection of data for this survey.³⁸ Information gathered from key actors was done on flexible basis allowing sex workers to interview each other, and questioning was tailored to suit each individual interview. Main findings are based on personal stories, impressions, observations and other qualitative indicators from varied sources. Face to face interviews were also used to collect information from identified stakeholders such as the tourist taxi drivers, bumsters, tourism security unit, immigration personnel, hotel managers and official tourist guides. Each of these participants were met at their work places/places of operation and interviewed by our researchers.

C.1.4. Participants' observation

An undercover monitoring was held by our researchers on the behaviours of key actors and those suspected of possible child sexual exploitation. These monitorings took place in nightclubs, bars and restaurants that are frequented by sex workers, pimps and clients. The observations were held at different times of the day but mostly at night as that is the time when children involved in commercial sex are seen in such places.

C.1.5. Focus Group Discussion (FGD)

A total of 4 FGDs were held with children and adolescents in different locations in the TDA. On

³⁸ You can find example surveys in the Annexes

the average, 6 to 16 persons were invited to all FGDs. These included FGDs with children groups at risk of commercial sexual exploitation and of children and adult sex workers. The FGDs with commercial sex workers were organized and conducted by the main consultants and facilitated with the help of local contacts who selected the participants. The selection of venues for FGD was based on the amount of privacy, accessibility to participants, safety level, comfort and logistical factors. Participants were given brief pre-discussion briefings on the purpose, process and norms of the FGD. Given the sensitivity of the subject matter in the Gambia, the introduction for the FGD was kept general and aimed at enlarging the knowledge on the situation of commercial sexual exploitation of children in the TDA.

C.1.6 Tourism Stakeholders Forum on Child Sex Tourism

On January 22nd, 2015 a validation meeting was organized with participation of the stakeholders in tourism. With their help, from a gross list of recommendations a number of priorities were short listed.

C.1.7. Identification of stakeholders for interviews

The following samplings were used in identifying the stakeholders for this interview: tourist taxi drivers, tourism security unit, immigration personal, hotel managers and official tourist guides non probability snow ball sampling was used to identify these participants. Once they were identified, interviews were arranged with them and they were interviewed at their work places by the research team. Some of the stakeholders were also instrumental in recommending other colleagues for the interviews. The research team collected the samples in the main Tourism Development Area.

Non-probability snowball sampling was the method used to identify and secure interviews with children involved in commercial sexual exploitation. This technique provided the researchers an effective means of identifying children who are engaged in commercial sexual activities through a person who had previously worked with them in other studies relating to the sex industry. Additionally, some adult sex workers who had started sex work as children (below 18

years) were identified and interviewed. Identifying commercial child sex workers was not easy due to its illegal practice and its sensitive and hidden nature. The research team identified the respondents through an association they were part of. Because of the dangers for homosexual prostitutes, it remained very hard to collect data from them.

Bumsters were identified for the survey using random and non-random sampling. Random sampling was used in identifying bumsters who are not members of the Bumster Rehabilitation Programme (BRP) and non-random sampling was used for members of the bumster rehabilitation programme who were identified by the coordinator of the BRP.

C.1.8. Description of areas

Senegambia area

This area is the centre for nightlife and is a favourite destination for commercial sex workers from all parts of the country and from the sub region. Senegambia is home to famous nightclubs, bars and restaurants frequented by tourists, locals and expatriates seeking sex. A security checkpoint is stationed at the entrance of the Senegambia strip to deter children under the age of 18 years from entering the area. This led to the dispersion of underage children to the residential areas of Kololi, Kotu, Bijilo and Kerr Serign where they have been operating secretly through a network of pimps and contacts.

Kololi Residential area

The Kololi Residential area is known for its many private residents owned or rented by Westerners who do not wish to stay in hotels. Community members notice that since the introduction of the Tourism Offences Act, which lead to all hotels imposing stricter controls on visitors, a lot of the tourist seeking sex prefer buying or renting a holiday home in these residential areas.

C.1.9. Setup

We will first describe tourism in the Gambia with attention for the history, and its defining characteristics. Then we will analyse the current status of child sex tourism in the Gambia dealing with issues such as children at risk, the friendship business, international and national trafficking.

C.2. Tourism in the Gambia

C.2.1. History

The Gambia received its first arrival of 300 tourists in 1965 through a Swedish tour operator 'Vingressor'. The Swedish tourists were attracted by the country's people, winter climate and beaches. Today it is known to be a well-established destination mainly sold by tour operators. Initially there was no drive from the Government to create economic development out of tourism but that changed in 1971 when a study was carried out by the United Nations to look at how the industry could be developed to provide for visitors coming to the Gambia.

Tourism in the Gambia has created opportunities for income generation, offering employment opportunities, investment attraction, infrastructural development, foreign exchange, etc. However tourism also continued to impose quite a lot of challenges. The Gambia's continuous appeal as a tourism destination in attracting well over 100,000 tourists annually now is confronted with challenges such as prostitution, drug peddling and 'bumstering'.

C.2.2. Numbers

Since 1965, the Gambia has seen a steady growth in tourist arrivals, although in recent years the Gambia's tourism industry has been going through a rough time. In 2010 and 2011 numbers dropped dramatically, probably due to the effects of European economic recession. This is a problem for the Gambia since tourism is important for the national economy.

Gambia	2008	2009	2010	2011
Arrivals ³⁹	147,000	142,000	91,000	88,000
Tourism Income ⁴⁰	80,200,000	64,000,000	38,000,000	102,000,000
GDP ⁴¹	965,771,303	900,629,373	951,805,801	898,282,866

In 2012 arrivals were up to 104,000⁴² but this is still only two thirds of top year 2008. Tourists mainly arrive from Europe, with package tour operators from United Kingdom making up over 50% of the visitors.

The remaining numbers of visitors arrive from Sweden, the Netherlands and Germany.⁴³

The growth in tourist arrivals also comes with an increase in tourist accommodations and facilities, hence a growth in employment. The Gambia Tourism Board estimates around 25,000 direct job in 2011 (3.7% of total employment). Counting indirect jobs this is 10.9% of total employment.⁴⁴ The total contribution of Tourism to GDP was 12.6% in 2011.⁴⁵ In that same year the tourism industry contributed \$40 million in foreign exchange income to the economy.⁴⁶

Top Ten international visitors for 2011 ⁴⁷		
1	British	46,982
2	Dutch	12,906
3	Swedish	6,387
4	Spanish	4,963
5	German	3,020
6	Finish	2,904
7	Irish	2,662
8	Belgian	2,234
9	American	2,036
10	Danish	1,316

C.2.3. Some issues relevant for tourism in the Gambia

TDA and their surroundings

Most tourist accommodation is within the Tourism Development Area (TDA) in the Greater Banjul Area with almost 90% of tourist accommodation available in the country being in 35 hotels with 3,404 rooms and 6,285 beds⁴⁸. The remainder is spread across a wide range of small guesthouses, camps, lodges and apartments, much of which is outside of the TDA.

Small formal/informal businesses

Different from many other tourism destinations, the tourism sector in the Gambia is largely serviced by small formal or sometimes informal businesses clustered around the Tourism Development Area. It comprises of tourists taxi drivers, official tourists guides, craft market vendors, fruit vendors and

39 GTB

40 Worldbank, <http://data.worldbank.org/indicator/ST.INT.RCPT.CD>

41 Worldbank, <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

42 GTB

43 However, this does not account for arrivals through land border posts.

44 World Travel and Tourism Council

45 World Travel and Tourism Council

46 Gambia Bureau of Statistics

47 Gambia Bureau of Statistics

48 Source: Adama Bah, Asset

juice pressers. There also is a large number of informal businesses ranging from hawkers selling peanuts, watches and different other curios to those in hair plating and doing massage on the beach.

In 2000, a DFID funded pro-poor tourism project was implemented. The project focused on the use of a multi-stakeholder strategy for addressing problems and implementing solutions. It improved livelihood benefits by creating partnership approaches between the formal and informal sectors, including licensed and unlicensed guides, fruit and juice sellers, craft market stallholders, the taxi drivers, ground-handlers, hoteliers, UK tour operators and their representatives in the resort.

Actions that have proved effective included providing identity through badging and recognising their services through licensing. The study also highlighted the need for an association (ASSET) that will help in marketing and advertising of poor producers' products in hotels, creating codes and policies and generally linking the tourism industry to local production.⁴⁹

Bumsters

An unavoidable phenomenon in Gambian tourism is the presence of bumsters. They are often referred to as 'professional friends'.

Lawson and Jaworski⁵⁰ define the *bumsters* as 'cultural mediators' who make it possible for tourists to experience the Gambian way of life and society. Bah & Goodwin⁵¹ define them as: "Young men who engage tourists in conversation/hassle tourists in order to establish a relationship with the intent of providing services for which they can earn either from the tourists or from stall holders who pay commissions."

Bah⁵² argues that in the early days of tourism in the Gambia this group of 'professional friends' were the ones tourists, mainly coming from Scandinavia, depended upon as informal guides. These were people who had left school and were respected and rewarded as 'professional friends'. Consequently, more youths were attracted to the field which led to an over saturation of this informal employment. This led to stiff competition for the tourists and the development of aggressive techniques that could be offensive.

In the findings of McCombes⁵³, out of a sample of 40 bumsters, one third justified their actions as a means of helping their communities by encouraging tourists to visit 'real Gambia', thereby helping the poor. They cited examples of their tourists friends building schools, donating school materials, medical supplies, etc. They were identified as mostly male between the ages of 18 to 35 years, and the majority of them came from the rural areas.

Many bumsters may offer sex as part of the tourist experience and a number of them receives financial rewards for their services. They look for ways to 'sleep' their way out of the Gambia with white women. Bumsters are usually out for the 'jackpot' of being 'lucky' to be in a friendship that may eventually lead to being sponsored for their education, business partnerships or an opportunity of going abroad to greener pastures.⁵⁴ However, what makes them annoying to some tourists is the fact that they are persistent and do not take 'no' for an answer. Some of them are seen as 'con artists' or liars who give sympathetic explanations of their situation, which are at variance with their realities, and some appear to resort to unconventional behaviour known as crime to get their way.⁵⁵

C.2.4. Challenges

The Gambia is predominantly an agricultural economy but there is still high dependency on imports. Tourism is not helping enough to close the gap in this imbalance by creating the necessary linkage with other sectors of the economy. Which means the tourism income multiplier for the Gambia is likely to be very low. This situation increases poverty levels.

On a macro level, the high dependency on few tour operators who mostly market the Gambia as a winter sun destination creates seasonality where the work force is engaged for only 6 months. Another challenge is poor product differentiation, the rising costs of energy consumption and the perceived sex image of the country could make the country less competitive. Given the high dependence on tourism to create the necessary foreign exchange and provide income for both the formal and informal sectors, there is the urgent need to address all these challenges in order to provide opportunities for Gambians.

49 Bah, A. & Goodwin, H. (2003)

50 Lawson and Jaworski (2007) page 83

51 Bah, A. & Goodwin, H. (2003) page 24

52 Bah, A. et al (2005)

53 McCombes, L. (2008)

54 Sosseh, A. (2005) page 36

55 Bah, A. et al (2005), page 30

C.3. Child sex tourism in the Gambia

The first step in our research was to find confirmation of cases of child sex tourism in the Gambia. One of the starting points of our work is the statement dating back as far as 1983 by the United Nations Special Rapporteur Fernand-Laurent⁵⁶ on the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others: “The important point is not the scale of the problem but its degree of seriousness as a violation of the fundamental rights of the human person.” We have interpreted these words as to investigate whether children are commercially sexually exploited by tourists and describe their cases rather than putting too much effort in finding out how big the problem of child sex tourism is. Therefore, we first asked the question whether child sex tourism exists, then we tried to identify cases of child sex tourism followed by an analysis of information we could gather on them. We will give a summary of the results first and then we will analyse some of the main issues facilitating child sex tourism.

C.3.1. Child sex tourism summarized

Many of the studies found on child sex tourism in the Gambia share the opinion that the country is a target for Westerners seeking to have sex with children.⁵⁷ Our survey confirms this.

Sex offenders are moving their activities into communities close to the Tourism Development Area. Trends can be identified in the way in which they target vulnerable children in these areas. They will target children from poor families, meeting them in ‘traditional’ places catering for Westerners such as bars, restaurants and nightclubs, tourist areas such as Kololi, Kotu, Manjai, Kerr Serign and Bijilo. Those places allow for greater interaction between foreigners and children who work selling fruits and nuts or begging in the TDA. Some gain access to children and develop relationships with them through charitable organizations, providing sponsorship and support for the children. Another method used involves ingratiating themselves with the child’s family and/or the community. Such

grooming-based tactics within the family may include building or repairing a house for the child’s family, or providing financial support. Other grooming-based tactics in the broader community may include providing clean water, monetary donations and construction of nursery schools for communities. This provides children, families and communities with confidence in the person and reduces the possibility of a complaint against the person involved.

Potential offenders cannot be easily identified among other tourists as they are not a homogenous group but all come from diverse cultures, occupations and social classes. They are of all ages, married and single and business or leisure travellers. Some of them are situational abusers, not coming to the Gambia purposely to seeking sex with children but taking advantage when it is easily available to them. According to Ahmed Jegan Loum, national coordinator of the Sex Workers Intervention Project, a local organization that works with prostitutes: “Europeans come here to see young girls who have not yet been involved in sex.” Very young boys can be seen approaching tourists and offering an under-age ‘sister’, promising she is a virgin.⁵⁸ The 2006 US State Department International Trafficking In Persons Report mentioned child sex tourism in reference to a total of 29 countries, including the Gambia, where child sex tourism and sex tourism were taking place.⁵⁹

The study for this report showed that most of the children engaged in commercial sex are aged between 14 to 17 years and mainly girls. However, it was also discovered that the number of young boys engaged in commercial sex is on the rise as there is an increasing number of male tourists seeking young boys. Children engaged in commercial sex are predominantly poor. A factor that may keep children in prostitution is the ease of ‘hiding’ their sources of income and nature of activities. Often, parents are only too eager to receive supplementary income and do not probe their daughters for explanations. In Focus Group Discussions, street-children, ‘idlers’ and child bumsters seemed much less aware of types and hazards of sexually transmitted diseases, including HIV/AIDS, although many reported being sexually active, unlike schoolchildren of both sexes. None of the children engaged in prostitution

⁵⁶ Fernand-Laurent, J. (1983) page 14

⁵⁷ see UNICEF (2003), ECPAT International, (2009) and US Department of Labour (2009)

⁵⁸ The Independent (2010)

⁵⁹ US Department of State, (2006), Page 121

reported testing for HIV. Most prostitutes of all ages reported consistent condom use, however this information conflicts with reports from other informants, particularly users of prostitutes and intermediaries such as bumsters.

Our research also revealed that clients of the child prostitutes were mainly tourists from Europe, China and India. Some of them came into contact with children under the guise sponsoring, approaching children and their families in poor communities and once they gained the trust of the family and child, sexually abusing the children. The UNICEF study from 2003 ⁶⁰ showed the false 'glamorisation' of prostitution among children engaged in it. It indicated that for children engaged in prostitution, usually new entrants into prostitution, the prospects of earning vast sums of money and living a seemingly 'free and modern' lifestyle seemed to override any concerns about risks associated with prostitution.

C.3.2. Child sex tourism analysed

The analysis of the survey results showed a need for the elaboration of the following issues:

- ▶ Children at risk.
- ▶ The setting of sex tourism.
- ▶ Different types of child sex tourism.
- ▶ Trafficking internationally.
- ▶ Trafficking locally: Middlemen.
- ▶ Bars, restaurants and nightclubs.
- ▶ Internet.
- ▶ Sponsoring.

Children at risk

In 2010, the Government of The Gambia and UNICEF conducted the fourth Multiple Indicator Cluster Survey (MICS) in order to provide up to date information on the situation of children and women in the Gambia. The Gambia covers a young population with demographic indicators that state 877,000 individuals to be under the age of 18 (in 2010) that is 51% of the entire population. Of this youth population, according to CPA, the vulnerable children are those who are at high risk of 'falling through the cracks' of regular programs and who will experience negative

outcomes in terms of education, discrimination, participation, etc. as a result of being infected or affected by HIV/AIDS and/or at risk or involved in commercial sexual exploitation. This includes children whose survival, well-being or development is threatened by HIV/AIDS and/or commercial sexual exploitation. In this context, characteristics of vulnerability include one or more of the following: having parents or caregivers who are ill or dying, lacking a home and/or family, living in an unhealthy, unsupportive environment, living in an area with high HIV prevalence or proximity to high-risk behaviours, being isolated, exploited or discriminated against. Gender may also contribute to vulnerability.

The 2012 UNICEF Report on the State of the World's Children revealed diverse statistics that are quite disturbing:

- ▶ 72,000 children (aged 0 – 17) were orphaned in 2009 (due to all causes).
- ▶ 36% of Gambian women was married or in union before the age of 18 (2000 – 2010).
- ▶ 25% of Gambian children (aged 0 – 17) carried out one or multiple forms of child labour (2000 – 2010).
- ▶ 74% of all male enrolled into primary school (2007 – 2010), where only 40% truly attended the classes (2005 – 2010).
- ▶ 78% of all female enrolled into primary school (2007 – 2010), where only 45% truly attended the classes (2005 – 2010).
- ▶ 55% of Gambian children are in the possession of birth registration (2000 -2010).

All above statistics weaken the social position and development of children, while growing up.

Unpublished research by CPA, conducted between June and November 2006, showed that the average age of entry into commercial sex is 15 years. Most of the victims of commercial sexual exploitation stated 'survival' as the main reason for their involvement in prostitution. A total of 39% of victims interviewed declared that they had become involved after the death of their parents. Furthermore, 25% of the victims interviewed affirmed that their first sexual experience involved violence or coercion. The research revealed that there are very few organizations providing support services for children

involved in commercial sexual exploitation, vulnerable to it or at increased risk of contracting HIV/AIDS. It also indicated that there are no safe havens tailored for this particular group of children, and very few organizations provide them with alternative means of livelihood, psychosocial care, counselling and general recovery and reintegration assistance.

The findings of earlier studies showed that for the most part, the children engaged in prostitution do not consider themselves 'children' and do not understand that they require special protection because of their age.

The culture of silence prevents children from reporting cases of sexual abuse and exploitation to their parents or guardians. Traditional practices such as early marriage, child domestic labour and children engaged in petty selling and street begging are among some of the contributing factors to situations in which children are vulnerable to becoming victims of sexual exploitation.

The respondents in the survey further specified the following children as vulnerable:

- ▶ Children from poor and economically underprivileged homes.
- ▶ Unemployed youth.
- ▶ School dropouts.
- ▶ Victims of divorce (women).
- ▶ Widows.

The setting of sex tourism

Child sex tourism is facilitated by the existence of sex tourism and a sex industry. The Gambia is one of the most known tourism destinations for sex tourism. When in the nineties Asian countries started restricting sex tourism, the fact that the Gambia had a lack of controls, resulted in the country becoming a favourite destination for tourists who had previously gone to Asia for sexual services. The existence of sex tourism is also disturbingly apparent on websites, such as the International Sex Guide.

Kauffmann quotes a number of stakeholders: "The Gambia has a high return rate of tourists, mostly genuine, but also suspicious", according to a director of a Tour Wholesaler, claiming that everybody knows that sex is an important factor for returning to the Gambia (Interview 9-2008). "At least 50% of incoming flights are seat only, indicating that these travellers found ways of

accommodating themselves outside the accommodation industry." Another Tour Wholesalers (Interview 9-2008) declares that at least 70% of their bookings is seat only of which many lonely men and women. As a 50 year old Dutch female resident (Conversation 09-2008) is saying: "On every holiday flight coming in are women, which just come for having a Gambian boyfriend. I can easily recognise these people. I can agree, because these women do have no chance back in Europe en here they can get laid by a strong young man." Observing airport arrivals indicates that the Gambia is perceived as a romance paradise. On every flight plenty of lone travellers, especially women, are welcomed or delivered by their romances they have met before, no matter age differences (Observations 5/9-2008)."⁶¹

A press coverage in the Norwegian paper VG of July 2013 reports that beach boys in the Gambia "are paid with clothing, food and house rents by European tourists in exchange for sex." It quotes a beach boy in the Gambia: "I've seen European women who have a new Gambian man every day throughout the holiday season", said Lamin (26), one of the beach boys. It quotes another: "After all, it's all the sex they want. Then they take pictures, traveling home to his country and show the pictures of their girlfriend", tells a Gambian man who calls himself 'the Lion Man'.

All our respondents are aware of this. However, a number of them do not see it as a real problem.

Male and female sex tourists

What is typical for the Gambia is the fact that it belongs to a number of countries that are attractive to both male and female sex tourists. All the Gambian respondents are aware of this. During the survey in the TDA, over a period of 6 weeks during low season, more female tourists were observed with Gambian men than male tourists with Gambian females. Interviews with both male and female tourists showed that often intentions were not for the short term. Especially elderly men would have come to the Gambia to find a girlfriend or would be repeaters visiting their Gambian girlfriend, while younger tourists would be more interested in having a friend for the duration of the holidays. It also seemed that the Gambian women interviewed, were interested in having a serious and long-term partner.

61 Kauffmann, A. (2008) page 14

From interviews with female tourists seeking Gambian men (mainly bumsters) it seemed that their relation with the bumsters was more opportunistic with less serious intentions on both sides, although most of the bumsters' intention would be to have the opportunity to get into Europe for greener pastures. Most of the bumsters involved in such relations have more than one woman visiting at different times of the year. One of the female tourists interviewed had come purposely to visit the bumster she met on an earlier holiday 2 months before, only to find out that now he had more girlfriends visiting him at the same time. She was however not surprised, nor hurt by this.

It is important to note that in the context of the definitions, sex tourism itself does not imply prostitution, if seen from a tourist perspective. However, when a destination becomes famous for it and sex with the local population, be it men or women, becomes a reason to travel there, it is obvious that prostitution will become a factor and an 'asset' of tourism. All public entertainment places, such as bars, turn into places where these ladies (and the bumsters) are working. Although they claim not to look for sex and money but for friendships, their focus is only on foreigners with whom they intent to stay for a few days. As one Liberian lady (08-2008) in a bar said to Kauffmann: "They all do it for money, otherwise they are lying! If a foreigner wants me for one hour, that is fine. I have been in many hotels for one night. For more days is also fine. I can be a good wife."⁶²

However, a rather unexpected result of the interviews with stakeholders was that a number of stakeholders do not see a real problem in the fact that Gambian women are offering themselves for prostitution. And as for the male 'prostitutes', while the annoying persistency of bumsters is seen as a huge problem, their approaches of female tourists is not regarded as a problem nor as prostitution. This might be because most people see the relationship between the bumster and the female tourist, and their sexual relationship, as a harmless commercial aspect of dating. Summarizing the respondents, the deal is: a woman hits up with a guy half her age and gives him all-expenses-paid ride in exchange for sex and a new lease of life. The boys

involved in this trade apparently see themselves as tour guides who offer benefits – a familiar pattern that puts the tourism industry in a new light. "The general perception of men in our society is of power, control and command, whether we admit it or not. So when we see a bumster walking with a white woman in West Africa rarely do we look with the idea that the woman is exploiting him because he is poor and needs the money. Rather, we look at the bumster as taking advantage of a situation, a means of income."⁶³

A complicating factor in the case of the Gambia is the fact that there is a strong believe in a friendship factor involved in the relations between tourists and locals. Sex tourism is also known by the euphemism 'romance tourism'. It is undeniable that marriages do result between tourists and locals. "The Gambia has a history of long term romances. Many European men and women have settled in the Gambia, sometimes for a couple of months, after finding romance and love. This has easily been observed in the various pubs and café's where European men and women gather to share their experiences. Asking them how they end up in the Gambia as a resident, many explain it in terms of finding a romance when they first came to the Gambia for a holiday."⁶⁴ The same writer therefore uses the concept of the 'friendship business': "The aspect which is important can be described as the demand and supply of, let's call it, the 'friendship-business'. Friendships between Gambians and tourists are necessary and a logical consequence of tourism. The nature of these relationship determines the appearance of sex or romance tourism."⁶⁵

Many Gambians believe in this romance factor, and bumsters will try to convince tourists of the honest and long-term intentions. This believe in the friendship business is possibly enhanced by the fact that according to respondents prostitution is frowned upon in all Gambian communities. But in spite of the efforts to create this myth of romance tourism it is clear that the relationships between tourist and local women or men are not always fun. In every hotel, at every breakfast one will encounter mixed couples that met the night before, sitting silently and unhappy, having nothing to say to each other and staring indifferently at their croissants.

62 Kauffmann, A. (2008) page 15

63 <http://www.brendansadventures.com/sex-tourism-the-gambia-bumsters/>

64 Kauffmann, A. (2008) page 12

65 Kauffmann, A. (2008) page 12

Different types of child sex tourism

As in Gambian sex tourism for adults, also in child sex tourism there are men having sex with girls, women having sex with boys and there are same sex relations.

Men having sex with girls

Girls will relate to foreigners for a number of reasons. Girls engaged in commercial sex will explain their preference for foreigners with several arguments. In the first place, foreign customers are willing to pay large sum of money. Secondly, foreigners are considered as less abusive than the Gambian clients. The other reason is the girls' motive to establish relationship that may lead to marriage and a journey to Europe. Other reasons given by the respondents for their involvement in prostitution include, poverty, loss of parents and influence by friends who are already in the trade. One of the respondents explains how she became a sex worker:

"I am 18 years old and a Gambian. I could not complete high school as I lost my father at the age of 12. I met this European at a bar and restaurant in Kololi who was about in his late fifties. He told me he loves me and would marry me and take me to Europe. During his 2 weeks stay in Gambia we had fun together and he gave me lots of presents and cash. He left for home and never contacted me. One day, a year after he left my friend told me that he saw him in a hotel in the TDA with another teenager. I could not believe so I had to go together with my friend to confirm. What a big surprise I had when I saw him beside the swimming pool with another teenage girlfriend."

For the study 9 underage girls were interviewed and observed. It showed that most of the young girls engaged in commercial sex are aged between 14 to 17 years. The majority of these children are dropouts from school and come from underprivileged backgrounds. The interviews suggest that there are increasing numbers of children engaging in commercial sex making many of them exposed to sex from an early age. The causes of children engagement in sex trade are linked to factors such as poverty, lack of parental guidance and peer influence. Some of these children are trafficked into the Gambia from other West African countries, such as Nigeria. One of the children interviewed said the following:

"I am a Nigerian of 16 years old. A sister Nigerian who promised to get me a hotel job at the tourist industry brought me to Gambia in 2011. She paid for my fares to Gambia by road. Unfortunately, when we arrived I was told that the fastest money making job in the tourist industry is to sell sex. During my first 4 months all the money I worked as a sex worker was given to her as I had to repay her for the expenses and her commission for my trip to Gambia."

The survey revealed that the areas in which these children operate, include nightclubs, bars, restaurants and lodges. They normally have sex with clients at the clients' houses. These children approach the clients directly or through the local pimps. Because there have been stricter controls on children entering the hotel areas, paedophiles are now buying or renting private homes to conceal their acts. Kololi, Kotu, Kerr Sering, Bijilo and Brufut areas are known for the many residential homes owned by Westerners. A Focus Group Discussion with youth groups in this areas revealed that the children living in those communities are at risk of getting involved in prostitution and other forms of exploitation as the trade is coming to their doorsteps. One of the children in a discussion group mentioned that child sex tourists use their properties and wealth to deceive most of the children.

Women having sex with boys

The Gambia is known to attract single European women who come on holiday looking for sex with Gambian men. But until now, no cases have been reported involving women with minor boys. However, some respondents have spotted women with underage men. Female tourists having sex with boys, is seen as a danger for the future. A discussion between one of our researchers with an internet cafés operator revealed that boys as young as 16 years are coming to the internet to look online for women in their forties or even older. A problem is the fact that "men are not 'supposed' to be the victims of prostitution or sexual abuse, which often leads to their not seeking professional help when they need it."⁶⁶

Same sex relations

Gambian President Yahya Jammeh has a stern position against homosexuality. He addressed the 68th General Assembly of the United Na-

tions General Assembly warning that gays are a threat to human existence, and criticized other countries for regarding homosexuality as a human right. He denounced homosexuality in the strongest possible terms especially the “ungodly gay marriages”. “Those who promote homosexuality want to put an end to human existence. (....) It is becoming an epidemic and we Muslims and Africans will fight to end this behaviour. (...) Homosexuality in all its forms and manifestations which, though very evil, antihuman, as well as anti-Allah, is being promoted as a human right by some powers.”

Nevertheless, the Gambia is receiving male tourists who come to seek men and boys. According to one of our informants who has been in the tourism industry for 15 years as a bumster:

“Homosexuals are dominating the sex market because they give a lot of money and there is less suspicion if it’s a young boy with a man. They just pretend to be friends when actually they are not. Most of homosexuals meet the boys online on sites such as Badoo and Facebook. The boys write on their profiles that they are interested in both men and women and when the European men who are seeking young boys sees that they connect and start sending messages to each other and they end up coming to the Gambia. Their Gambian friend makes accommodation arrangements for them normally in lodges that are inside the towns so that they will not be noticed. Most of the homosexuals stay in Kololi, Manjai and Kotu areas.”

A hotel manager in the Fajara area who had a case in his hotel explained the following:

“I had a case involving a French man aged between 60 to 70 years who was staying at my hotel. Whenever he goes out, he comes back with boys as young as 12 years and some of the boys are in school uniforms. I became suspicious when I realised that he spend sometimes with the boys in his room and then later they will have a shower and he will see them off. Every now and then he will come with a different boy. I informed the Tourist Security Unit and their first attempt at arresting failed because the police arrived in plain cloth but found him sitting outside with the boy. The next time he brought another boy in, I called the police and they got into his room and found him naked on the boy who was also naked. His underwear and the boy’s cloth were seized for evidence and

and he was arrested and taken to the police station. Later in that evening I was shocked to see the man return to the hotel without any escort and checked out of his room. I tried to find out from the police who made the arrest but he told me he handed the case to his boss and does not know what happened afterwards. I later learned from sources that the offender bribed the police with D60,000 and the case was aborted with no charges sent to the court.”

The study conducted on male sex workers, found that there is a growing number of men from Europe seeking men in Gambia. There is a lack of information on male child sexual exploitation due to the assumption that most sexual exploiters are men and therefore their victims are women or girls. However, this is not the case. A survey of male sex workers revealed that men having sex with men/boys is becoming widespread due to demand from foreigners and the amount of money involved. Access to gay dating sites is cited as a reason for the widespread phenomenon. The sexual exploitation of young boys is prevalent in the Gambia as shown in the cases presented above. The taboo around homosexuality and the fact that it has been made a serious offence in the Gambia by its president in 2008, makes the problem less visible. It is believed that homosexual child sex tourists operate discretely. Therefore, informants are hesitant to discuss it, which makes data collection and investigation in this area more difficult.

No data were found for women having sex with girls.

Trafficking internationally

The Gambia is a source, transit, and destination country for children and women trafficked for the purposes of forced labour and commercial sexual exploitation. Boys are trafficked within the country for forced begging by religious teachers and for street vending. Transnationally, women, girls and boys from neighbouring countries are trafficked to the Gambia for the same purposes listed above. Primary source countries are Senegal, Mali, Sierra Leone, Liberia, Ghana, Nigeria, Guinea-Bissau, Guinea and Benin. There have been occurrences of Gambian women trafficked to Europe through trafficking schemes disguised as migrant smuggling.

Reports in the last two years of Gambian, Senegalese, and nationals of other neighbouring countries being transported from the Gambia to Spain by boat appear to be predominantly cases of smuggling rather than trafficking.

A survey of law enforcement officials on child trafficking carried out by ChildFund ⁶⁷ revealed that 39% of the respondents believe that child trafficking is a problem in the Gambia. However, 49% say it is not. On the contrary, 90% of the staff at the Department of Social Welfare says child trafficking is a problem, and only 10% said it is not. The survey question on child trafficking in the Gambia was broken down into sub questions, giving the respondent options as to what could be the reason for child trafficking being a problem. Most law enforcement respondents answered that it is a problem because “it is confused with other child protection issues”, whilst others felt “there are no systems in place to respond to it”. Personnel from private security firms however stated that it is a problem because “law enforcement *and* communities hide and contribute to it”. One of the respondents cited the existing ‘culture of silence’ in the Gambia as the problem. The majority of social workers who filled in the reason for child trafficking being a problem, answered “it’s because child trafficking gets confused with other child protection issues.”

An interview with personnel of the Tourism Security Unit showed that although they cannot provide data on prostitution, they believe that most of the prostitutes are foreigners and that these are mainly adults. Child prostitutes, according to them, are mostly Gambian children and most of their clients are from Europe. However, they do not rule out the trafficking into the Gambia of vulnerable children from foreign countries by organized gangs who bring them into the country promise them of better jobs in the Gambia.

In the Focus Group Discussions one youngster mentioned: “Also some Africans, particularly Nigerians, are involved. They bring young girls from Nigeria to the Gambia (some of whom are students) and get them into the business by taking them to nightclubs and introducing them to tourists. They also use Gambian girls and exploit them.”

Like our respondent at the Department of Social Welfare, many Gambians believe that trafficking Gambians to other countries does take place but they are not very sure whether the purposes is prostitution. These claims can be justified by an incident involving a young Libyan lady who worked at the Libyan embassy. The lady was reported to recruit young ladies from the Gambia and take them to Libya with the promises of better employment prospect. Upon arrival in Libya, the traveling documents of the Gambian ladies were seized from them. This particular case was not investigated since it happened during the Libyan uprising. Another incident was shown on the Gambia Television in 2004 where the Gambian president was reported to have rescued a group of women who was taken to Kuwait for employment prospect but upon arrival were force into domestic servitudes. A group of Ghanaian children were also trafficked to Gambia and engaged in petty trading by their Ghanaian relatives. The Department of Social Welfare and its partners investigated the matter and the children who were proven to have been trafficked were returned back to Ghana.

Trafficking locally: Middlemen

Within the Gambia, women and girls, and to a lesser extent, boys, are trafficked for sexual exploitation. Boys are trafficked within the country for forced begging by religious teachers and for street vending. As discussed earlier trafficking is not only about transporting persons for exploitative purposes but also the profiting of the sexual exploitation of a minor, like profiting from organizing child sex tourism. Concerning the trafficking of a minor there is no need for the use of force, threat or deceive to make it a case of trafficking. According to most of our respondents in this research, child sex tourism is an organized act and it involves middlemen and children that are targeted for exploitation. The middlemen responsible for this are a big issue in the Gambian sex tourism business, and it is closely related to the friendship business. It was observed from the research that tour guides, taxi drivers, bumsters and hotel workers belong to the most frequently identified key actors in facilitating child sex tourism. Sometimes there are girls who are already in the business who introduce others. Also some of the people who work in hotels, bumsters and even relatives of family members serve as mid-

67 Sillen J. (2012b) page 8

dlemen who introduce children to the foreigners for their benefit. Most middlemen are Gambians although some are foreigners.

The representatives of tourism workers associations interviewed in this survey mostly said that their members are not involved in the practice and that they do not think most registered businesses and those working within the TDA are involved in the practice because they have been well informed about the practice. However, a taxi driver working around the Senegambia area admitted that he knows of other taxi drivers, hotel workers, security and tour guides who play a role in child sex tourism. He is quoted as saying: "I know of taxi drivers, guides and hotel workers who serve as intermediaries in child sex tourism. Some drivers have a list of local girls, some of whom are most likely under 18 and they pass them on to the tourists and get a lot of money from it. Some drivers get double paid (from the tourists and from the girls)."

Special attention should be paid to the role of the bumsters who many see as being the catalysts of sex tourism. Already back in June 2005 an important workshop was organized by the Security and Sensitisation Committee, established by the Ministry of Tourism, to deal with issues of tourism security. The theme of the workshop was 'Mobilising our efforts to raise awareness against the vices of tourism: The bumster menace and prostitution'. The participants (including imams, church pastors, village heads, young people, students, youth organizations, the army, police, NGOs, UN bodies, the Gambia Tourism Authority and ASSET) agreed that there is "the need to raise awareness about the negative side of bumsterning and prostitution." Although bumsters will deny their involvement, other stakeholders and observations by the research team showed that they will act as intermediaries when tourists ask for help with finding underage women. One of the bumsters we interviewed admitted having played middleman in an incident:

"Yeah I did it once before. I unknowingly connected a paedophile to my cousin's daughter who was 15 years. The guy was Italian and I met him at a bar and restaurant in Kololi. He told me he wants to sponsor a child and I told him my niece is in grade 10 and would need a sponsor. I took him to the girl's mother and introduced him to her. He was sponsoring the girl and built her mother a good house. He was doing a lot for the family. When I found out that he was sleeping with the girl, I informed her mum but she wouldn't believe me. She told people that I have a grudge on what the man was doing for them. The Italian man used to live at a hotel in Kololi and every weekend he took the girl for a weekend at a hotel but the girl and her mother were OK with that so I could not do anything."

Kauffmann interviewed watchmen and reports that low wages, bad working conditions and worsening living conditions make tourism establishment employees, or those people closely working with tourists, vulnerable to cooperation on requests for children for sexual purposes. "Security guards of tourist accommodations are likely to be bribed in return of accommodating child sex tourists at night. As prostitutes were saying (Informal Conversation 09-2008): "I give 50 Dalasi to the watchman and he will let me in." Security and watchmen of accommodations are relatively low educated, low paid and little informed about tourism and its negative aspects as child sex tourism. In addition, the Tourism Security Unit (Interview 06-2008) is blaming these security and watchmen about keeping silent of what they know, implicating that they benefit of it or being ignorant.⁶⁸

Surprisingly the study by UNICEF claimed that there is no overt coercion of children into prostitution. "Most prostitutes across all age groups gave clear, articulate and apparently rational explanations for what they do and third persons normally acted as agents rather than as captors or middle men."⁶⁹ Kauffmann attempts to describe the intermediary activities in terms of friendship business: "The Gambian which ends up in bed with a foreigner relies on a network of people associated to the tourism industry, including airport ground-staff, porters and security men, tourist taxi drivers, hotel cleaners,

⁶⁸ Kauffmann, A. (2008) page 25
⁶⁹ UNICEF (2003) page 7

waiters, bar workers, disc-jockeys, etc. (Nyanzi et al 2005:565). They all work together on reaching out to the tourists by sharing information, mediating between interesting parties, or even pimping. They are all in search of benefits by conducting the friendship businesses.”⁷⁰ Unfortunately, the role of middlemen is often played down in studies. It seems that these are more concerned with finding the reasons why middlemen do what they do. The ‘Gambian friendship factor’ also influences the perspective on the grim role of middlemen, whose activities are a basic and fundamental element in a culture of child abuse. The ‘friendship business’ and ‘romance tourism’ are myths that hide the elements of prostitution and trafficking. What might start as a simple service to a friend often ends up in activities that come too close to pimping and trafficking.

Another type of middlemen often left out are other tourists, especially those that have been in the Gambia many times or have got their private homes in the Gambia. Some of these are

child abusers themselves who have established clientele with many children and recommend them to other tourists seeking to have sex with children. They are the most trusted middle men by tourists as they know exactly what they want and are more cautious with who they deal with.

Bars, restaurants and nightclubs

Bars, restaurants and nightclubs in the Gambia also play a part in facilitating child sex tourism. There are bars, restaurants and nightclubs outside the Tourism Development Area that are mainly frequented by sex workers. Our researchers carried out a participant observation in several restaurants and bars and discovered the following:

Location	Type of business	Date	Time	How many minors are there?	Observation concerning minors involved in prostitution	Observations concerning potential offenders (tourists)
Location 1	Bar and restaurant	27/6/13		6 girls	Most smoke cigarette or drink alcohol	Going with men from Europe ages over 45 years
Location 2	Bar and club	25/6/13	11.30	4 girls	Most smoke cigarette or drink alcohol	Going with men from Europe ages over 45 years
Location 3	Bar and Restaurant	26/6/13	12.45 am	5 girls	Most smoke cigarette or drink alcohol	Going with men from Europe ages over 45 years
Location 4	Nightclub	26/6/13	11.45pm	5 girls	Most smoke cigarette or drink alcohol	Going with men from Europe ages over 45 years
Location 5	Nightclub	30/6/13	1.30 am	More than 7	Very intimate with MSM	
Location 6	Restaurant	25/6/13	12 am	3 girls	Most smoke cigarette or drink alcohol	Going with men from Europe ages over 45 years
Location 7	Bar	26/6/13	12am	2 girls	Most smoke cigarette or drink alcohol	Going with men from Europe ages over 45 years
Location 8	Guesthouse	26/6/13	12.45 am	5 girls	Most smoke cigarette or drink alcohol	Going with men from Europe ages over 45 years

⁷⁰ Kauffmann, A. (2008) page 13

Private houses

This research focussed solely on tourism establishments, but respondents pointed out that private houses are increasingly used as a place for the sexual exploitation of children rather than tourist accommodations, such as hotels and resorts. This shows similarities with experiences in Kenya, where private houses are the main loci for sexual activities with children. A reason for an increased use of private houses by child sex tourists is that they are easily accessible because they are offered for rent on many Gambia tourism related websites. A growing awareness on counteracting child sex tourism among tourism establishments also causes the shift from tourist accommodations to private houses and other illegal tourism establishments. As one of the hotel managers interviewed noted: “The hotels are doing well in discouraging child sex tourism, but the sad thing is that they are pushing it to the neighbouring communities.”

Internet

Contacts between sex tourists or romance tourists and prostitution do not necessarily start in the Gambia or require a middlemen. Internet is becoming an important tool and media for building such relationships. Thousands of profiles are created by Gambian women on several dating-sites (such as www.bar4fun.com and www.absoluteagency.com). On one dating related website, www.afrointroductions.com, more than 1000 young men and women made a profile and are looking for a date. Like in all forms of tourism, organized tourism is losing the battle with the internet. Also in sex tourism the client is finding his own way into the destination by means of internet.

Youth groups are happy with the advent of social media and internet connection on mobile phones, through which they have easy access to internet. Most of the children who took part in the Focus Group Discussions said they are not involved in internet dating, but they know a lot of other friends who are involved. One of them said: “I was once added by a stranger on Facebook. I accepted him and after some days chatting he requested to date me, but I rejected him and in addition blocked him from my contact.” According to them, some of their friends go to the

internet café or get connection on their phones just to register on dating sites and get dates. In some instances the date becomes very serious and leads to sending gifts and even meetings. The age group mostly involved, according to the children, is those between 14-24 years and their clients are usually Swedish, British and Belgian.

There is no data on internet facilitated commercial sexual exploitation of children but observations in internet cafés, especially those in the urban areas, showed that they are becoming an avenue for two sets of people involved in commercial sex: the ones that use the social networks and dating sites to advertise themselves and those using the internet to look for people they might be interested in. An interview with an internet café operator revealed that most Gambian internet café operators make money through recommending dating sites to their customers and even helping them register on those sites. Café operators have lists of sites that they introduce customers to. Most of the youth registering a profile hide their ages according to internet operators, or state on their profiles that they are in their twenties when actually they are 16 or 17 years. Some young boys invite European women into their homes, as it is common in the Gambia for boys to have their own quarters separated from their parent’s house at 16 years of age.

The lack of systematic research and data on internet facilitated commercial sexual exploitation of young people makes it challenging for law enforcement and others working to combat commercial sexual exploitation of children because:

- a. The commercial element changes the complexion of the crime, likely resulting in more serious charges.
- b. The commercial element could be missed in some cases if law enforcement is unaware and does not look for it.
- c. The internet may be a source of valuable evidence that a crime has a commercial component.
- d. The internet may be a valuable source of identifying and collecting evidence about networks of offenders.

- e. Internet use could be especially prevalent among particularly concerning subgroups of offenders—those who network with other offenders and may have the most victims (e.g., pimps, traffickers, sex rings).⁷¹

Sponsoring

Many child abusers offer sponsorship as means of coercing children and their parents into trusting them as genuine humanitarians, and when caught they have used this sponsorship to justify their relationships with their victims. Tourism establishments who participated in this study stated that sponsorships requested by children and their environment and given by tourists are a treacherous factor in child sex tourism in the Gambia and that children who are selling fruit or peanuts on the beach are easy targets of paedophiles. They approach them and make contact with their family and offer financial help for buying food for the family and offering school sponsorship.

C.4. Responses, challenges and recommendations

The growing awareness on the issue has led to responses from the stakeholders involved. Three major stakeholders can be identified: Government, NGOs and the tourism industry.

The 2005 Common Country Assessment Report of the Gambia ⁷² identified inadequate life-skills for young people, the sexual predatory nature of some adult males and the ease in which strangers have access to children in the Gambia, as some of the immediate causes of the vulnerability of children. It also mentioned the underlying causes, which are inadequate or weak law enforcement, weak child protection systems, inadequate institutional capacity to address child protection at prevention, protection and rehabilitation levels, inadequate budget allocation to child protection issues and non-existence or non-implementation of child protection policies. To adequately protect children from abuse and exploitation and to implement the legal instruments ratified, the Gambia enacted the Children's Act 2005, the Trafficking in Persons Act 2007 and the Women's Act 2010. Police Child Welfare Units, National Agency Against Trafficking in Persons (NAATIP) and Tourism Security Unit under the Ministry of Interior were established to implement directives arising from this legislation. The Department of Social Welfare intensified its awareness raising and service delivery efforts and established regional offices.

Stakeholders in tourism are involved through the Gambian Tourism Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism. The Gambia Tourism Board and its partners, such as the Gambia Hotel Association, are intensifying efforts towards the effective observance of this Code. The Public Utilities Regulatory Authority (PURA), the agency that regulates utilities providers in the Gambia, including GSM Operators and Internet Service Providers, has started initiatives to ensure that internet cafés have a Code of Conduct for the protection of children. In January 2013, PURA also inaugurated a Child Online Protection (COP) National Consultative Committee Taskforce, which comprised institutions/organizations such as CPA-ECPAT, PURA, Department of Social Welfare, Ministry of

⁷¹ Mitchell, K.J. et al. (2011) page 47

⁷² UNDP, (2005)

Justice, the Gambia Police Force, National Intelligence Agency, Consumer Advocacy Group, Telecom Operators, Internet Service Providers, Ministry of Basic and Secondary Education, Office of The President and Ministry of Youths and Sport.

The work of NGOs in the area of child protection against sexual abuse has mainly been centred on raising awareness, training and research. There are three main NGOs working on child protection issues. They are all engaged in different activities and programs:

- ▶ *Child Protection Alliance (CPA)*: is a child-rights coalition that is committed to the promotion and protection of children's rights in the Gambia. Part of its strategic focus is monitoring of child protection issues in the Gambia especially around the TDA. CPA also provides capacity development for various stakeholders and rights claimants, promotes and encourages children's participation and conducts researches on child protection issues. CPA is the ECPAT affiliate in the Gambia.
- ▶ *ChildFund*: is an international organization that is committed to ensuring that children have access to education. It provides sponsorship for children from poor and vulnerable families mainly in the West Coast Region. Recently, ChildFund, established Community Child Protection Committees within its 'PROTECT Project' as part of efforts towards building of a protecting environment for children.
- ▶ *CEDAG (Children Environment and Development Agency Gambia)*: is an organization working with/for vulnerable children and has a project called 'Programme Africain de l'Ouest' (PAO) which focuses on children on the move.

There are a number of issues in which the different stakeholders have a certain role, such as cooperation, international legal instruments, legislation, enforcement of laws, Gambian Code of Conduct, awareness, training, prevention, rehabilitation, research and others. Each of these is elaborated below with challenges and recommendations.

C.4.1. Cooperation

Responses

Over the past ten years there has been an increased collaboration between Government, industry and NGOs, leading to a number of initiatives, workshops, seminars and other actions with regards to child protection and prevention of sexual abuse and exploitation.

Challenges

Collaboration between partners in the tourism sector

Tackling the issue of child sex tourism cannot be the responsibility of a single sector or stakeholder. Concerted, collaborative and urgent action is necessary to safeguard Gambian children from sex tourism and other forms of sexual exploitation. The collaboration between and amongst the partners is not well coordinated and systematic. The workshops and seminars have largely targeted child protection professionals and employees of hotels. Parents, religious and community leaders, employees of small and medium scale enterprises in tourism, teachers, communities in the TDA and children themselves have not been systematically and regularly targeted.

Regional cooperation

There is a multilateral agreement on the West Africa sub-region, which has been signed by most of the countries. However, the Gambia is yet to sign this agreement. After the Ghana Town incident, which related to the alleged trafficking of children from Ghana to the Gambia, both countries developed a bilateral MOU. Unfortunately, the two countries have not yet signed it. In April 2013, Directors of Social Welfare (and child protection) of the Gambia, Senegal, Guinea Bissau and Guinea Conakry met in Banjul to discuss issues of 'children on the move' as a commercial sexual exploitation of children concern. During this meeting, they developed and signed a MOU. The Swiss Foundation of the International Social Service (ISS) supported the meeting.

Recommendations

Tasks and responsibilities

Respondents made clear that institutions/ organizations/persons that should play a role in combating trafficking and sexual exploitation of children/adolescents, should take their responsibilities according to their tasks:

- ▶ *The police/law enforcement agencies:* investigate, prosecute, prevent, and put up surveillance.
- ▶ *NGOs:* help in capacity building, support partners in raising awareness.
- ▶ *Customs and Excise Department:* often the role of Customs and Excise in child protection is not visible and validated, as it ought to be. But the Customs and Excise personnel need to be vigilant and sensitive in its work.
- ▶ *Justice system:* ensure children are protected and the existing laws are enforced in a stringent manner.
- ▶ *Education system/schools:* ensure child protection, child rights issues are integrated in the school curriculum or mainstreamed in the POPFLE or Social and Environment Science subject.
- ▶ *Children themselves:* children need to be empowered to ensure that they understand their rights and acquire life skills. In this way, they could protect themselves and their peers from sex tourism/sexual exploitation.
- ▶ *Parents/caregivers:* parents need to be vigilant on what goes on around them, teach and discuss with their children on sex and sexuality.
- ▶ *Media:* help educate the general public, especially to the hard-to-reach population. They should also encourage open and sustained discussion of child protection issues.
- ▶ *Healthcare system:* this is the first 'port of call' because medical examinations and reports are what the police need for their prosecution. Also this means the medical practitioners need to be sensitive to the needs of victims as well as treat them with dignity and respect.
- ▶ *Private sector:* the private sector needs to strengthen its corporate social responsibilities by supporting organizations, NGOs or child protection services.
- ▶ *International organizations:* continue to support capacity building and awareness raising initiatives.

- ▶ *Social care system:* inform parents, provide psychosocial support, care and protection and advice/advocate/build the capacities of the courts on the social impacts of sexual exploitation on the affected children.

Establish a National Taskforce on child sex tourism

A National Taskforce is required to build a more strategic and collaborative approach to addressing child sex tourism. The Taskforce will encourage the sharing of knowledge and expertise, prevent duplication of programs and promote a more considered approach to the distribution of resources. The Gambia Tourism Board should be responsible for leading such a Taskforce and coordinating the engagement and action of concerned Government Ministries (like Justice and Interior). UNICEF could play a role in liaising with other child sex tourism stakeholders, including UN Agencies, NGOs, children, private sector representatives and academia.

Involve all stakeholders

All respondents plea for a strengthened collaboration between all stakeholders. Not only governmental, but also societal, such as CPA, UNICEF, TTAG, GHA and ASSET. They all mentioned the need for collaboration between Governments and international donor agencies in terms of the effective enforcement and implementation of legal instruments and joint prosecution, investigations, etc. of perpetrators.

Engage tour operators, (more) hotels and the private sector

Child sex tourism is not only the responsibility of Government, NGOs, UNICEF, communities and families. The Gambia Tourism Board should encourage tour operators and the private sector in the Gambia to use their networks, corporate knowledge, human and financial resources, business structures and leverage power to proactively address child sex tourism and other forms of child sexual exploitation. It should also encourage the private sector to establish a business forum or platform to mobilize corporate, strategic and financial inputs to combat child sex tourism and other related initiatives.

Promote regional and international cooperation on child sex tourism

The need to learn from other destinations and apply effective methods of prevention in the Gambia, should lead to more efforts to develop and sign regional MOUs. Counteracting child sex tourism at both national, regional and international levels calls for a more active participation in global networks and demonstration of a higher level of preparedness by countries to share data on travelling child sex exploiters. This would require that the Gambia enters into treaty agreements with 'sending countries' that would allow extradition of other nationals who engage in child sexual exploitation in the Gambia and escape justice. The Gambia Interpol Unit will also have to work with Interpol units of these countries so that there would be better and well-coordinated information sharing on and a list of convicted child sex offenders.

C.4.2. International legal instruments

Responses

The Gambia has ratified nearly all the existing international and regional legal instruments that protect children from all forms of sexual abuse, exploitation and violence. These ratified instruments include the United Nations Convention on the Rights of the Child (CRC) and its two Optional Protocols, African Charter on the Rights and Welfare of the Child (ACRWC), ILO Conventions 182 and 138, the Palermo Protocol, the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (Maputo Protocol).

As a State Party to these international and regional legal instruments, especially the UN Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), the Gambia commits to taking appropriate legislative, administrative, social and educational measures to protect children from all forms violence, abuse, neglect or exploitation, including sexual abuse. It also accepted the obligation to enact laws, develop procedures, and establish authorities and institutions for the effective realization of the rights of children.

UN Convention on the Rights of the Child (CRC)

The CRC, which was ratified by the Gambia in August 1990, obligates States Parties to create for children an enabling and protecting environment. Article 3(3) urges States to "ensure that institutions, services and facilities responsible for the care or protection of children have in place standards relating to the safety and suitability of their staff and competent supervision of these." Article 19 calls on States Parties to take measures to "protect the child from all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child." Articles 34 and 35 request States to protect children from all forms of sexual exploitation and abuse, and from sale and trafficking, including through appropriate national, bilateral and multilateral measures. The Gambia has ratified the Optional Protocol on the CRC on the Sale of Children, Child Prostitution and Child Pornography.

The African Charter on the Rights and Welfare of the Child

The African Children's Charter, which the Gambia ratified in 2000, is rooted in other human rights treaties, including the African Charter on Human and Peoples' Rights (ACHPR) and the CRC. It lays out the obligations of duty bearers in the protection and promotion of the rights of the African child. This Charter categorically defines a child as: "Every human being below the age of 18 years." Article 11 (6) places an obligation on States to: "Take all appropriate measures to ensure that children who become pregnant before completing their education are provided the opportunity to continue their education." Article 16 urges States Parties to: "Protect children from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse while in the care of a parent, legal guardian or school authority or any other person who has the care of the child." Article 16 also stipulates to put in place 'protective measures', such as special monitoring units and reporting, referral and investigation systems of child abuse and neglect. Article 21(2) explicitly sets 18 years as the minimum legal age for marriage. Article 27 protects children from sexual exploitation and sexual

abuse, such as child prostitution and child pornography. Article 29 prevents the sale, trafficking and abduction of children for any purpose or in any form.

UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)

In Article 2 of CEDAW, States Parties agreed to “condemn discrimination against women in all its forms” and to “pursue by all appropriate means and without delay a policy of eliminating discrimination against women.” Article 6 urges States Parties to take measures, including legislation, to “suppress all forms of traffic in women and exploitation of prostitution of women.” Article 10 (f), among other things, calls for the “reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely.” Paragraph 2 of Article 16 of the CEDAW states specifically: “The betrothal and the marriage of a child shall have no legal effect, and necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.”

Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa

Article 2 urges States Parties to: “Combat all forms of discrimination against women through appropriate legislative, institutional and other measures.” This Article calls on States to enact and effectively implement appropriate legislation that prohibits and curbs all forms of discrimination, harmful practices which endanger the health and general well-being of women and discriminatory legal provisions. Article 3 recognizes the right to dignity of a woman prohibits exploitation or degradation of women and protects them from all forms of violence, particularly sexual and verbal violence. Article 4 makes it an obligation on States Parties to take measures to: “Ensure the prevention, punishment and eradication of all forms of violence against women.” Significantly, this article makes no distinction between violence that takes place in private or public. There are other important articles in this Protocol that prohibits violence, abuse and exploitation against women and girls. Article 11 provides protection for women in armed conflict. Article 14 guarantees health and reproductive rights while paragraph (d) of this

article stipulates the right to: “Self-protection and to be protected against sexually transmitted infections, including HIV/AIDS.” Article 20 prohibits the subjection of widows to inhuman, humiliating or degrading treatment.

The Palermo Protocol

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime (better known as the Palermo Protocol), actually consists of three separate protocols that were adopted by the United Nations to supplement the 2000 Convention against Transnational Organized Crime:

1. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.
2. The Protocol against the Smuggling of Migrants by Land, Sea and Air.
3. The Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition.

Millennium Development Goals (MDGs)

The Gambian Government commits to fulfilling the MDGs: “Significant advances have been made in achieving gender parity in basic education, improving access to, and use of clean water and reducing the incidence of childhood illnesses. While not all of the Millennium Development Goals (MDGs) are on track to be fully realized by 2015, the efforts made thus far in reaching these goals should contribute positively in addressing the needs of children and women.”

Challenges

The Gambia has established a functioning National Agency Against Trafficking in Persons (NAATIP) to effectively implement and enforce the Trafficking in Persons Act 2007 and take the forefront in the fight against trafficking in persons. However, there has not been any prosecution of a suspected trafficking case since 2011 to date. The 2011 Trafficking in Persons Report of the United States Department of State placed the Gambia on Tier 2 Watch List, the list of countries whose Governments the United States wants to keep an eye on because, although they are making efforts to bring themselves into compliance with minimum standards on trafficking, they are subdued to some special risk factors.

Though the Gambia has ratified the Optional Protocol on the CRC on the Sale of Children, Child Prostitution and Child Pornography, it does not have extra-territorial provision on child sex exploitation and has not entered into treaty with other 'sending countries' to make child sex tourism an extraditable offence.

Recommendations

Enacting extraterritorial legislation

The Gambia should enact extraterritorial legislation and provisions on child sex tourism.

Bilateral agreements

The Gambia needs to enter into bilateral agreements with 'sending countries' in order to make child sex tourism an extraditable offence.

Popularize Optional Protocol

Relevant Government agencies such as the Ministry of Justice, Department of Social Welfare and the Gambia Tourism Board, as well as NGOs, should popularize the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography.

C.4.3. National legal instruments

Responses

The following domestic legal instruments exist that protect women and girls from abuse and violence:

The Constitution of the Gambia 1997

Chapter IV of the 1997 Constitution details out the fundamental rights and freedoms of the people. Arguably, it is the most important part of the Constitution because it provides protection to all persons, including children, against acts or conducts that violate their human rights. Section 29 (1) of the Constitution gives every child the right to a name and nationality, Section 29 (2) protects children under the age of 16 years from economic exploitation and hazardous work or employment, while Section 30 (a) guarantees to every child the right to free and compulsory basic education.

Criminal Code Cap. 10 Vol. III Laws of the Gambia 1990

One of the ways in which the law seeks to protect the rights of children is to criminalize acts and omissions, which violate or infringe such rights. This is particularly evident in the area of

physical and moral integrity as well as sexual abuse and exploitation. The Criminal Code has made extensive provisions to secure the protection of children from sexual abuse and exploitation. It contains provisions against the indecent assault of women and girls (Sec. 126), defilement of children (Sec. 127), rape (Sec. 121), procurement of children for sex or prostitution (Sec. 129-130), indecent assault of boys (Sec. 146), child stealing (Sec. 159), kidnapping (Sec. 232) and incest (Sec. 148-149). The Cinematography Act, Cap. 32.03 of the Laws of the Gambia also makes it an offence under Section 165 of the Criminal Code for any person to be engaged in the sale, distribution, hire, importation or public exhibition of any obscene books, pamphlets, drawing or painting.

Tourism Offences Act 2003

Tourism for the purposes of sexual abuse and exploitation of children has been dealt with under the Tourism Offences Act 2003. It prohibits, under various sections, a tourist or any other person from making unlawful sexual advances to a child (Sec. 5), sexually abusing a child (Sec. 6), procuring a child for sex, prostitution or to become an inmate of a brothel (Sec. 7), taking, showing, distributing or publishing an indecent photograph of a child (Sec. 8), exploiting a child sexually (Sec. 9) committing bestiality in the presence of a child or inviting a child to commit bestiality (Sec. 10), committing indecent exposure in the presence of a child (Sec. 12) and trafficking children for the purposes of sexual exploitation (Sec. 13). The Act also prohibits owners, occupiers, managers or controllers of premises to permit or allow the sexual abuse or exploitation of children on their premises (Sec. 11).

The Children's Act 2005

The Children's Act 2005 defines a *child* as any person under the age of eighteen years and *child abuse* as the contravention of the rights of the child, which causes physical or mental harm to the child. Consistent with the rights of children under articles 19, 32, 34, 35, 36 and 39 of the Convention on the Rights of the Child, the Children's Act 2005 protects children from all forms of violence and abuse, economic and sexual exploitation, trafficking and sale, including ensuring that they do not fall prey to prostitution networks or are engaged in hazardous work. Section 11(1) gives every child the right to enjoy 'parental care and protection' while Section 21

(2) makes it the duty of every person who have custody of a child to 'protect that child from discrimination, violence, abuse and neglect.' The Act also prohibits child prostitution, harmful publications, child marriage and betrothals and harmful traditional practices. These protection measures are contained in Part IV of the Children's Act 2005. Some sections of Part IV of the Children's Act 2005 have extraterritorial effect. These are offences relating to exportation and importation of children for prostitution (Sec. 26), procurement of children for sex or prostitution (Sec. 30 and 34), kidnapping and abduction of children (Sec. 35), trafficking in children (Sec. 39) and dealing in children as slaves (Sec. 40). Section 32 of the Children's Act also criminalizes foreign travel, which promotes or encourages child prostitution. Section 29 prohibits every person who has the custody, charge or care of a child to cause or encourage the prostitution of, sexual assault on prostitution of that child. Section 36 prohibits the encouragement of the seduction or prostitution of a child.

An issue of national concern relating to offences against child sexual abuse, whether commercial or otherwise, is that of reporting. The Children's Act encourages the reporting of the infringement of the rights of a child and Section 75 (1) makes it mandatory for any person with information on child abuse or a child in need of care and protection to report the matter to the Department of Social Welfare or the nearest police station. The vulnerability of certain categories of children to abuse and exploitation is recognized by the Children's Act. Therefore, Section 76 identifies a child who is an orphan or is deserted by his or her relatives, or begs for alms, or has been a victim of sexual abuse and exploitation, and is exposed to moral and physical danger as a child in need for care and protection.

Trafficking in Persons Act 2007

In fulfilment of its obligations under the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), the Government enacted the Trafficking in Persons Act in 2007. This comprehensive Act deals with offences relating to trafficking in persons, complaints procedures and arrests, treatment of victims of trafficking, and rescue, rehabilitation and reintegration. Its

extensive provisions include the right of a victim of trafficking, 'irrespective of his or immigration status', to bring civil action and to compensation, restitution and recovery. The Act calls for the establishment of a National Agency against Trafficking in Persons to, among other things, ensure the effective implementation of the Act. It also established a fund for victims of trafficking known as the 'Fund for Victims of Trafficking'.

Women's Act 2010

The Women's Act 2010 is a comprehensive piece of legislation that addresses the rights of girls and women in the Gambia, especially their rights to: dignity; life, integrity and security of person; freedom of expression; freedom from discrimination; education and training; health and health care; enjoyment of reproductive right; acquire property; inheritance; marry; food security; adequate housing; positive culture; healthy and sustainable environment; sustainable. It stipulates the rights of women in rural communities and provides special protection from all forms of violence for widows, elderly women, women with disabilities and women in distress.

The Women's Act also contains comprehensive provisions that protect girls and women from all forms of gender-based violence and discrimination. It recognizes that violence is perpetrated against women and girls in both the 'public' and 'private' spheres and prohibits such wherever it occurs. Section 6 of the Act prohibits all forms of violence against women and girls and also protects them against any form of physical, sexual, psychological or economic harm, suffering, or violence whether occurring in public or private life.

Section 27 prohibits school authorities from expelling a girl-child student from school on the ground of pregnancy, while Section 28 prohibits parents or guardians from withdrawing a girl-child from school for the purpose of marriage.

Section 31 (2) (d) and (e) gives women and girls the rights to be protected against sexually transmitted diseases, including HIV/AIDS and to be educated on the health aspects of harmful traditional practices respectively.

The Act places the main obligation on Government, as the primary duty bearer, to promote and protect the rights of women and to take positive measures to eliminate all forms of dis-

crimination against women in all its institutions, agencies and organs. It equally obligates all sectors of the Government to put in place policies and mechanisms that address violence against women and girls.

Challenges

The response from the stakeholders in regard to law-making is generally considered to be good. Some comments were made:

Woman's Act

The Woman's Act 2010 guarantees rights regarding economic empowerment, equality in employment, access to quality health, equal educational opportunities and minimizing the divisions that men and women face regarding social issues. Nevertheless, it is also reported that the Act has been heavily diluted from the original intent regarding some important issues, such as inheritance, divorce and traditional harmful practices. This is partly since the Sharia is part of the laws of the Gambia and these cases are often heard in the Cadi Courts (Islamic Courts). From the inheritance, according to the Islam a male gets 1 while a female gets half of what the male has. Many see this as discriminatory. While the Women's Act 2010 recognises women's rights in matters of marriage and divorce, these rights are left subject to other types of law. Female Genital Mutilation as a traditional practice is not mentioned in the Women's Act and Domestic violence is not expressly mentioned in the Women's Act. However, on 17th December 2013 the National Assembly passed the Domestic Violence Bill 2013.

Resistance against rights

While efforts are being made by the Women's Bureau, Department of Social Welfare and NGOs to raise awareness and knowledge of children, parents and professionals working for and with children on the provisions of the national legislations, there still exists some resistance against women and children's rights. These rights are seen as Euro-centric and opposed to Islam and Gambian culture. Many people in the communities are also unaware of these legislations and the rights they give to women and children.

The provision in the Children's Act 2005 that prohibits child marriage, Section 24, is rather ambiguous as its subjects the prohibition to the personal law. Since the Sharia or personal law governs marriage, if the parties are Muslims, having

sexual intercourse with one's married wife, even if the wife is under the age of 18 years, is lawful and not criminal. Thus, to all intents and purposes, there is no clear, unambiguous minimum legal age for marriage in the Gambia.

The mandatory reporting of child abuse and protection cases, as provided for by Section 75 of the Children's Act 2005 is too broad for effective enforcement. It states as thus:

1. A person with information on:
 - a. child abuse or
 - b. a child in need of care and protection
 shall report the matter to the Department or the nearest police station.
2. The Department and the police shall not divulge the identity of a person who makes a report to them under subsection (1).

This Section places the obligation to report on every person.

It is highly unlikely, considering the low status of children in the society and the 'culture of silence', that parents or community members would report sexual abuse and exploitation of children to the Department of Social Welfare or the nearest police station. While statistics of these reports are hard to come by, there seems to be a high level of underreporting of child abuse and protection cases. It would have been better and easier to enforce if the obligation to report is made mandatory on teachers, social workers, health personnel and law enforcers.

Clarity in definitions and concepts used in laws

It would be good to have more clarity on some of the definitions used in the Gambian laws (at least those concerning tourism), in order to avoid loopholes that might hinder prosecution when reporting has been successful.

Recommendations

Amendments to be made

1. Amend the Children's Act 2005 and set eighteen years as the minimum legal age of marriage.
2. Amend Section 28 of the Women's Act 2010 by enlarging its scope to prohibit marriages of girls less than 18 years who are out of school.

3. Amend Section 75 of the Children's Act 2005 and specifically makes it mandatory for social workers, teachers, health personnel, law enforcement officers and employees in the tourism industry to report child abuse and protection cases.

Intensify awareness raising

Government and NGOs should intensify the awareness raising on the legislations, targeting all communities through every available communication means.

C.4.4. Law enforcement

Responses

A National Plan of Action that purposely addresses child sex tourism

In 2010 the GTB drafted a Child Protection Policy that is under review for adoption. The Department of Social Welfare is currently developing a comprehensive National Plan of Action on Sexual Abuse and Exploitation of Children that has some activities to combat child sex tourism.

The institutionalization of the Tourism Security Unit (TSU)

The Tourism Security Unit was set up in 2002 by the then Gambia Tourism Authority (now Gambia Tourism Board) after many reports that the police was not effective in stopping the hassle mainly caused by bumsters within the Tourism Development Area. It was generally rumoured that the police were allegedly taking bribes or taking the place of the bumsters by hassling tourists. The Unit changed from using the police to using the State Guards of the Gambia National Army. Recently, the Unit changed again to the Police Intervention Unit of the Gambia Police Force. The main objectives of the Unit are to reduce or totally eradicate hassling in the tourism industry in the Gambia and to make the industry free from drugs peddling, child sex abuse and exploitation, prostitution, mugging of tourists, etc.

Children's Court

The establishment of the Children's Court could lead to prosecutions of perpetrators/offenders, deportation or repatriation.

Monitoring

Over the years, the Department of Social Welfare (DSW) and its partners realized that the setting for child sex tourism and sexual exploita-

tion of children had changed from occurring in hotels/guesthouses or bars/restaurants around the TDA to rented apartments or guesthouses within communities. This realisation prompted DSW and organizations like the Child Protection Alliance to set up CCPCs (Community Child Protection Committees) and Neighbourhood Watch Groups in communities close to the Tourism Development Area. These structures became very instrumental monitoring service/system on child sex tourism/commercial sexual exploitation of children.

Surveillance

The DSW does not directly provide surveillance but indirectly through the established structures like the Neighbourhood Watch Groups or CCPCs. Also the institutionalization of the TSU around the Tourism Development Area is one of the surveillance mechanisms, which the DSW will continue to utilize.

Challenges

Not enough

The respondents agree that there are strict laws on sexual abuse of children but not enough is done in terms of enforcement and implementation. They cite the Tourism Offences Act but added that the policies need to be applied in practice. They saw weakness in law enforcement, especially within the tourism security 'chain of command' that in some cases will allow children access to the hotel areas. There were few cases where child sex offenders were arrested or jailed for sexually abusing children.

Exploiters responding

While the hotels are no longer allowing children in guestrooms, child sex offenders are now renting residential homes and lodges out of the main tourist areas. This makes the monitoring of their movements and the abuse of children very difficult.

Monitoring and follow up is still lacking within the TDA

Monitoring work (gathering evidence and intelligence on travelling child sex offenders and reporting child sex abuse cases to the police) is performed within the TDA where the Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism is adhered to. But it is still weak even though the Tourism Offences Act was enacted in 2003. Inadequate reporting

mechanisms, inadequate skills in detecting child sexual exploitation, poverty and corruption of law enforcement officers seem to be some of the barriers to dealing effectively with the menace. The human and financial resources of the law enforcement agencies appear insufficient to deal with the complexity of the issue. Police work is limited to carrying out investigations only when a complaint is lodged, and often not even then. Reported corruption in police affects victims, reporters (witnesses) and offenders. As a result, the country is seen as a safe destination for travelling sex offenders. The few listed cases involving tourists confirms that monitoring is lacking.

Monitoring and follow up is even more lacking outside the TDA

Outside the TDA the monitoring and follow up is even less evolved. The justification for this conclusion is demonstrated by the following observations:

- ▶ No monitoring or investigation of travelling sex offenders is currently being performed in Kotu, Kololi, Bijilo, Manjai and Kerr Serign.
- ▶ Sex offenders are moving into these communities.
- ▶ Surveillance is lacking and needs to be improved.
- ▶ Most of these communities have no knowledge of the existing reporting systems.

Recommendations

Combat the intermediaries/middlemen in sexual exploitation of children

Tour guides, tourist taxi drivers and hotel workers are main stakeholder groups in child sex tourism. Tour guides, taxi drivers, bumsters and hotel workers were the most frequently identified key actors in facilitating child sex tourism. Hence, it is recommended that tourism authorities take steps to prevent these people from facilitating the sexual exploitation of children in the course of their day-to-day contact with tourists. Regular and continuous training and awareness should be given to them on child rights, tourism ethics and other relevant issues. Moreover, there is a need to register all these groups and compel them to follow a Code of Conduct and refrain from acting as 'pimps'.

Strengthen law enforcement in general

Many improvements can be made in law enforcement, like improving the reporting mechanisms and the skills in detecting child sexual exploitation, fight poverty and corruption of law enforcement officers, enlarge the human and financial resources of the law enforcement agencies and organize and implement a better and structured follow up of reported cases.

Strengthen law enforcement outside TDA and in communities

Increased law enforcement and strict observance of the Code of Conduct in hotels have now pushed the sexual exploitation of children into the immediate communities. Offenders are leaving monitored areas for those where they can act with impunity. Information collected during the missions led to the conclusion that child protection activities should be intensified in certain communities near the Tourism Development Area where monitoring and investigation are required but inadequate. Sex offenders need to be aware that they are being watched anywhere they go.

Effective monitoring of the Gambia Tourism Board

Criteria 6 of the GTB's Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism stipulates that every signatory should submit an annual report on the level of implementation of the Code of Conduct. This is necessary because signing up to the Code does not guarantee that signatories would live up to expectation or implement the criteria as laid down. However, these reports are rarely submitted because the annual monitoring of the Code has been irregular and most of the signatories do not even know that they are obliged to submit reports on their efforts and challenges. There is a need to sensitize signatories on the Code and also elaborate to them their obligations under the Code. The Quality and Control Unit of GTB should also develop a comprehensive monitoring and evaluation tool that would assess implementation of each of the Code's criteria on an annual basis. Without such a tool, it is difficult to measure improvement in implementation of the Code or have a basis of evaluation.

Development of a National Plan of Action on child sex tourism

There is a need to quickly develop a National Plan of Action on child sex tourism, which can either 'stand alone' from the National Action Plan being developed by the Department of Social Welfare, or be an integrated part of it. This dedicated child sex tourism NPA will respect or acknowledge that child victims of sex tourism have differing experiences and needs to adults who are engaged in commercial sex, or children who experience other special circumstances. In accordance with the Gambia's commitment to the Stockholm Agenda for Action (1996) and the Rio de Janeiro Declaration (2008), the NPA must take a cross-sectorial approach and bring key stakeholders together to deliver a comprehensive framework for action on child sex tourism. The NPA should address identified gaps in existing programs and policies and determine specific objectives, operational plans, designated actors, measurable targets, monitoring techniques and budgetary requirements which directly relate to child sex tourism.

Monitoring of records at borders

The security forces at border posts should continuously be monitoring records of abusers, and potential offenders. The main stakeholders in child sex tourism/commercial sexual exploitation of children should be ready and willing to share information. In terms of trafficking, all officers need to be vigilant and trained on trafficking issues especially in terms of verification, immediate response, etc.

Identifying different types of tourists

For effective monitoring it would be good to have a clearer view of how many and what type of tourists and travellers come to the Gambia, and how they spend their time. The GTB should make sure that the way tourists are identified and counted is functional for the fight against child sex tourism. It is important that tourists entering over land from neighbouring countries are also registered as tourist arrivals and taken into account when dealing with child sex tourism. Tourism accounting systems and statistics should be adapted accordingly.

More arrests and convictions

Police and immigration officers, lawyers and prosecutors should be trained so that any reported case can be successfully prosecuted, with due consideration given to the best interest of children.

C.4.5. Code of Conduct

Responses

Tourism Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism

Although the tourism industry is not responsible for the sexual exploitation of children and adolescents, child sex tourists are using facilities offered by the industry. Because of the direct contact with travellers and the international business partners, the travel and tourism industry has an important role in combating child sex tourism. Therefore, ECPAT (the global network dedicated to eliminating the commercial sexual exploitation of children) has worked with the tourism industry for years to involve them in the protection of children against sexual exploitation in tourism through the Tourism Child Protection Code. The Tourism Child Protection Code (The Code) is an industry driven code, which provides the tourism industry (beside tour operators, also airline companies, hotels, travel agents, bars, etc.) guidelines to help reduce the sexual exploitation of minors in a concrete and visible way.

In May 2004, a multi-sectorial Taskforce under the aegis of the then Gambia Tourism Authority (GTA) adapted this international Code to a Gambian version: the 'Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism'. All the key players in tourism in the Gambia signed this Code.

The aim of this adapted Code is to make travellers and travel staff more aware of the protection of children against sexual exploitation. Suppliers of tourism services adopting the Gambian Code of Conduct commit themselves to implement the following six criteria:

1. Inform and promote the awareness of employees, based on the folder compiled by Gambia Tourism Board together with CPA-ECPAT-Gambia.
2. Include clauses in contracts, and other suitable measures displaying a unanimous rejection of the sexual exploitation of children.
3. Promote the awareness of customers through the distribution of information leaflets.
4. Include child protection as a subject in training of employees.

5. Consider the Code of Conduct when laying down business principles.
6. Submit yearly reports to the CPA-ECPAT-Gambia on the steps taken concerning the Code of Conduct.

There is a major difference between the Gambian Code and the international Tourism Child Protection Code. The latter is **industry driven**, the first is **state enforced**. The elements of the Gambian Code are obligatory by law, whilst the international Code is voluntary and an instrument of CSR.

Evaluation of the Code of Conduct

All managers interviewed found the Code of Conduct very relevant and said it motivated them to take action against sexual exploitation of children. All the hotels surveyed have adopted policies that every outside visitor must show their ID before being allowed in hotel rooms and if they are under 18 years, they must not be allowed in. According to them, the problem with this however, is that they are pushing the problem out in the communities. The hotels charge between D700 (35 euros) and D1000 (50 euros) for an extra person if they are over 18 and staying overnight, but the guest will normally tell them that they find it cheaper to take the extra person to guesthouses outside the hotel areas. If these guesthouses are not adhering to the Code of Conduct then there is a possibility that children will be taken there.

Tourist taxi drivers and tourist guides are also aware of the Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism and they do discuss the Code amongst them and also during stakeholder meetings. Most drivers found the Code very useful as it motivates them to take action against sexual exploitation of children. The Code of Conduct has improved their understanding of commercial sexual exploitation. They understand what should be done when it happens and how they should report the matter to the authorities. The drivers felt it is the responsibility of all stakeholders in the tourism industry to implement the Code of Conduct. The bumsters who are members of the Bumster Rehabilitation Program are aware that a Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism exists, but in general none-members are not aware.

Challenges

State ownership

Because it is state regulated the business sector does not feel it as its own initiative and is rather passive in the implementation, waiting for Government to initiate action. The responsible Taskforce is convened around issues, not on a regular basis.

Challenges according to hotel industry

A survey of hotel managers was carried out in 3 of the major hotels in the Gambia and 2 small hotels in the different clusters of the tourism industry. The hotels were chosen because they have implemented the Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism. On top of that observations by the survey team members were carried out. The survey revealed the following:

- ▶ *Awareness building of personnel:* there is some awareness of personnel working in the hotel on sexual exploitation of children, but mainly restricted to managers and some at the front office. Observations showed that many at front desk and in security were not trained.
- ▶ *Awareness building of tourists:* all of the hotels surveyed claim that information on sexual exploitation of children is shared with tourists through display of codes of conducts in the main reception areas of the hotels and placing of leaflets. Unfortunately, hardly any information materials were encountered in the hotels visited.
- ▶ *Including clauses in contracts:* all managers interviewed said tour operators never asked for their adherence to the Code and are not aware of the inclusion of clauses on the protection of children in the contracts they make with them. One of the managers said: "I will have to ask the proprietor because I don't do the contracts. Thomas Cook and Gambia Experience serve us and I have looked at the Gambia Experience brochure for 2013/2014 and there is a section on protecting the Gambia, but no mention was made of protecting children. All it mentioned was on Carbon offsetting."

- ▶ *Submitting reports to CPA:* none of the hotels have submitted annual reports to the CPA either because they are not aware or have overlooked it. One of the managers is quoted as saying: “I have not submitted any report to CPA and I wasn’t aware of such reports to be submitted. I think the CPA needs to follow up on this, especially in cases where there are changes in management.” Other managers see submitting of reports as an extra burden on their already overloaded agenda.

Recommendations

Awareness building of personnel

More personnel from different departments within the hotels, with a focus on front line personnel, should be trained on a more regular basis. There is a need for regular trainings on child sex tourism with different stakeholders to refresh knowledge, exchange experiences and to invest in networking.

Including clauses in contracts

Realistic ways of enforcing the Code through clauses in contracts should be elaborated.

Submitting reports to CPA

Reports should be made and sent to CPA and CPA should monitor the process and the reports.

Involve other stakeholders

Other stakeholders such as small hotels, tourist taxi drivers and bumsters should be involved more with the Code and codes adapted to their specific situations should be developed. The principles and workings of the Code should be explained better to these stakeholders.

More efficient production and distribution of information materials

A good plan should be made on how information materials get to the target group and how supply can be continuous.

Ownership and leader role of the Code should be taken up

The Gambian Hotel Association (GHA) and the Gambian Tourism Board (GTB) need to take a more effective role in the implementation and compliance with the different elements of the Code of Conduct.

More research for the Code

Research is needed to gather data on the sexual exploitation of children in the Gambia. Only by gathering information, it becomes clear which children are at risk, which types of perpetrators come to the Gambia, where it happens and which stakeholders are doing what. This information is needed to improve the effectiveness of the combat against child sex tourism in general and of the Code specifically.

Tourism education

Lectures at hotel and tourism schools on how to protect children against sex tourism for example through the Code should be obligatory.

C.4.6. Awareness

Responses

Radio programme

In its efforts to promote tourism and culture, the Gambia Tourism Board runs a weekly phone-in radio programme called ‘The Tourist’ at the West Coast FM Radio Station. This programme has contributed to raising awareness of the general public on issues in tourism, on the initiatives of the various stakeholders and the efforts towards making children safe and protected in tourism.

Tourism career days in schools

The GTB, in collaboration with other stakeholders, has been holding career days in senior secondary schools across the country. These days are used, among other things, to raise awareness of students on tourism, encourage them to consider a career in tourism and discuss child protection issues in tourism.

Public education

The Department of Social Welfare and its partners conduct media talk shows and community outreach interventions where they discuss various child protection concerns including child sex tourism and sexual exploitation of children.

Sensitization workshops and seminars

Over the years, many NGOs, in collaboration with the GTB, have been raising awareness on the Tourism Offences Act 2003 and the GTB Code of Conduct enhancing the capacities of the various stakeholders, in particular employees

of the hotels and personnel of the Tourism Security Unit, in counteracting child sex tourism. For instance, awareness amongst tourist taxi drivers is raised through their public gatherings (Bantabas) and there is a high level of awareness on the issue. Some of the drivers have also attended workshops organized by the Government and CPA-ECPAT the Gambia.

Electronic signboard

On 17th December 2013 the Director General of the Gambia Tourism Board launched the electronic signboard with key messages on prevention of child sex tourism at the arrival lounge of the Banjul International Airport. CPA, with funding from the ECPAT Netherlands project 'Combating child sex tourism in the Gambia' contributed financially to this activity.

Challenges

Parents

Bumsters who were interviewed believed that even though there is a lot of awareness in this country about child sex tourism, the phenomenon is still going on due to the fact that when a person offers to support a family he or she is welcomed with open arms and allowed to do anything they want with the child. All the respondents agreed that there is awareness on commercial sexual exploitation of children, but blamed the problem on the lack of control by parents.

Perception

Islam prohibits illicit sex, whether paid for or engaged in by mutual consent. In the Islam sex is only allowed within marriage. Thus, prostitution is prohibited in Islam. On the other hand, prostitution in tourism is not completely frowned upon by society or the immediate family members of the persons involved in such prostitution. The involvement is also often not kept as secret from peers. To have a Caucasian boyfriend or girlfriend (toubab), regardless of this person's age, is considered as 'good luck' and a sure passport to Europe (Babylon). It is common sight to see young men and women walking arm-to-arm in the streets with very elderly European men and women with little inhibition and no condemnation from the society.

Recommendations

Continuous improvement of public awareness

Raising-awareness is a priority prevention measure, but the approach to public campaigns requires a radical shift. Future campaigns against child sex tourism must be centrally managed by GTB with expert technical advice from behavioural change communication specialists. Campaigns should: target specific audiences; include relevant, accessible and simple to understand messages; generate awareness and ignite public response; and link to suitable reporting mechanisms, including hotline numbers.

More cooperation with sending countries

Tour operators, travel agencies, airlines and other travel and tourism companies in sending countries should be encouraged to develop information materials to inform their customers that child sex tourism is illegal in the Gambia and is punished with lengthy prison terms and fines. Information materials that can be developed include travel brochures, ticket folders, luggage tags, video spots, public service announcements, and other methods to convey messages to travellers concerning child sex tourism.

Improve Government awareness of child sex tourism

It is not possible for authorities to implement regulatory frameworks and respond appropriately to child sex tourism issues if they do not know the laws, the procedures or the problems faced by children in relation to child sex tourism and other forms of child sexual exploitation. A concerted program is required to sensitize Government officials at the national, regional, district and village levels in order to address the existing lack of awareness, underreporting and occasional apathy in relation to child sex tourism and other forms of child sexual exploitation.

Strengthen public information campaign

It is vital to strengthen the public information campaign on child sex tourism (sensitizing the public on various preventive and protective measures and legal awareness). Agencies working in the area of violence concerning sexual abuse and exploitation of children need to work in collaboration with local mass media to increase reporting and awareness of the public on the issue. Utilizing grass root communication channels such as community conversation,

community radios, traditional communicators (Kaa-nyelengs), cultural and social gatherings (religious and or cultural structures of the community) is also very important to reach the wider community.

More attention to specifics of child sex tourism and its target groups

The respondents are happy with the level of awareness they received from CPA, but as mentioned above there is need for more awareness of the public in terms of the various strategies used by offenders. There is very little knowledge with regards to child protection law among the children involved in this research. Nineteen children were involved in the Focus Group Discussion and only one knew about the Children's Act 2005. The children suggested that to better involve them or approach the issue in terms of preventing and reporting, there is need to build their capacity so they could be empowered, help them form children's clubs and involve them in decision making. In this way they will be informed and can raise awareness or report cases.

C.4.7. Training

Responses

Training

As part of its responsibilities, the DSW and its partners have been continuously conducting trainings for security officers (especially the police), community members, social workers, etc. The Gambian Tourism Board in cooperation with CPA has trained stakeholders in tourism, such as taxi drivers and bumsters. A number of stakeholders mentioned they are partner with other stakeholders to conduct trainings and awareness on child sex tourism and commercial sexual exploitation, particularly targeting social workers, police, immigration officials, tour guides, etc.

Development of a training manual to prevent child sex tourism in the Gambia

In October 2010, the Gambia Tourism Board, with funding from UNICEF, developed a training manual for the prevention of child sex tourism. This manual can be used by all the stakeholders, including tourism-training institutions, to build the capacities of their employees to be able to appropriately fight child sex tourism and is available from the GTB and CPA.

Challenges

Although a lot of training is being done and the level of the trainings is high, stakeholders agreed that it has to be a continuous and repetitive process and actually can never be enough. Therefore, some recommendations were made.

Recommendations

Provision of training

All stakeholders need to be trained to understand how sex offenders operate. These may include training on how child sex offenders groom children, which places and areas are used to gain access to and sexually abuse children, which means of communication and the networks are used amongst offenders, etc. The research found out that investigations and reporting of child sex abuse cases are sometimes hampered as a result of insufficient training and knowledge among investigators. Guidelines and training methods should be developed to provide skills in monitoring, investigation, legal and judicial process and civil rights. Such training reduces the risk of mistakes and abuse of procedure in monitoring potential sex offenders. It also reduces the level of stress experienced by personnel in difficult situations.

Special focus on building the capacity of tourism employees

Employees in the tourism industry are a critical resource in combating child sex tourism. As individuals who are in direct contact with the tourist, they are in a unique position to actively promote responsible tourism, warn tourists against child sex tourism, receive reports from other tourists, distribute information materials to customers and report incidents to local authorities (TSU, Department of Social Welfare, police). Thus, the capacity of these employees should be enhanced regularly.

Developing the skills of the police

Developing the skills of the investigators from the Police Child Welfare Unit to ensure that monitoring should be conducted with a mix of indirect and direct approaches to sex offenders and child victims. Utilizing both approaches allows for a high level of data collection but also requires a range of knowledge and techniques. Child protection sections should be incorporated into the police-training manual. Training for the investigators could include:

- ▶ Observation and tailing methods for undercover monitoring so as to avoid recognition or suspicion by suspects.
- ▶ Child interviewing and counselling techniques.
- ▶ Dealing with stress or stress management.
- ▶ Civil rights protection and observance of the due process.

C.4.8. Prevention

Responses

Neighbourhood Watch Groups

In 2009, the Child Protection Alliance-ECPAT the Gambia, with support from UNICEF, established five Neighbourhood Watch Groups, comprising adolescents and adults, in the communities of Bakau, Kololi, ManjaiKunda, Kerr Serign and Bijilo. Some of the activities the Groups are engaged in include raising awareness on child sexual abuse and exploitation and reporting suspected child sex tourism cases to the relevant authorities.

Challenges

Prevention is seen as a main priority, with many challenges to address. The focus here will be on the recommendations.

Recommendations

Promote child participation

Children (including child victims and those at risk of sexual exploitation and child sex tourism) must be included as active participants in the process of policy and program development relating to child sex tourism. Meaningful child participation can be formalized through the use of youth advisory committees, community-based programs and peer-to-peer initiatives. Children should be invited to contribute to the development of the NPA and to participate in the National Taskforce. Some suggested to install KIDS-teams in hotels like comparable to the so-called green teams. Youth organized in the youth groups of ChildFund and CPA-ECPAT the Gambia should be involved in prevention programmes and in programmes to empower their peers in risk situations.

Strengthen the protective capacity of families

Two of the main factors that exacerbate the vulnerability of children to sexual exploitation are poverty and a dysfunctional family. The Ministry of Trade, Ministry of Tourism and Culture, Department of Social Welfare, UN Agencies and NGOs can play an important role in strengthening the protective capacity of families in communities around the Tourism Development Areas and thereby reduce children's vulnerability to child sex tourism and other forms of child sexual exploitation. This can include positive parenting training for mothers and fathers; improving access to local income generation sources; livelihood and vocational training for children out of school; initiating community-based support services; providing low-interest rates for struggling families; and improving access to basic health care services.

Improve access to education and employment

Lack of education, limited employment options and boredom, all contribute to children and adolescents' vulnerability to child sex tourism and other forms of child sexual exploitation. Children must be provided with opportunities and encouragement to stay in school. This includes reducing school fees, educating parents about the importance of education and strengthening social services to monitor and encourage children's attendance. Vocational and higher education must meet the demands of the labour market and provide training which is compatible with existing employment opportunities.

Address the risk of child sex tourism via information and communication technologies (ICT)

The explosion of information and communication technologies present serious child sex tourism risks. Child pornography and online sexual exploitation require specific and targeted actions. The Ministry of Information and Communication Infrastructure must strengthen the protective environment through stricter monitoring, filtering and blocking of websites containing child sexual abuse images. The Public Utilities Regulatory Authority (PURA) should oblige Internet Service Providers and GSM Companies, (like GAMCEL, QCELL, NETPAGE, AFRICELL, UNIQUE SOLUTIONS and Comium), internet cafés and financial institutions to develop child protection codes of conduct and mandatorily report cases of child sexual exploitation. Public educa-

tion campaigns need to be expanded to reach a wider audience of children, parents, teachers and other concerned individuals and groups to improve awareness of child sexual exploitation risks via digital technologies and promote accessible reporting mechanisms.

Internet café's

In cooperation with internet cafés programs should be set up to address youth using websites to lure tourists to the Gambia.

Monitoring in specific areas

The respondents highlighted that prevention cannot do without a good system of monitoring that needs improvements:

- ▶ Control measures to ensure that tourists who have bought properties in the Gambia do not have easy access to the children.
- ▶ Monitor the ways and manners in which homes and compounds are either sold or rented out to tourists.

C.4.9. Rehabilitation

Responses

Shelters

The Department of Social Welfare provides a wide range of care and support, including counselling for child victims of sexual abuse and exploitation. It has established a 'Shelter for Children' that provides both temporary shelter and psychosocial support for children at risk and victims of sexual abuse and exploitation. At the Shelter for Children social workers work with victims to help them overcome their trauma.

The Network Against Gender Based Violence, in partnership with the Department of Social Welfare and other stakeholders, established in August 2013, an One-Stop Centre at the Shelter for Children that provides counselling, medical services, psychosocial support and legal aid to victims of sexual and gender based violence in a more therapeutic and friendly environment.

Rehabilitation services PAO

Through the Programme Afrique de l'Ouest (PAO), the project that focuses on children on the move, the Department of Social Welfare provides rehabilitation services to vulnerable children and their families as well as micro-finance support to enable their rehabilitation.

Challenges

Although some rehabilitation is reported, the respondents claim that these programs are almost non-existent and that the DSW does not have trained psychologists and psychotherapists to help the affected victims. There is a shelter for children where they are fed and have a place to sleep, but it lacks psychological support, schooling, play facilities, legal assistance, etc. ⁷³

Recommendations

More shelters with better facilities

There is a lack of shelters with necessary facilities. It should be a priority to create more sanctuaries for victims.

Train for rehabilitation

There is a need to train psychologists and psychotherapists, and establish rehabilitation centres. There is also the need to strengthen the monitoring systems, which would also provide reliable data for planning.

C.4.10. Research

Responses

A number of studies

In the area of research extensive work has been done in the Gambia in collaboration with Government and International agencies. The Department of Social Welfare, with support from UNICEF, conducted a study in 2003 on the sexual abuse and exploitation of children in the Gambia. This study examined the nature and extent of child sexual abuse and exploitation. ⁷⁴ The Child Protection Alliance also conducted a similar study in 2003 on child sex tourism in the Gambia that examined the prevalence of child sex tourism in the Gambia, the nationalities of perpetrators and child victims, places where the exploitation occurs and the general efforts of the tourism authority to counteract the menace. In

⁷³ UK Border Agency (2013) page 26 et al.
⁷⁴ UNICEF (2003)

2010, the Women's Bureau did a study on gender based violence in the Gambia, while in 2009 the Network Against Gender Based Violence made a desk review of interventions and services for victims of gender based violence.

NGOs such as GAMCOTRAP, BAFROW, communities like WASU KAFO and Government agencies like the Women's Women have conducted research to understand the prevalence and types of Female Genital Mutilation (FGM) in the Gambia.

Challenges

There is still a lack in data on numbers of victims, both girls and boys. There is need for more regular research on a number of issues. The lack of systematic research and data on the role of internet is seen as a weakness in the fight against internet grooming.

Recommendations

Conduct regular and structural research on a number of issues

- ▶ An analysis of perpetrators.
- ▶ An analysis of victims.
- ▶ An analysis of how tourism works.
- ▶ New trends in tourism.
- ▶ New trends in grooming.
- ▶ New trends in internet dating.

Conduct gender research

Since the Gambia is not only known for male tourists looking for women, but also female tourists looking for men, it would be good to do more research into the issue of gender and sex tourism/child sex tourism. One first issue could be to compare return rates of men and women with other countries.

Conduct comparative research

Comparative researches between neighbouring and regional countries on child sex tourism issues could be helpful in understanding child sex tourism and sexual exploitation of children. The same is true for comparison between other major child sex tourism destinations. The role of for instance tour operators, internet (social media) or grooming could be studied in a better way and solutions could be compared.

C.4.11. Other challenges and recommendations

False ID

Interviews with youth confirmed that it is easy to get a false birth certificate with which one can get a false ID. Kauffmann already quotes a director of a tourism establishment (Interview 6-2008) who stated: "You can buy a false birth certificate for 25 Dalasi. With that you can easily fool police officers and prostitutes in the known areas as Senegambia and Palma Rima Beach." ⁷⁵ False IDs make it hard to implement and/or enforce any kind of instrument of legislation.

Prices in relation to poverty

Prices for sexual services can vary between mobile phones and money up to 100 pounds (about 125 euros) from a tourist. According to different stakeholders, the prices involved would normally depend on agreement ranging from D1000 (about 20 euros) and above. Compared to salaries earned by youth in the poverty stricken regions, this is a large amount of money and very tempting.

Inside and outside Tourism Development Area

Until now, the counteraction of child sex tourism has focused mainly on raising public awareness through the media, dissemination of information and education materials and enhancing the capacity of employees in the tourism industry and personnel of the Tourism Security Unit on the Tourism Offences Act 2003 and Tourism Code of Conduct. The intervention was limited to the Tourism Development Area and focused primarily on the child who was caught in sexual exploitation in the tourism industry. However, many children outside the Tourism Development Area are also vulnerable to sexual exploitation by tourists. Thus, while sensitisation and capacity building can be very effective strategies in counteracting child sex tourism within the TDA, they can result in protection gaps, lack of coordinated efforts and coherent reporting systems, insufficient community involvement and attention to early intervention and weak community prevention mechanisms, if they are not implemented outside the TDA

⁷⁵ Kauffmann, A. (2008) page 26

Identifying possibilities of how the existing structures could be used

In the fight against child sex tourism it is not always efficient to develop new laws, instruments and structures. Since many laws and instruments are already in place, one should first look at using existing possibilities.

Awareness on trafficking and pimping

Clarity should be created about the 'friendship business' and 'romance tourism'. There is a very fine line between these concepts and trafficking and sexual exploitation, especially where the activities of bumsters are concerned.

C.5. Priority recommendations

The Tourism Stakeholders Forum on Child Sex Tourism at Senegambia Beach hotel on 22nd January, 2015 decided on the following priorities:

Informing tourists

- ▶ Billboards/ flyers
- ▶ Tv/Radio programmes
- ▶ Welcome meetings with Tourists
- ▶ Involve local communities
- ▶ Sensitise Guest House owners

Training of personnel

- ▶ Training taskforce committee to be set up
- ▶ Gender equalities always on the taskforce trainings
- ▶ The taskforce should be represented by the Gambia Tourism Board
- ▶ Mandate of the Taskforce Training should be nationwide

Creating trust and cooperation

- ▶ Confidentiality in reporting
- ▶ Protection for reporters
- ▶ Reporting through the task force committee
- ▶ Task force committee should be independent and representative
- ▶ Awareness creation to create more trust/cooperation with the general public – Radio/Tv programs

Guaranteeing confidentiality

- ▶ Government Legislation
- ▶ Disclosure clause, identity protection
- ▶ Witness protection programmes

Keeping track of potential perpetrators and cases

- ▶ Investigation Framework
- ▶ Guidelines
- ▶ Reporting forms
- ▶ Sex offenders registration
- ▶ Networking/partnership

Effective referral system

- ▶ Bring structure into the referral System
- ▶ Committees (regional and national level)
- ▶ Link to therapeutic/counseling programmes
- ▶ 24 hours judicial system

More sanctuaries

- ▶ Group Homes
- ▶ Therapeutic programmes
- ▶ Family re-integration/support programmes

Active fundraising

- ▶ Tourism stakeholders, Tour Operators, GHA, GTBoard, Ministry of Tourism and Culture, UNICEF, ECPAT Netherlands, Thomas Cook, Save the Children UK & Sweden, ActionAid, NGOs, ChildFund The Gambia, etc.

D. Reporting

One of the major aims of this research is to improve systems of reporting of child sex tourism. We will first identify different types of reporting after which we will turn to reporting on child sex tourism in the Gambia and the experiences stakeholders have with it.

D.1. Types of reporting

D.1.1. Why reporting

Reporting of child abuse has three functions:

1. First and foremost it is aimed at helping the child by rescuing it. To rescue a child from abuse, reporting is an essential step but only the start of a complex process in which many actors have to work together and many conditions have to be fulfilled. Therefore, reporting a case is no guarantee that the child will be rescued.
2. A second objective is to make sure that the ones responsible for the abuse will not go unpunished and are stopped abusing children. The first responsible for the abuse is the perpetrator. To make sure that he does not go unpunished, a reporting mechanism has to be linked to law enforcement units. They have to perform efficiently and without corruption. One issue that has made reporting of offenders more relevant is extraterritorial legislation. The fact that offenders can be brought to justice in their own countries has made reporting much more effective.
3. The third objective is to make sure that organizations facilitating the abuse are reported also and held accountable. Over the past few years it has become accepted that stakeholders facilitating the abuse also have a responsibility, including the tourism industry. Part of this responsibility is picked up through the Code of Conduct. Reporting, therefore, is part of this Code. And the industry itself

will take action against businesses that facilitate commercial sexual exploitation of children. However, there are also other reporting mechanisms that are relevant to addressing the responsibility of businesses facilitating sexual exploitation of children and holding them accountable for it. One is the UN Guiding Principles on Human Rights and Business and the other is the UNWTO complaint mechanism of the Global Code of Ethics. The first is being applied in international laws, including reporting mechanisms on human rights violations (and followed up by relevant legislation in other institutions like the OECD). The second, applying to the tourism industry, has a committee that can take action against businesses when cases are reported against them.

In this research we deal with the reporting of travelling child sex offenders and with the conditions for it to be successful. The reporting of child sex tourists has the first type of reporting (saving the child) as a priority, but should also focus on the second (punishing the perpetrator). Whatever the type of reporting, it is a step that should lead to an action. The success of reporting will be measured by the action it invokes: saving the child and jailing the perpetrator.

D.1.2. Reporting of travelling child sex offenders

ECPAT provides some guidelines on what should be reported for a reporting system to be effective:

- ▶ *A tourist sexually abusing a child:* an adult touching a child in an inappropriate manner or forcing the child to touch the tourist inappropriately. It can also be a tourist engaging in non-contact sexual abuse, such as exposing him or herself to a child, asking a child to undress, forcing children to touch one another or photographing a child in some of the above situations.

- ▶ *A person selling a child*: someone in a bar, hotel, club or even in a brothel who is asking tourists if they are interested in having sex with a minor. Often, it is the go-betweens working in the tourism industry (taxi drivers, waiters, etc.) that offer sex with children to tourists. Such a person may suggest tourists visit a red-light district to meet young girls or boys.
- ▶ *A tourist trying to buy a child for sexual exploitation*: approaches locals, hotel staff, other tourism professionals, or even other tourists asking where he or she can pay for sex with young children should be reported to authorities. Such a tourist may be seen walking into a brothel, club or massage parlour known for selling sex with minors.
- ▶ *A hotel or travel company allowing exploitation of children*: hotel staff does not check the age of boys and girls who enter a hotel with a guest and who are clearly not family relations, the hotel may be facilitating child sex tourism and should be reported. Similarly, if hotel staff approach guests with offers for sex with minors, they and the hotel should be reported. It can also happen that a tour operator, tour guide or other travel company (trekking, adventure tourism, cruises) may bring tourists to places where they can have free access to children. Such companies are engaging in child sex tourism and should be reported to local or international authorities.⁷⁵

From the survey it became clear that there are some requirements for a reporting mechanism to function well and to be credible. It is important that it is available 24/7, that there is a good and direct response, that the referral process is clear and effective. The problem with all these types of reporting is that even if the reporting mechanism itself is of high quality and effective, many other factors and actors are involved when it comes to the referral process and in the judicial follow up. Many things can go wrong here. Unfortunately, the person reporting will judge the effectiveness of the reporting mechanism only on whether the child is rescued and the perpetrator is caught and punished.

So it should not only be clear what to report, but also **where** to report, **when** to report, **what** happens after reporting, what **resources** are available and how **effective** the referral is.

D.2. Child sex tourism reporting in the Gambia

The Children's Act encourages the reporting of the infringement of the rights of a child and section 75 (1) makes it mandatory for any person with information on child abuse or a child in need of care and protection to report the matter to the Department of Social Welfare or the nearest police station.

Several ways of reporting child abuse in general were mentioned by the stakeholders. There are traditional ways of reporting within a local cultural or religious setting, there are reporting mechanisms to report abuse in the setting of the family and there is extensive regulation on sexual abuse in an educational setting with reporting mechanisms in place. This has led to a number of telephone numbers and procedures available. Reporting can be done via:

- ▶ Police, especially the Child Welfare Units.
- ▶ Department of Social Welfare.
- ▶ Neighbourhood Watch Groups (NWGs).
- ▶ Community Child Protection Communities (CCPCs).
- ▶ Hotline 199 (only accessible via Africel. Gamcel pull out and Comium, Qcel cannot be used to call 199).
- ▶ National Agency Against Trafficking in Persons (NAATIP).

We will focus on those that are relevant in tourism and for tourists.

D.2.1. Reporting mechanisms and hotlines for child sex tourism

The information handed out to tourists and employees to support the fight against child sex tourism (most of it in the framework of the Code of Conduct), contains a number of reporting procedures and telephone lines through which one can report abuse.

The only real (and free) hotline is the 199 Hotline operated by trained staff from the DSW. The other telephone lines are not dedicated hotlines, but rather official landlines that are used for official purposes, although other people can also call to report cases, make enquiries, etc.

Gambia Tourism Board	220-4464859
	220-4462496
	220-4466378
Tourism Security Unit	220-4463676
Department of Social Welfare	220-4228843
Child Hotline	199
Police Child Welfare Unit	220-4225300
	220-4224914
Child Protection Alliance	220-4498154
	www.cpagambia.gm
Arke (Dutch Tour Operator)	www.meldkindersekstoerisme.nl
Advise from Tourist brochures	Always inform your tour operator
	Report to hotel
	Report to travel guide
	Report to travel agent
	Report to your embassy/consulate

The telephone numbers of the Police Child Welfare Units and Tourist Security Units (TSU) are to some extent reporting systems/structures but are not entirely there for sexual abuse or child sex tourism.

When a case is reported to either the police, TSU or via 199, the police go to the venue or 'crime scene' together with DSW. The DSW brings the victim to a place of safety and necessary procedures like medical check-up or procedures are conducted or carried out. The police on the other hand, makes the arrest of the perpetrator, and later investigates, takes the offender to a competent court (and in this case to the Children's Court) and prosecutes.

The cases that DSW received mostly came from the police and community members. For instance, the DSW received a case from a British national who came on a short visit and saw many child protection issues of which he wasn't happy about. They didn't know where or how to report these issues to the right authority. He wrote an email to UNICEF-Banjul outlining what he saw and his dissatisfaction.

A recent research by Jana Sillen of ChildFund found that: "The vast majority of law enforcement personnel know where to report cases of (potential) child trafficking, and only four respondents say they do not know where to report. The Child Welfare Units within Police/Immigration, the Department of Social Welfare and the Child Protection Unit at the Armed Forces are mentioned as responsible units/departments. Police officers also mention Interpol – which is situated at the

police headquarters. All police officials say they will refer a case to the Department of Social Welfare. Staff at the Department of Social Welfare all said that there is a specific procedure in place to refer cases of child trafficking to other (Government) agencies or organizations, such as immigration and police, other departments within social welfare, the Children's Court, embassies, hospitals and the National Agency Against Trafficking In Persons at the Ministry of Justice.”⁷⁶ On the question whether there is a system in place to record cases of child trafficking, 76% of the respondents in ChildFund's survey answered yes and 52% could describe a case where the Department handled child trafficking.

D.3. Challenges with reporting

D.3.1. Mechanism for reporting commercial sexual exploitation of children related to tourism is ineffective

The use of reporting, monitoring and investigation to fight the prevalence of commercial sexual exploitation of children related to tourism, by itself is insufficient in dealing with the problem. These techniques must be used in conjunction with preventative methods to address the problem from the supply side as well as the demand side. These preventative methods must be culturally-sensitive, designed by Gambians, in order to best address taboo issues such as sexuality, sexual abuse and the notion of preserving face and family honour. The implementation of awareness and education programs must be conducted at family and community levels and Neighbourhood Watch Groups strengthened to implement the Code of Conduct. According to the Tourism Security Unit, only two cases sexual exploitation of children were reported at the TSU station during the 2012/2013-tourist season.

D.3.2. Reporting mechanisms are complex

The results of the interviews confirmed what Kauffmann noted: “Reporting mechanisms are unclear for tourism stakeholders. Tourism establishments consulted in 2008 (Interviews 05/09-2008) report in various ways suspicious cases of child sex tourism. The following actors and institutions to report to were mentioned: nearest local police station, National Intelligence Agency, GTA, Tourism Security Unit, high Governmental officials of any kind, and representatives of Tour Wholesalers.”⁷⁷

D.3.3. Lack of trust

A hotel manager suggested that cases of sexual exploitation of children do not appear in court to face appropriate judiciary decision as they are often aborted before the charges are sent to courts. Corruption and misuse of power were reported as discouraging factors for proper reporting. “I am not aware of sexual exploitation of children in this hotel apart from one, but I was also told of some people who come here in the name of churches or charities are involved in

⁷⁶ Sillen, J. (2012b) page 13

⁷⁷ Kauffmann, A. (2008) page 29

the sexual exploitation of children. The reasons that make it difficult to report include anonymity and the amount of time involved in pursuing the case. I didn't want to say this but I am informed by my staff that corruption on the part of the authorities also discourages people from reporting cases."

Taxi drivers mentioned the same. Although some drivers are encouraging sexual exploitation of children, most drivers consider sexual exploitation of children as a 'danger' to the country and they do their bit to stop it from taking place in the areas they operate. There has been an incident in one of the hotel complexes in Kotu where the drivers stopped a tourist from entering the complex with a girl under the age of 18 years. However, concerns were raised on the slow judicial process and corruption with the Tourism Security Unit.

Also tourist guides said they have all the numbers to report cases, but the problem is the slow or delayed response of the relevant authorities to reported case. The respondents cited an example where they reported an abuser who was using his laptop to register pornographic images but managed to delete the images because the authorities did not promptly arrest him. The respondents also mentioned that the families of victims are not very cooperative either, mainly due to the economic gains they might have from abusers.

The bumsters mentioned that people are not willing to report because either they are influenced by the paedophile's money or they have suspicions but haven't got enough evidence. Both members and non-members of the bumster Rehabilitation Program are aware that they can report child abuse cases to the police but both blamed corruption of the police as a barrier to reporting cases. One of the informants told the researcher that when suspected child sexual abuses are reported to the police the first thing they ask for is evidence and if you cannot show evidence then it is just a suspicion and no further action is taken. The slow process of the judicial system in the Gambia as well as victims and their parents' reluctance to take legal action are also seen as a barrier to reporting.

These responses confirm what Kauffmann had already pointed out: "Reporting is not always done due to a culture of silence in the Gambian society and its tourism industry. It is

also believed that child sex tourists can make people silent by their money. The latter is made clear by many tourism establishments. In general, it is believed that many cases go unreported by families as well as by those who suspected child sex tourists. Even those who did not benefit in one way or another but witnessed a suspected case do not report, mostly because of a low trust in Gambian authorities to handle such cases. As such, this implicates that authorities do not know many cases of child sex tourists at all. Even when reported, there is no official cooperation on sharing knowledge and power." ⁷⁸

And he continues:

"There are two reasons for the low reporting, firstly the lack of trust in a reliable reporting strategy and secondly the difficulty of determining at which stage should be reported. So, reliable reporting mechanisms are lacking. Moreover, the trust of tourism establishments in the mentioned actors and institutions are missing. Especially local police officers are not trusted. In other situations tourism establishments needed police support, police officers responded that they could not come because of no transport, no fuel, not enough personnel or no telephone credits to pose requests for this." ⁷⁹

In conclusion, reporting is not seen as effective since the follow up is **slow, complex and corrupt**.

D.3.4. Lack of cooperation

Partly as a result of a lack of trust there is a lack of cooperation between stakeholders in general which has not improved since Kauffmann's study: "All these institutions were mentioned by tourism establishments as effective to report to. This would mean that each institution might know about cases of child sex tourism. These institutions are not formally interlinked on child sex tourism cases. So, they do not share knowledge and power for an effective counter-action." ⁸⁰

In our survey the Tourism Security Unit complains about a lack of cooperation, which Kauffmann found in 2008: "In addition, the Tourism Security Unit (Interview 06-2008) is blaming these security and watchmen about keeping

⁷⁸ Kauffmann, A. (2008) page 27

⁷⁹ Kauffmann, A. (2008) page 29

⁸⁰ Kauffmann, A. (2008) page 26-27

silent of what they know, implicating that they benefit of it or being ignorant. A watchman (Informal Conversation 09-2008) of a popular bar among tourist and Non-Gambian residents in Kotu seems to agree on that by saying: “I know many many, many toubabs coming to The Gambia to have small, small, small girls, 13 or 14 years old. I know personally two girls here in Kotu who are spoiled by old toubabs. They are 14! I never reported something, but toubabs know I do not like it. I have had many discussions with these toubabs. They do not try it at my place.”⁸¹

D.3.5. Lack of awareness

The victims of child sex tourism, youth and sex workers, suffer a lack of awareness on what they can do themselves to report. The youth groups report that in Bijilo they don't use any reporting system because they are not aware of any, while in Kerr Serign they know there is the police to report cases to, but they have the belief that the police will not listen to them or take their cases serious. The children interviewed mentioned that in case they come across a case, they prefer to report to someone older whilst others said they don't know where to report it so they will not take action. Most of the respondents among sex workers were not aware of the reporting mechanisms. Remarkably they mention that they think that the police are doing a good job in stopping and arresting young sex workers.

D.3.6. What to report and when

Hotel managers are not always aware of when to report what. Should they report any suspicious tourists entering, wait until the tourists talk to the front desk or until they are in the room? Managers were not sure whether they should report any suspicious behaviour or only factual crimes. Some fear the risk that by reporting white tourists with black partners, one commits discrimination. The watchmen often already refuse sex tourists, before they enter the premises. Should that be reported? And what if they walk away. Should they be followed? The lack of trust in a reliable reporting strategy and the difficulty of determining at which stage should be reported, are reasons why managers might prefer to just dismiss the case and send the tourist out into the street.

D.3.7. The system of reporting hinders overview of the problem

In the systems of reporting there are some flaws. For example when watchmen turn tourists with children away, there is no report made of the case. Even the front desk will mostly not report when a tourist is successfully refused and turned away. Therefore, there is no clear insight in how many child sex tourism cases exist.

D.3.8. Not enough support offered by hotlines

The respondents indicated that the reporting mechanisms are inadequate because the systems need to be strengthened. The 199 Hotline is not available 24/7 and not accessible via all the GSM providers (at the moment, the 199 can only be accessed for free via Africel). The Neighbourhood Watch Groups should be supported to become more active.

D.3.9. Confidentiality

One of the reasons that people are reluctant to report is the fact that they are not sure about confidentiality and anonymity of reporting.

D.3.10. Not enough sanctuaries to take care of children

When victims are saved there has to be a trajectory to help them out of their situation. Some respondents reported that when victims of child sex tourism are saved, there is a lack of sanctuaries to help them. When people are aware that there is no assistance to the victims saved, they might be more reluctant to report.

D.3.11. Financial

From the responses in the survey it is clear that there are financial barriers to putting in place an effective reporting system. There are not enough funds to make it work. This confirms the findings of Jana Sillen: “Almost 80% of the respondents say that financial resources have not been allocated to their department or unit to prevent or respond to child trafficking (78%).”⁸²

81 Kauffmann, A. (2008) page 25

82 Sillen, J. (2012b), page 11

D.4. Recommendations

Clarity

Of all reporting systems it should be clear:

- ▶ Where to report.
- ▶ What to report.
- ▶ When to report.
- ▶ What happens after reporting.
- ▶ Its resources.
- ▶ Its effectiveness.

Establish a central reporting system (telephone hotline)

People will not report cases of child sexual exploitation and abuse if they do not know where to report. They would also not report if the places to report were too many and too limited in their scope of help or would not be able to give the required assistance and support to them or the victims. Thus, there is the urgent need to have in place a 24-hour toll-free telephone hotline with specific, easy-to-remember and widely published number(s), and which is manned by staff that are well trained to provide the necessary or needed services. Delayed response from the hotline and heavily loaded red tape from child protection services would discourage potential reporters. To facilitate internet reporting (for instance for people who fear to report through the hotline or those tourists who bring laptops and tablets) an email address, website and an app should be created.

Trust and cooperation

The lack of trust is a big problem. Ways should be found to improve the trust stakeholders have in reporting systems. The best way to do this is to make sure that reporting leads to convictions. Another way to build trust is to improve cooperation with the stakeholders. By improving the cooperation stakeholders should feel more involved. It was recommended to look for more cooperation with NGOs in the reporting and referral process. Cooperation could be sought with other systems of reporting like for family abuse, reporting in educational settings and local and traditional reporting systems. Local communities and youth should be involved more.

Build effective referral and social welfare responses to child sex tourism

A functional referral system and an effective case management approach are prerequisites for efficient service delivery that meets the needs of child victims of sexual abuse and exploitation. Social workers, law enforcers and other child protection specialists should be equipped to manage intervention and recovery services for children at risk and victims of child sex tourism. To bring this about, the Department of Social Welfare could work with CBOs (Community Based Organizations) and other agencies to explore and establish community-based, non-institutionalized care options that meet the particular needs of child victims of commercial sexual exploitation and trafficking and prevent them from returning to exploitative situations. It is critical that these services address the current marginalization of boy victims and pregnant girl victims of commercial sexual exploitation.

Awareness

The recommendations made by respondents suggest that reporting could be improved more by raising awareness of the issue amongst youth, victims, police, tourism staff and people in the communities.

Build the capacity of law enforcers

Law enforcers have a critical role in preventing and responding to child sex tourism cases. An ongoing and sustainable program of capacity building is required for all the law enforcement agencies to strengthen their knowledge of laws and their practical skills in detecting, investigating and intercepting child sex tourism cases and responding to child victims. This would also require updating the GTB's child sex tourism prevention training manual to including law enforcement and legal issues. Ultimately, the training manual should be mainstreamed into the training curriculum of the various law enforcement agencies.

More attention for other types of reporting

In the era of corporate accountability, transparency and social media, it can be very effective to take up the industry on their responsibilities in various ways, preferably combined.

Informed tourists

Tourists should be made aware of the channels that exist for reporting sexual offences against children. Tourists are most likely to witness inappropriate and illegal behaviour conducted by their fellow travellers, and many would want to report these cases, anonymously or otherwise. It should be possible to report anonymously, in different languages and in different ways.

A better way of keeping track

In order to have a better insight in the extent of the problem of child sex tourism, all cases should be documented, also the tourists that were successfully turned away by the security or front desk. Make sure that tourists that are looking for a place to sleep with a minor are not sent out in the street again, but are reported to police.

Improving existing reporting

As long as there is no centralized system, established structures/systems should be improved. Ensure 199 is functional and operational 24/7 and ensure 199 is accessible via all telecommunication providers in the country.

Guaranteeing confidentiality

Ways should be found to guarantee that those who report will be protected and that they will not find themselves in awkward situations afterwards.

Web and app reporting

For many travellers, using a computer or a smart phone might be an easier option for reporting than using a telephone. Therefore, it is advisable to develop a website and an app to report.

Creating more sanctuaries

To improve the credibility of the reporting system, more sanctuaries to help the victims that are saved should be created.

Funding

Most of these recommendations will need financial resources to work.

Priorities

The Tourism Stakeholders Forum on Child Sex Tourism at Senegambia Beach hotel on 22nd January, 2015 decided on the following priorities for reporting:

Central reporting system

- ▶ To create a separate body, called the hotel security unit, to comprise representatives from the tourism security unit and the department of social welfare

Capacity building

- ▶ Frequent sensitization by CPA and other stakeholders
- ▶ Create a database of all cases

24/7

- ▶ Establish a 24/7 service center for the reporting of cases
- ▶ Bring gsm operators on board to provide toll free lines/service

Web/app

- ▶ Web/app to be created for awareness and to report cases from all over the country

E. Conclusion in bullet points

Many of the studies carried out before this research share the opinion that the country is a target for international tourists seeking to have sex with children. Our survey confirms this.

- ▶ Sex offenders are moving their activities increasingly into communities close to the Tourism Development Area.
- ▶ Most of the children engaged in commercial sex are aged between 14 to 17 years and mainly girls.
- ▶ The number of young boys engaged in commercial sex is on the rise as there is an increasing number of male tourist seeking young boys.
- ▶ Clients of the child prostitutes are mainly tourists from Europe, China and India.

Responses

The responses to fight child sex tourism are manifold:

Cooperation between stakeholders:

- ▶ There has been an increased collaboration between Government, industry and NGOs.

The Gambia signed international legal instruments:

- ▶ UN Convention on the Rights of the Child (CRC).
- ▶ The African Charter on the Rights and Welfare of the Child.
- ▶ UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).
- ▶ Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.
- ▶ The Palermo Protocol.
- ▶ Millennium Development Goals (MDGs).

The Gambia has legislation fighting child sex tourism:

- ▶ The Constitution of The Gambia 1997.
- ▶ The Criminal Code Cap. 10 Vol. III Laws of the Gambia 1990.
- ▶ The Tourism Offences Act 2003.
- ▶ The Children's Act 2005.
- ▶ The Trafficking in Persons Act 2007.
- ▶ The Women's Act 2010.

These laws are being enforced through:

- ▶ A National Plan of Action, which purposely addresses child sex tourism.
- ▶ The institutionalization of the Tourism Security Unit (TSU).
- ▶ A Children's Court.
- ▶ Monitoring.
- ▶ Surveillance.

A Gambian Code of Conduct for the tourism industry is in place:

- ▶ Code of Conduct for the Protection of Children from Sexual Exploitation in Tourism.

Awareness is organized through:

- ▶ A Radio programme.
- ▶ Tourism career days in schools.
- ▶ Public education programs.
- ▶ Sensitization workshops and seminars.
- ▶ Electronic signboard at Banjul Airport.

Training is being carried out:

- ▶ Training of specific target groups.
- ▶ Development of a training manual to prevent child sex tourism in the Gambia.

Prevention is organized through:

- ▶ Neighbourhood Watch Groups.

Rehabilitation is done in the form of:

- ▶ Shelters.
- ▶ Rehabilitation services of the POA.

Research:

- ▶ A number of studies have been carried out.

Recommendations

Out of this research a number of recommendations have become apparent:

Cooperation:

- ▶ Clearly define tasks and responsibilities.
- ▶ Establish a National Taskforce on child sex tourism.
- ▶ Involve all stakeholders.
- ▶ Engage tour operators, (more) hotels and the private sector in general.
- ▶ Promote regional and international co-operation on child sex tourism.

International legal instruments:

- ▶ Enact extraterritorial legislation.
- ▶ Close bilateral agreements.
- ▶ Popularize the Optional Protocol.

Legislation:

- ▶ Add a number of relevant Amendments.
- ▶ Intensify awareness raising.

Enforcement of laws:

- ▶ Combat the intermediaries/middlemen in sexual exploitation of children.
- ▶ Strengthen law enforcement in general.
- ▶ Strengthen law enforcement outside TDA and in communities.
- ▶ The Gambia Tourism Board should effectively monitor processes.
- ▶ A dedicated National Plan of Development for child sex tourism should be developed.
- ▶ Records at borders should be monitored.
- ▶ A differentiation between types of tourists should be made.
- ▶ More arrests and convictions should be realized.

The Gambian Code of Conduct:

- ▶ More awareness building of personnel should be realized.

- ▶ Clauses should be included in contracts.
- ▶ Yearly reports should be submitted to CPA.
- ▶ Involve other stakeholders.
- ▶ Produce and distribute information materials more efficiently and effectively.
- ▶ Ownership and leader role of the Code should be taken up.
- ▶ Carry out more research for the Code.
- ▶ Integrate the Code in tourism education.

Awareness:

- ▶ Realize a continuous improvement of public awareness.
- ▶ Cooperate with sending countries.
- ▶ Improve Government awareness of child sex tourism.
- ▶ Strengthen public information campaigns.
- ▶ Pay more attention to specifics of child sex tourism and its target groups.

Training:

- ▶ Provide more training.
- ▶ Focus on building the capacity of tourism employees.
- ▶ Develop the skills of the police.

Prevention:

- ▶ Promote child participation.
- ▶ Strengthen the protective capacity of families.
- ▶ Improve access to education and employment.
- ▶ Address the risk of child sex tourism via information and communication technologies (ICT).
- ▶ Pay attention to the new threats facing internet café's.
- ▶ Monitor more in specific areas.

Rehabilitation:

- ▶ Create more shelters with better facilities.
- ▶ Train for rehabilitation.

Research:

- ▶ Conduct regular and structural research on a number of issues:
 - An analysis of perpetrators.
 - An analysis of victims.
 - An analysis of how tourism works.
 - New trends in tourism.
 - New trends in grooming.
 - New trends in internet dating.
- ▶ Do more gender based research.
- ▶ Do more comparative research.

Various:

- ▶ Pay attention to false IDs.
- ▶ Analyse the relation with poverty.
- ▶ Tackle the problem of inside Tourism Development Area versus outside Tourism Development Area.
- ▶ Identify possibilities of how the existing structures could be used.
- ▶ Raise awareness on trafficking and pimping.

Reporting

One of the major aims of this research is to improve systems of reporting of child sex tourism.

The challenges for reporting are:

- ▶ Mechanism for reporting commercial sexual exploitation of children related to tourism is ineffective.
- ▶ Reporting mechanisms are complex.
- ▶ Lack of trust.
- ▶ Lack of cooperation.
- ▶ Lack of awareness.
- ▶ Unclearity about what to report and when.
- ▶ The system of reporting hinders overview of the problem.
- ▶ Not enough support offered by hotlines.
- ▶ Confidentiality.
- ▶ Not enough sanctuaries to take care of children.
- ▶ Financial.

The recommendations for reporting are:

- ▶ Create clarity on:
 - Where to report.
 - What to report.
 - When to report.
 - What happens after reporting.
 - Its resources.
 - Its effectiveness.
- ▶ Establish a central reporting system.
- ▶ Build trust and cooperation.
- ▶ Build effective referral and social welfare responses to child sex tourism.
- ▶ Create more awareness.
- ▶ Build the capacity of law enforcers.
- ▶ Pay more attention to other types of reporting.
- ▶ Inform tourists better.
- ▶ Create a better way of keeping track.
- ▶ Improve existing reporting.
- ▶ Guarantee confidentiality.
- ▶ Create web- and app-reporting.
- ▶ Create more sanctuaries.
- ▶ Acquire funding.

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Annexes

Annex 1. List of interviewed stakeholders

Structured interviews:

Department of Social Welfare
 Gambia Police Force (Child Welfare Unit)
 Attorney General's Chambers and Ministry of Justice
 Gambia Tourism Board
 CPA-ECPAT the Gambia
 ASSET
 UNICEF
 Tourism Security Unit
 Gambia Hotel Association
 National Tourist Guides Association
 Tourist Taxi Drivers Association
 Gambia Juice Pressers Association
 Gambia Bumsters Organization (Bumster Rehabilitation Program)
 Gambia Tourism and Hospitality Institute
 ChildFund the Gambia
 Hotels (3)
 Focus Group Discussions with youth groups (2)
 Focus Group Discussion with sex workers

Other interviews with selected individuals:

Sex workers
 Internet café owners
 Bumsters
 Street vendors
 Tourists
 Security personnel
 Waiters
 Front desk personnel
 Cleaning ladies

Annex 2. Example questionnaire regions

Analysis

From Senegambia problems are expelled, but they are displaced to Kololi and Bijilo.

Important questions to be answered:

Who are the minors abused by tourists/expats?

Who are the tourists/expats abusing them?

Who are the middlemen?

Is there trafficking involved?

How is it organized?

How are the links to the TDA?

Are there protection systems in place?

Are there reporting systems (including hot/helplines)?

Are there reported cases?

Approach of the regions:

Research in Senegambia, Kololi, Bijilo.

Description of Senegambia with some interviews.

Kololi in depth research in cooperation with Jaegan, sex workers and CPA's Child Watch Groups.

Bijilo research on a broader basis with CPCCs of ChildFund and CPA's Child Watch Groups.

Study population

Sex workers:

- ▶ Sex workers 18 years and older.
- ▶ Sex workers under 18 years.
- ▶ MSM 18 years and older.
- ▶ MSM under 18 years.
- ▶ Former victims of sexual exploitation of children.

The clients/perpetrators:

- ▶ One-time tourists (up to 3 months).
- ▶ Returning tourists.
- ▶ Expatriate (expat) usually refers to the term for highly skilled employees of multinational corporations living temporarily or permanently somewhere other than their native country. A visitor to another country

however can be there just for a visit or a holiday, but often doesn't intend to invest time or money in their destination other than for tourist purposes.

The organizers/dealers/middlemen:

- ▶ Brothel owners.
- ▶ Organizers related to the tourism industry.
- ▶ Bars.
- ▶ Pimps.
- ▶ Bumsters.

The Officials:

- ▶ Child Protection Officers.
- ▶ Police.
- ▶ Tourist police.
- ▶ Immigration.
- ▶ Judiciary/prosecutors.
- ▶ Hotline/helpline operators.
- ▶ Community Development Assistants.
- ▶ Local Government Officials.
- ▶ Provincial/local authorities: tourism, health, education, police, tourist police, justice, border guards, etc.

The tourism industry:

- ▶ Hotel owners.
- ▶ Travel guides.
- ▶ Travel agencies.
- ▶ Taxi drivers.
- ▶ Bumsters.
- ▶ Hospitality and entertainment industry workers.
- ▶ Associations, incoming travel agencies.
- ▶ Hotel owners, taxi companies, restaurant and bar owners.
- ▶ Beach traders, principally curio dealers and massage parlour operators.

Civil Society:

- ▶ Child protection experts/NGOs.
- ▶ Hotline/helpline operators.
- ▶ Local leaders.

- ▶ Community based groups.
- ▶ Religious leaders.
- ▶ NGOs, civil society interventions and other rehabilitation services for affected children of sexual exploitation.
- ▶ Academic institutions, schools, Churches.
- ▶ Parents of victims of sexual exploitation/child sex tourism.

The study will target reaching at least 3-10 persons per target group, selected purposively for interview in each study site. A list of questions to be dealt with:

Child prostitution in general

- Where is the demand for children coming from? Who are the clients interested in having sex with girls/boys?
- Who are the ones involved in trafficking and sexual exploitation of children/adolescents children?
- Can you give an indication of the prices involved? Is there a difference in price regarding sex and age?
- Has this phenomenon changed over time in your country?
- Is there in your opinion a relation between tourism and prostitution?
- Prostitutes: How many working, where they come from, ages?
- Child prostitutes:
 - ▶ How many working, where they come from, ages?
 - ▶ How many working for tourists and expats, where they come from, ages?
 - ▶ Are there men with men in child sex tourism?
 - ▶ Are there women with women in child sex tourism?
- Who are the tourists? Who are the expats?
- Where does child sex tourism take place (how does it relate to the TDA, where the tourists are)?
- How is it organized? How do tourists and children meet (not allowed in TDA)? Who are the middlemen? Who plays a role in organizing, attracting and transportation of tourists?

Child sex tourism and the sex industry

- Is there a local sex industry? Are bars/restaurants/hotels involved? Who are the owners? Foreigners involved?
- Is there a link between the child prostitutes and the local sex industry?
- What is undertaken against them?
- Do you see it as a problem that the:
 - ▶ Western men come here to find Gambian women.
 - ▶ Western women come here to find Gambian men.
 - ▶ Western men come here for men.
 - ▶ Western women come here for women.

- In your opinion would there be more men coming for girls, or women coming for men? What would the ratio be?

Trafficking

Internal trafficking and trafficking from other countries

- Is there trafficking for prostitution in tourism?
- Are adults and children being trafficked and what would be the ratio?
- Where do the children/adolescents come from originally?
- How do children/adolescents enter your country?
- Do they come for prostitution or for other reasons? Please specify.
- What happens once they are in your country?
- Who are the ones organizing it?
- Can you give any idea of:
 - ▶ Estimations.
 - ▶ Ratio of children/adolescents to adults.
 - ▶ Period of time covered (for estimations), setting.
- Is there a relation to sex industry or tourism industry?

Pornography

- Is there a pornography industry in Gambia and is this related to child prostitution?

In general

- Are you aware of:

- ▶ Prevention programs (what kind, for whom, by whom).
- ▶ Rehabilitation programs (what kind, for whom, by whom).
- ▶ Repatriation programs (what kind, for whom, by whom).
- ▶ Legislation/security programs.
- ▶ Research.
- ▶ Reporting.

If yes, please describe them.

Perpetrators

- Can you give more information on:

- ▶ National clients of minor prostitutes.
- ▶ National traffickers of girls/boys.
- ▶ International clients (tourists and ex-pats) of minor prostitutes.
- ▶ International traffickers of girls/boys.
- ▶ Middlemen (bars, bumsters) between tourists and girls/boys.

- Who are the most important?

Victims

- Can you give more information on:

- ▶ Gambian children involved in child sex tourism.
- ▶ Foreign children involved in child sex tourism.
- ▶ Trafficked children involved in child sex tourism.
- ▶ Ratio girls with men, boys with women, boys with men, girls with women.

Laws

- In your opinion:

- ▶ Is existing (national) legislation adequate and properly applied in practice?
- ▶ What are the loopholes?
- ▶ What do you consider to be the weak point in your country's legislation?

- What do you see as the barriers?

- What improvements in existing legislation do you consider necessary?

Enforcement

- In your opinion:

- ▶ Is enforcement adequate and properly applied in practice?
- ▶ What do you consider to be the weak point in your country's enforcement?

- Functioning of police/justice:

- ▶ Is child prostitution tolerated?
- ▶ If tolerated, everywhere or just in zones (TDA)?
- ▶ Is the police efficient?
- ▶ Are there any arrests in the past 4 years?
- ▶ Do you have information about conviction rates?

Prevention

- Are you aware of prevention measures in:

- ▶ Training.
- ▶ Monitoring.
- ▶ Surveillance.
- ▶ Public education.
- ▶ Capacity building.
- ▶ Code of Conduct.
- ▶ Regional cooperation, etc.

Internal trafficking

▶ Is there internal trafficking in the country, for sexual purposes?

▶ Where is the demand for children coming from? Who are the clients interested in having sex with girls/boys or trafficked children?

▶ Can you give an indication of the prices involved? Is there a difference in price regarding sex and age?

▶ Has the phenomenon of trafficking in minors changed over time in your country?

▶ Who are the ones involved in trafficking and sexual exploitation of children/adolescents children?

- ▶ Has any research been done on the topic of trafficking and sexual exploitation of children/adolescents in your country?
- ▶ Give an overview of research. Please give contact details.
- ▶ What are the main conclusions of this research?
- ▶ In your opinion what responsibility is shared by the tourists sending country(ies)?
- ▶ How and what should they do to help solve the problem?
- ▶ What measures exist specifically against offenders who abuse/exploit children including tourists?

Reporting mechanisms

- Are there other procedure/mechanism to report? Is there a hotline or a helpline? How do they work? Do you have experience with them?
 - ▶ Are the reporting mechanisms for cases of child abuse/exploitation sufficient in your country?
 - ▶ Where do you see the need for improvement?

Cases

- Can you help us finding/describing cases of:
 - ▶ Victims.
 - ▶ Action undertaken.
 - ▶ Reported cases.

Conducting onsite observations

In each region/hot spot location, which was chosen for the field research, at least 3 onsite observations should be conducted. For instance: parks, brothels and brothel streets, karaoke bars, massage parlours, cafés, and border points.

On spot observations/visits	
Observational record <i>Inspect, observe and enquire about child sex tourism in hotels, restaurants, cafés, transport services, tourist attractions, nightclubs, etc.).</i> Please fill in the protocol for every observation visit!	
Location	
Type of business (Hotel, restaurant, café, etc.)	
Date	
Time	
How many minors are there? - Of that, how many new, you haven't seen before? - Of that, how many you have seen before? How many boys, girls?	
Observation concerning minors involved in prostitution	
Observations concerning potential offenders (tourists)	
Other details Record any other details regarding the use (of absence) of CP awareness raising activities at this facility	

Attachment 3. Example questionnaire Ministry

Ministry Security-Interior-2

What is this survey?

This survey is being carried out in collaboration between ECPAT the Netherlands and CPA-ECPAT the Gambia in order to support efforts to address the commercial sexual exploitation of children through the provision of prevention, protection and recovery and rehabilitation services.

The survey is designed to support the stakeholders in the Gambia in understanding the situation of sexual exploitation of children in order to improve the response and prevent the escalation of crimes relating to sexual exploitation of children.

Ideally the aim of the interview is to obtain information that will give an overall picture of the situation with regard to sexual exploitation of children in the country. We try to get concrete information on the:

- ▶ Regional/local situation.
- ▶ National overall situation (with figures if possible).

What is the commercial sexual exploitation of children?

The commercial sexual exploitation of children is the sexual exploitation by an adult of a child below 18 years that involves a transaction in cash or in kind to the child or to one or more third parties. (ILO)

Commercial sexual exploitation of children includes child prostitution, child trafficking for sexual purposes, child sex tourism and child pornography.

Please note that this study **does not** include non-commercial child sexual abuse, such as rape, incest, sexual assault and sexual harassment. In the instance that separate data is not available, please provide full data and make it clear on the response form that the data includes sexual exploitation of children and child sex abuse information.

We would like to know what attention is given to commercial sexual exploitation of children in general and to child prostitution in specific, from within your organization and what you think is necessary to improve. Furthermore, we need some objective, preferably statistical data on these issues.

Ideally the aim of the interview is to obtain information that will give an overall picture of the situation with regard to sexual exploitation of children in the country. We try to get concrete information on the:

- ▶ Regional/local situation.
- ▶ National overall situation (with figures if possible).

Name of Ministry:	
Name or respondents	
Title	
Department	
Description of task of department	
Location	
Phone	
Email	

1. Child sex tourism
 - 1.1 The problem sexual exploitation of children in general
 - 1.1.a Commercial sexual exploitation of children
 - 1.1.b Child prostitution in general
 - 1.2 Child sex tourism
 - 1.2.a Child sex tourism and the sex industry
 - 1.2.b Child sex tourism and trafficking
 - 1.2.c Child sex tourism and pornography
 - 1.3 Data (see attachment)
2. What is being done about child sex tourism
 - 2.1 In general
 - 2.2 Role of stakeholders
 - 2.2.a Role of the involved
 - 2.2.a.1 Perpetrators
 - 2.2.a.2 Victims
 - 2.2.b Government
 - 2.2.b.1 Laws
 - 2.2.b.2 Enforcement
 - 2.2.b.3 Prevention
 - 2.2.c NGOs
 - 2.2.d The private sector
 - 2.2.e Others
 - 2.3 Reporting mechanisms
 - 2.4 Research
 - 2.5 Role of your institution
3. Recommendations
4. Cases:
 - 4.1 Regions
 - 4.2 Victims
 - 4.3 Prosecution
 - 4.4 Reporting

1. Child sex tourism

1.1 The problem sexual exploitation of children in general

Has any research been done on the topic sexual exploitation of children/child prostitution/child sex tourism in the Gambia? Overview, contact details, main conclusions.

1.1.a Sexual exploitation of children

- ▶ In general, do you think that sexual exploitation of children is a problem in your country?
- ▶ How do you think is the awareness on this problem in your country/region in general and among stakeholders (Government, CBOs, parents, youth, NGOs, tourists)?
- ▶ Does your authority/organization/company have statistics on victims of child sex tourism/sexual exploitation of children? Please provide us with the aggregated figures.

1.1.b Child prostitution in general

- ▶ In general, do you think that child prostitution is a problem in your country?
- ▶ How do you think is the awareness on this problems in your country/region in general and among stakeholders (Government, CBOs, parents, youth, NGOs, tourists)?
- ▶ Does your authority/organization/company have statistics on victims of child prostitution? Please provide us with the aggregated figures.
- ▶ Where is the demand for children coming from? Who are the clients interested in having sex with girls/boys?
- ▶ Who are the ones involved in trafficking and sexual exploitation of children/adolescents children?
- ▶ What measures exist specifically against offenders who abuse/exploit children including tourists?
- ▶ Can you give an indication of the prices involved? Is there a difference in price regarding sex and age?
- ▶ Has this phenomenon changed over time in your country?

1.2 Child sex tourism

- ▶ Is there in your opinion a relation between tourism and prostitution?
- ▶ Is there any data/research on tourism and prostitution?
- ▶ Is there any data on prostitutes and tourism? How many working, where they come from, ages?
- ▶ Is there any data on child prostitutes and tourism? How many working, where they come from, ages?
- ▶ How do you think is the awareness on this problems in your country/region in general and among stakeholders (Government, CBOs, parents, youth, NGOs, tourists)?
- ▶ Does your authority/organization/company have statistics on victims of child sex tourism? Please provide us with the aggregated figures.
- ▶ Where is the demand for children coming from? Who are the clients interested in having sex with girls/boys?
- ▶ What measures exist specifically against tourists and travellers who abuse/exploit children including tourists?
- ▶ Where does child sex tourism take place (relation to TDA)?
- ▶ How is it organized?
- ▶ How do tourists and children meet (not allowed in TDA)?
- ▶ Who are the middlemen?
- ▶ Are there data to support your opinion?

1.2.a Child sex tourism and the sex industry

- ▶ Is prostitution legal or tolerated?
- ▶ If so, where is it tolerated (TDA)?
- ▶ Is there a local sex industry? Who are the owners? Foreigners involved?
- ▶ Link between child sex tourism and the local sex industry?
- ▶ Bars/restaurants/hotels involved? Who are the owners? Foreigners involved? Which ones?
- ▶ Link between child sex tourism and the local hospitality industry?
- ▶ What is undertaken against them?

- ▶ Do you see it as a problem that the western women come here to find Gambian men?
- ▶ Would you describe that as a problem?
- ▶ In your opinion would there be more men coming for girls, or women coming for men? What would the ratio be?
- ▶ Do you have any data to support that?
- ▶ Do you view women coming here for men as prostitution? When the men do not pay anything while they are with these women?
- ▶ Would there be women that get involved with minor men (under the age of 18)?

1.2.b Child sex tourism and trafficking

Internal trafficking and trafficking from other countries

- ▶ Is there trafficking for prostitution in tourism?
- ▶ Are adults and children being trafficked and what would be the ratio?
- ▶ Where do the children/adolescents come from originally?
- ▶ How do children/adolescents enter your country?
- ▶ Do they come for prostitution or for other reasons? Please specify
- ▶ What happens once they are in your country?
- ▶ Who are the ones organizing it?
- ▶ Can you give any idea of:
 - Estimations.
 - Ratio of children/adolescents to adults.
 - Period of time covered (for estimations), setting.
- ▶ Is there a relation to sex industry or tourism industry?

1.2.c Child sex tourism and pornography

- ▶ Is there a pornography industry in Gambia and is this related to child prostitution?

1.3 Data (see attachment)

- ▶ Can you help us with finding the data in the attachment?

2. What is being done about child sex tourism?

2.1 In general

- ▶ Are there in your country:
 - Prevention programs (what kind, for whom, by whom)?
 - Rehabilitation programs (what kind, for whom, by whom)?
 - Repatriation programs (what kind, for whom, by whom)?
 - Legislation/security programs?
 - Research?
 - Reporting?

If yes, please describe them.

2.2 Role of stakeholders

2.2.a Role of the involved

2.2.a.1 Perpetrators

- ▶ Can you give more information on:
 - National clients of minor prostitutes?
 - National traffickers of girls/boys?
 - International clients (tourists and expats) of minor prostitutes?
 - International traffickers of girls/boys?
 - Middlemen (bars, bumsters) between tourists and girls/boys?
- ▶ What are their roles?
- ▶ Who are the most important to address?
- ▶ What in your opinion is the difference between a tourist and an expat?
- ▶ How to address them differently?
- ▶ Is there any research?

2.2.a.2 Victims

- ▶ Can you give more information on:
 - Gambia children involved in child sex tourism?

- Foreign children involved in child sex tourism?
- Trafficked children involved in child sex tourism?

- ▶ Do you know of any research?

2.2.b Government

- ▶ Does your country have a National Plan of Action (NPA) on the combat of trafficking and/or sexual exploitation of children?
- ▶ What has been the impact of the National Plan of Action on combating trafficking and sexual exploitation of children/adolescents in your country?
- ▶ What has been the impact on child protection arrangements at international level, in particular the requirements law enforcement, harmonization of legislation with international standards and protocols for cross border policies?
- ▶ What is your opinion on the NPA?

2.2.b.1 Laws

- ▶ What are the applicable laws for child sex tourism?
- ▶ Is prostitution legal?
- ▶ When a minor is found in prostitution/trafficked, what laws apply:
 - In prosecuting the child/adolescent for being illegal?
 - In protecting minors?
 - In prosecuting the pimps?
 - In prosecuting perpetrators?
- ▶ In your opinion:
 - Is existing (national) legislation adequate and properly applied in practice?
 - What are the loopholes?
 - What do you consider to be the weak point in your country's legislation?
- ▶ What do you see as the barriers?
- ▶ What improvements in existing legislation do you consider necessary?

2.2.b.2 Enforcement

- ▶ In your opinion:
 - Is existing (national) enforcement adequate and properly applied in practice?
 - What do you consider to be the weak point in your country's enforcement?
- ▶ Functioning of police:
 - Is prostitution tolerated?
 - What about child prostitution?
 - If tolerated, everywhere or just in zones (TDA)?
 - Is the police efficient?
 - How many arrests in the past 4 years?
- ▶ Functioning of Justice:
 - Is justice efficient?
 - Do you have information about conviction rates?
 - Convictions in relation to arrests?
 - How do you think the conviction rates can be improved?

2.2.b.3 Prevention

- What is being done by Government for prevention:
- Training?
- Monitoring?
- Surveillance?
- Public education?
- Capacity building?
- Regional cooperation, etc?

Please provide details for each activity.

2.2.c NGOs

- ▶ Do you know of (other) NGOs working in this field?
- ▶ What do they do?

2.2.d The Private sector

- ▶ Do you think the private sector has a responsibility here?
- ▶ If so, how would you describe it?
- ▶ Do you know of actions they undertake?
- ▶ What would you think they could do more?

2.2.e Others

- ▶ Do you think other stakeholders have responsibilities?
- ▶ If so, could you mention them and answer the relevant questions (example tourism sending countries)?
- ▶ (Tourist sending countries)
 - Do you think tourism sending countries have a responsibility here?
 - If so, how would you describe it?
 - Do you know of actions they undertake?
 - What would you think they could do more?

2.3 Reporting mechanisms

- ▶ Does the country have an NRM (national referral mechanism) for children who became victim of:
 - Sexual abuse?
 - Family abuse?
 - Child Sex tourism?
 - Trafficking?
- ▶ Please describe the NRM(s).
- ▶ If there is no formalized NRM, are there other procedure/mechanism to report? How do they work? Do you have experience with them?
- ▶ When it comes to cases of reporting child sex tourism, who are the main actors, in your opinion?
- ▶ Is your authority/organization involved in reporting of cases of child abuse/child sex tourism? If so, do you follow a certain procedure?

► How do the different stakeholders co-operate in a case of sexual exploitation of a child (care system, legal guardian, police, judiciary, shelters, parents, communities)?

- Who is receiving reports?
- Where do most of the reports come from (travellers, tourism industry, communities, parents, authorities, victims, children)?

► How can tourists report cases of sexual exploitation?

► Have you come across in your work with cases of child sex tourism and how these cases have been dealt with?

► In your opinion/based on your experience: Are the reporting mechanism for cases of child abuse/exploitation sufficient in your country?

► Where do you see the need for improvement?

2.4 Research

► Is there any research you are aware of that you have not mentioned yet?

2.5 Role of your institution

► What specific difficulties do you face in your work/organization in combating?

► Trafficking and sexual exploitation of children/adolescents?

► *Please identify your actions for example:*

- Training.
- Monitoring.
- Surveillance.
- Public education.
- Capacity building.
- Regional cooperation, etc.

Please provide details for each activity.)

- Please identify your achievements?
- Any future action planned?

3. Recommendations

► In your opinion what kind of institution/ organizations/persons have a role to play in combating trafficking and sexual exploitation of children/adolescents? What kind of role?

- The police.
- NGO's.
- Customs.
- Justice system.
- Education system/schools.
- Children themselves.
- Parents/caregivers.
- Media.
- Healthcare system.
- Private sector.
- International organizations.
- Social care system.
- Others.

► Name three most important needs for sexual exploitation of children (prevention, rehabilitation) programs to become successful and what are ways to address these needs?

► Where do you see the need for improvement?

► What should be done to improve prevention?

► What should be done to improve Reporting systems?

► What should be done to get more arrests and convictions?

► Is it important to take the opinion of the child taken into consideration during procedure? How can that be done?

4. Cases:

4.1 Regions

4.2 Victims

4.3 Prosecution

4.4 Reporting

EXTRA DATA TO BE COLLECTED FROM JUSTICE

1. Please list the number of arrests for sexual exploitation of children offences in 2005 – 2010.

TABLE 1 - Number of arrests for sexual exploitation of children						
	2007	2008	2009	2010	2011	2012 (if available)
Child prostitution						
Child sex trafficking						
Child sex tourism						
Child pornography						

2. Please list the current status arrests for sexual exploitation of children in the year 2011.

TABLE 2 - Status of 2010 arrests for sexual exploitation of children				
	Number awaiting trial	Number acquitted	Number convicted	Number deported for prosecution abroad (include country of origin)
Child prostitution				
Child sex trafficking				
Child sex tourism				
Child pornography				

3. Please list the main locations (city/region) where sexual exploitation of children offences were committed in 2011.

TABLE 3 - Main locations for sexual exploitation of children offences and arrests in 2011	
	Location
Child prostitution	
Child sex trafficking	
Child sex tourism	
Child pornography	

4. Please identify the number of sexual exploitation of children offences in each province in 2011.

TABLE 4 - Minor victims of sexual exploitation by province				
	Child prostitution	Child sex trafficking	Child sex tourism	Child pornography

5. [Please identify the age of child victims of sexual exploitation in 2011.](#)

TABLE 5 – Age of minor victims of sexual exploitation				
	Under 5 years	6-12 years	13-15 years	16-17 years
Child prostitution				
Child sex trafficking				
Child sex tourism				
Child pornography				

6. [Please identify the age of arrested offenders for sexual exploitation of children in 2011.](#)

TABLE 6 - Age of offenders of sexual exploitation of children						
	<18 years	18-29 years	30-39 years	40-49 years	50-59 years	60+ years
Child prostitution						
Child sex trafficking						
Child sex tourism						
Child pornography						

7. [Please identify the gender of offenders of sexual exploitation of children arrested in 2011.](#)

TABLE 7 – Gender of offenders of sexual exploitation of children		
	Males	Females
Child prostitution		
Child sex trafficking		
Child sex tourism		
Child pornography		

8. [Please identify the gender of minor victims of sexual exploitation identified in 2011.](#)

TABLE 8 – Gender of minor victims of sexual exploitation		
	Boys	Girls
Child prostitution		
Child sex trafficking		
Child sex tourism		
Child pornography		

9. Please identify the citizenship of offenders of sexual exploitation of children arrested in 2011.

TABLE 9 - Citizenship of offenders of sexual exploitation of children		
	Gambian	Other (please specify citizenship)
Child prostitution		
Child sex trafficking		
Child sex tourism		
Child pornography		

10. Please identify the occupations of offenders of sexual exploitation of children arrested in 2011.

TABLE 10 – Occupations of offenders of sexual exploitation of children arrested in 2009	
	Occupation
Child prostitution	
Child sex trafficking	
Child sex tourism	
Child pornography	

16. Please provide a case study on sexual exploitation of children

Please provide a brief summary of a recent case of sexual exploitation of children in X which demonstrates good practice by your Ministry.

(Please do NOT identify victim by name. Please attach any related media articles.)

TABLE 16 – Sexual exploitation of children - Case study				
Type of case (Please circle)	Child prostitution	Child sex trafficking	Child sex tourism	Child pornography
Date				
Location				
Victim details	Age, location, ethnicity, family situation, education, etc.			
Explain the offence				
Explain the response of your Ministry				
Explain what happened to the offender				
Explain what happened to the child				
Explain what your Ministry did well				
Explain what could be improved in future				

Attachment 4. Example questionnaire for the tourism industry: Taxi drivers

Organizations of taxi drivers

1.Describing the problem

- ▶ Can you give more information on:
 - Gambia children involved in child sex tourism?
 - Foreign children involved in child sex tourism?
- ▶ Who are the clients interested in having sex with girls/boys? National or foreign? In what ratio?
- ▶ If foreign, are they tourists or expats? From what countries? From what countries mainly?
- ▶ Where does child sex tourism take place (relation to TDA)?
- ▶ How is it organized?
- ▶ How do tourists and children meet (not allowed in TDA)?
- ▶ Do Guides/taxi drivers/bumsters play a role as middlemen or advisors?
- ▶ Who else are the middlemen?
- ▶ Which are the bars/restaurants/hotels involved? Who are the owners? Foreigners involved?
- ▶ What is undertaken against them?
- ▶ Can you give an indication of the prices involved? Is there a difference in price regarding sex and age? Yes/No (if yes state the price range)?
- ▶ Has this phenomenon changed over time in your country? Yes/no (if yes how)?
- ▶ How do you think is the awareness on this problems in your country/region in general and among stakeholders (Government, CBOs, parents, youth, NGOs, tourists)?
- ▶ Do you see it as a problem that the **Western women** come here to find Gambian men?
- ▶ In your opinion would there be more men coming for girls, or women coming for men? What would the ratio be?
- ▶ Do you view women coming here for men as prostitution? Even if the men do not pay anything while they are with these women? Yes/no (why/why not)?
- ▶ Would there be women that get involved with minor men (under the age of 18)?

2.What is being done about child sex tourism

- ▶ What measures exist specifically against tourists and travellers who abuse/exploit children including tourists?
- ▶ Where do you see the need for improvement?
- ▶ In your opinion:
 - Is existing (national) enforcement adequate and properly applied in practice?
 - What do you consider to be the weak point in enforcement?
 - Is Prostitution tolerated? If yes/no (why/why not)?
 - What about child prostitution?

3. More about prevention

- ▶ What is being done by Government for prevention:
 - Training.
 - Monitoring.
 - Surveillance.
 - Public education.
 - Capacity building.
 - Regional cooperation, etc.

Please provide details for each activity.

4. Awareness building in your organization

- ▶ How do you inform or promote the level of awareness of your members on the issue of sexual exploitation of children?
- ▶ Have you included child protection as a subject in the training of members?
- ▶ Management level?
- ▶ Workers?
- ▶ How many members attended?
- ▶ Did you train them with an external trainer? Who?
- ▶ Do you share information with tourists? How?

5. The Code of Conduct

- ▶ Are you aware of the Code of Conduct?
- ▶ Have the tour operators/agents you work with asked you about your adherence to the Code?
- ▶ Did you discuss the topic with your business partners?
- ▶ Did you discuss the topic with other key stakeholders in your region?
- ▶ Is the Code useful and relevant to your work?
- ▶ Did the Code:
 - Motivate you to take action against sexual exploitation of children?
 - Improve your understanding of commercial sexual exploitation of children?
 - Provide you with the knowledge to do something when an incident should occur?
- ▶ Have you considered the Code of Conduct when laying down business principles?
- ▶ Do you have an ethical policy on Child prostitution?
 - What is the text?
 - Do you show it to the public? Where?
- ▶ Who is in your opinion responsible for the Code: the Government, the GTB, tourism entrepreneurs (like yourself) or NGOs (like CPA)?
- ▶ Can you describe what your responsibility is?
- ▶ Did you discuss the topic with key persons within the community and tourism industry (who)?
- ▶ Did the Code provide you with useful and practical child protection measures?

6. Reporting

- ▶ Are you aware of a system of reporting incidents of sexual exploitation of children?
- ▶ Can you describe it?
- ▶ Is there a hotline? What number?
- ▶ Do you know what happens after a case is reported?
- ▶ What would be the reasons that make it difficult to report? (Anonymity, costs involved, too much work etc.)?
- ▶ Do you have examples of reporting (cases, follow them up)?
- ▶ Did you or one of your members ever report?
- ▶ Does your organization have a procedure for reporting?
- ▶ Have you come across in your work with cases of child sex tourism and how these cases have been dealt with? Were they reported and what happened?
- ▶ In your opinion/based on your experience: Are the reporting mechanism for cases of child abuse/exploitation sufficient in your country?

7. Impact

- ▶ Do you see impacts of the Code?
- ▶ In general how do you judge the Code?

8. Do you have any recommendations?

- ▶ What other measures are possible/ necessary?
- ▶ What would you expect from NGOs or Governments be good?