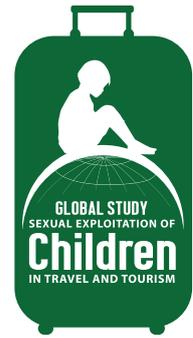


EXPERT PAPER

THE CODE

A MULTI-STAKEHOLDER INITIATIVE TO PROTECT CHILDREN FROM SEXUAL EXPLOITATION IN TRAVEL AND TOURISM



INTRODUCTION

The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (The Code) was officially launched by ECPAT in Sweden in 1998. Since then it has become a truly multi-stakeholder initiative that is guided by and developed for the travel and tourism industry.

Since its creation, The Code has been subject to many expectations and interpretations about what it should and should not be. This has partly been due to the uniqueness of the setup of The Code and its multi-stakeholder nature. Created by an NGO, The Code aims to involve the corporate tourism sector in protecting children from sexual exploitation.

Dual dimension

It is important to not only have The Code as a multi-stakeholder initiative but also to have the tourism industry in the driver's seat. Indeed, although a potential offender may not directly commit a crime on the premises of a hotel (as may have been the case in the past), the offender is likely to use established tourism entities (online reservation systems, airlines, higher level hotels, bars and restaurants, etc.) to commit the crime. Thus, tourism companies are in a unique (and key) position to contribute to creating a child safe environment. The Code is certainly a relevant initiative in this context comprising two dimensions:

1. It embodies, in an internationally recognised brand¹, the commitment of the tourism industry to fight sexual abuse of children within the travel and tourism sector.

¹ UNICEF assessment of The Code, 2012, p 1.

2. It presents businesses with a practical, monitored process and tools to streamline child protection within their business practices.

An effective contribution of businesses and entities working in the tourism sector should encompass these two elements. Focusing solely on the first element might lead to the perception that The Code is just a paper being signed or a marketing ploy whitewashing the tourism corporate sector.

It is thus important that the commitment translates into effective action for children through the use of tools provided by The Code to the companies who have joined. It allows companies to mitigate their reputational risk linked to being exposed or connected to a possible child sexual offence. It helps members fulfill the due diligence and due vigilance one would expect from a responsible and sustainable tourism entity. The Code currently has 270² active members that have started an in-depth and self-monitored implementation of the criteria (see below).

Challenge for monitoring and evaluation

The implementation of the 6 criteria of The Code is based on self-reporting and auto-evaluation by the businesses. This has presented a challenge in terms of monitoring and evaluation of the effectiveness of the implementation, as well as its impact in terms of child protection. During the first 14 years, the contact and monitoring depended mainly on the commitment of Local Code Representatives (mainly national ECPAT groups) to engage in a dialogue with the companies in their countries. However,

an overall view, corresponding to the international positioning of The Code and in coordination with the local monitoring efforts, was somewhat lacking. Indeed, at the beginning of this decade, only 10 to 15 reports (of more than 1,000 signatories at the time) were being shared with the international secretariat³.

This has led to the establishment of a formalized membership status in 2012, based on the payment of membership fees, as well as a web-based membership management system, which includes a standardised and simple reporting format for member companies. This important transition enabled The Code to start improving its monitoring in at least quantitative terms. For the reporting year 2014, over 110 companies (around 50% of the membership) submitted a report describing their progress on implementation over the last year. This has represented an important first step, but further improvements are definitely needed.

Indeed, the challenge for The Code now - while still fine-tuning the system implemented three years ago - is to improve the monitoring and evaluation system, particularly in qualitative terms. Is the vigilance in a particular company actually high, as indicated by the number of staff trained in a year? Is awareness of the issue of child sex tourism along the value chain of a company tangible, or simply an impression created by some nice words in a contract clause? To face this challenge will imply developing new strategies with Local Code Representatives, for example, and in entering in dialogue and possible collaboration with tourism certification and auditing bodies.

²Status end January 2016

³The Code structure is composed of a small secretariat based in Bangkok in charge of the brand and the development of the child protection toolkit. In some 30 countries, the management of the relations and support to businesses of the tourism industry is implemented by Local Code representatives (mainly ECPAT group NGOs or NGOs like Fairtrade Tourism in South Africa).

Develop new tools

A key challenge for The Code is to adapt its training toolkit to address the realities of 21st century travel and tourism. For example, one element is to take into consideration the growing importance of Internet-based tourism companies. Another is to look into the evolution of trends in terms of sexual exploitation of children in travel and tourism. With various stakeholders including law enforcement entities, this Global study notes that offences are increasingly committed in low-range hotels and not (or perhaps no longer) in high-end hotels. Should one then look away from the latter and focus on the former? The 5th criteria of The Code proposes a somewhat different strategy: to extend the safety net against child exploitation outside of the boundaries of particular upper-level hotels to include coordination with stakeholders located in the surroundings of the hotel.

As already mentioned, a possible offender may be using established tourism businesses to access the more informal tourism sector where they may commit a crime. Thus by working in conjunction with outside stakeholders such as local law enforcement units, bars, smaller hotels, small transport companies and informal tourism service entities, upper-level hotels can certainly contribute to establishing safety nets to help prevent child sexual exploitation. In this context, the responsibility and the challenge for The Code is to design practical and straightforward tools for upper-level hotels to effectively engage with the outside stakeholders.

While The Code will have to provide companies with new tools taking into account these evolutions, it should be highlighted that other actors committed to protecting children are also launching new and interesting initiatives. One of the most recent, for example, is the initiative taken by UNWTO to propose the transformation of its current code of conduct for businesses into an international Convention signed by States. This would mean that each State signatory would be committed to establishing national legislation requiring tourism entities operating on its territory to take measures to protect children. Although the establishment of such a Convention may take some time, it would be an interesting development in terms of the implementation of The Code. The dimension of commitment would no longer be relevant as the Convention would impose on the State and its businesses to take measures protecting children in tourism. However, the necessity to have practical tools and models of measurement would remain, and in this regard The Code would certainly have an added value and could even be considered as good practice for the companies to fulfill the new obligations established by the Convention.

Keeping the industry and the tourism companies involved in the crucial fight against sexual exploitation is important in order to succeed. New challenges in this field imply, more than ever, adapting a response based on the synergies of actors involved in the battle.

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