



We protect children in travel and tourism

CASE STUDY

CHILD PROTECTION STANDARDS IN THE TRAVEL AND TOURISM INDUSTRY:



THE EXPERIENCE OF MEXICO AND COLOMBIA



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# INTRODUCTION

In the Americas, the codes of conduct in the travel and tourism have had a significant development in the last two decades. These codes have been promoted by governments and civil society to prevent and respond to acts of sexual exploitation of children. In some countries implementation of these codes is mandatory while in others it is voluntary. Both modalities have their own implications and challenges, motivating tourism authorities to develop strategies to enforce compliance and increase implementation. The creation of these codes, regardless of their modality, is one of the means by which countries comply with their obligation to protect children from sexual exploitation. Despite the budgetary difficulties many countries face, this obligation cannot be delegated nor postponed. However, civil society can support the State to achieve a more effective implementation.

The national codes developed by the State coexist with an international initiative, The Code<sup>1</sup>, an initiative by ECPAT International, the criteria of which have inspired national codes and which in many aspects is complementary to the previously existing codes. The Code provides added value due to its international scope and visibility as well as its monitoring mechanisms, as shown in the interviews conducted for this study (as presented below).

This case study analyses the experience of implementing a mandatory national code, the code of Colombia, - and a voluntary code - the case of Mexico. It also reflects on the implications, effectiveness and relevance of both approaches, pointing out their challenges and opportunities, describing main results and analysing the complementarity of these standards with The Code.

The methodology used for this study included desk review analysis<sup>2</sup> and interviews with representatives of companies that implement the national codes and The Code in both countries, including hotels, air, sea, and land transportation services, and the government entity in charge of promoting tourism in Mexico.

1. In Spanish "El Código". The English term "The Code" is used in this study to distinguish it from national codes.
2. This work is based on the study by ECPAT International and Regional Action Group for the Americas GARA (2020), [Codes of conduct for the protection of children in the travel and tourism industry in the Americas](#).

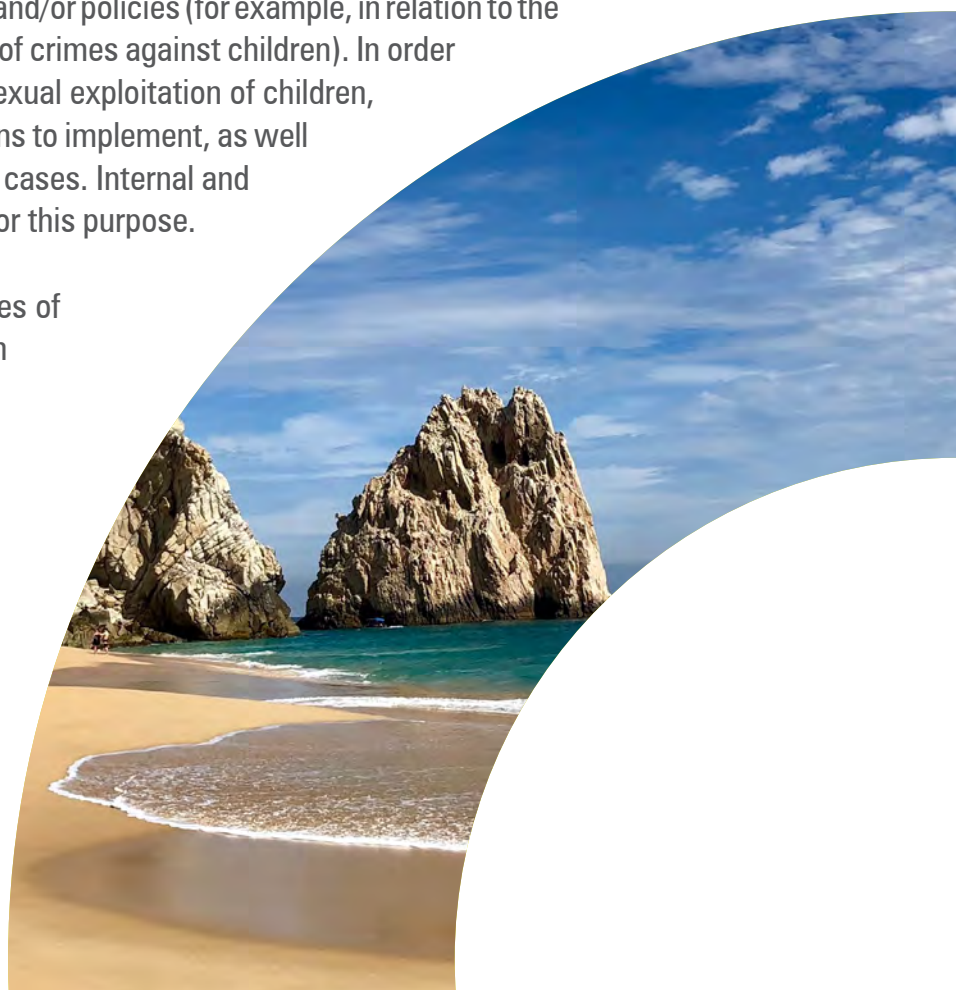
# TRAVEL AND TOURISM CODES OF CONDUCT IN MEXICO AND COLOMBIA

## CODES OF CONDUCT: WHAT ARE THEY AND WHAT ARE THEY FOR?

The codes of conduct are statements of principles, values, and standards to which companies commit to, and which are therefore established internally. These codes define standards of conduct to be followed by every person who works for the company and, in some cases, for the company's entire value chain. They are created as part of corporate social responsibility and in the framework of application of human rights due diligence. This, in turn, commits the companies to contribute to environmental, economic and social development as well as to evaluate and prevent the impact that their actions may have on the environment and performance of human rights, including children and youth rights. In the case of the codes of conduct which aim at protecting children, they include measures to prevent any damages and risks in the company's activity.

These codes may refer to defined areas such as prevention of sexual exploitation of children, as well as to broader areas such as labour rights or environmental sustainability, which generally reinforce compliance with national laws and/or policies (for example, in relation to the obligation to file a complaint in the case of crimes against children). In order to be effective, in the specific case of sexual exploitation of children, the codes must specify preventive actions to implement, as well as the channels for reporting suspected cases. Internal and external channels must be established for this purpose.

As mentioned at the beginning, the codes of conduct can be mandatory, a legal norm obliges travel and tourism companies to implement them, or they can be voluntary - accepted by the companies on voluntary basis, without being obliged to. In the case of the mandatory codes, there may be a requirement for obtaining a license to operate (as is the case in Colombia). In any case, according to several



people interviewed for this study, the companies that implement a mandatory code are more competitive as the consumers trust them.

By implementing the codes of conduct, the business contributes to the fulfilment of the Sustainable Development Goals, mainly Goal No. 5 (Gender Equality and Women's Empowerment), 8 /Decent Work and Economic Growth) and 16 (Peace, Justice and Strong Institutions); the Convention on the Rights of the Child (1989); the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2002); the Framework Convention on Tourism Ethics (2019) and the Worst Forms of Child Labour Convention (1999), No. 182, of the International Labour Organization, which obliges ratifying States to establish measures to prohibit, eliminate and even criminally punish any forms of economic exploitation of children mentioned therein. In addition, the codes of conduct reinforce compliance with the European Commission's Due Diligence Directive on Corporate Sustainability (2022), which covers companies incorporated in a third country.

It also contributes to two non-binding instruments, but closely related to the cases under analysis: the UN Guiding Principles on Business and Human Rights (2011) and the Children's Rights and Business Principles (2012).



## THE CODE (INTERNATIONAL INITIATIVE)

In the Americas the national codes coexist with an international initiative such as the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (The Code). It is a multi-stakeholder initiative of the travel and tourism sector, which aims to raise awareness and provide tools and support to the travel and tourism industry to prevent the sexual exploitation of children in their operations, services and supply chains.

The Code is promoted in both analysed countries (as well as in other countries) by Local Code Representatives (LCR) - nongovernmental organizations that officially represent The Code, and are usually members of the ECPAT Network. In the countries where they exist, they provide support and technical advice to companies on how to comply with the six criteria of the Code, linking the perspectives and interests of companies with those of local communities. In some cases, they provide face-to-face training for company management and operational staff, as well as for their collaborators.

A company that wants to become a member of The Code must fulfil certain steps, which includes preparing a plan to implement the six criteria on which The Code is based. The members of The Code pay an annual membership fee based on their annual revenue and submit an annual report on the implementation of the criteria in the last year. Preparation of the report and the implementation plan is supported by the Local Code Representatives in the countries where they exist. The Code is a self-regulatory mechanism where membership is recognized on the basis of compliance with the criteria, it is not based on certification nor auditing.



## THE CODE'S SIX CRITERIA

- 1.** Establish a policy and procedures against sexual exploitation of children and regulation of voluntourism.
- 2.** Train employees in children's rights, the prevention of sexual exploitation and how to report suspected cases.
- 3.** Include a clause in contracts throughout the value chain stating a common repudiation and zero tolerance policy of sexual exploitation of children.
- 4.** Provide information to travellers on children's rights, the prevention of sexual exploitation of children and how to report suspected case.
- 5.** Support, collaborate and engage all stakeholders in the prevention of sexual exploitation of children.
- 6.** Report annually on the implementation of the six criteria of The Code.

# MEXICO'S NATIONAL CODE OF CONDUCT (VOLUNTARY)

The 2012 [National Code of Conduct for the Protection of Children in the Travel and Tourism Sector](#) (revised in 2015) - hereinafter referred to as the Mexican Code of Conduct - is **voluntary**. Compliance with the National Code has been incorporated into the Tourism Sector Program. Companies that adhere to it must sign a commitment, renewable every two years, and submit it to the Ministry of Tourism (SECTUR – in Spanish *Secretaría de Turismo*), which grants official recognition to the companies that adopt it and certify compliance with its 6 **Guidelines**. It also awards 40 points in the Hotel Classification System to the companies offering accommodation services interested in obtaining a category represented by stars. The Guidelines are based on the criteria of The Code:

- Include in a governing document the company's commitment to the Code.
- Raise awareness and train tourism service providers in prevention.
- Develop action protocols for the management of risk situations.
- Form collaboration networks for channelling complaints.
- Inform customers and involve the value chain about the commitment.
- Report annually to SECTUR.

To demonstrate compliance, companies must submit an **annual report** and **provide evidence** for each of the 6 guidelines. It is a report that is completed online through a platform that has been available on the Ministry of Tourism's server since mid-2021. The report is verified by an official who checks if the report complies with the requirements. The SECTUR's (Ministry of Tourism) Gender Equality Unit is in charge of the process and trains promoters to help companies implement the six guidelines through training workshops for promoters of the National Code of Conduct. This Unit has developed the *Action Protocol for Cases of Suspected Sexual and Labour Exploitation of Children in the Travel and Tourism Sector* and the *Practical Implementation Guide*, which helps companies to design internal measures in accordance with the guidelines.



The training workshops for promoters of the National Code of Conduct last approximately 6 hours and address human trafficking, sexual and labour exploitation of children, as well as child labour in the travel and tourism sector. In addition, they address the implementation of each of The National Code's guidelines, including the protocol for detecting risk situations. At the end of the workshops, an online evaluation must be completed and upon passing it, the person receives a certificate accrediting him/her as a promoter of the National Code of Conduct and, if he/she agrees, his/her data can be published on the National Code's web page.

The same National Code of Conduct's web portal, offers to the service providers of the companies that have committed to the National Code, an awareness-raising session that provides basic knowledge and legislation on human trafficking, sexual and labour exploitation of children, and identification of risk situations. At the end of the session and after the evaluation, the system generates a certificate.



# THE COLOMBIAN CODE OF CONDUCT (MANDATORY)

Unlike Mexico, the Colombian national **Code of Conduct** is **mandatory**. Committing to the Code and compliance with its measures is a prerequisite for registration in the National Tourism Register (the registration must be renewed every year), and for operating legally as a tourism service provider. The Colombian Code was established by *Law No. 1336 of 2009 (July 21)*.<sup>3</sup> It includes **12 requirements** that are also based on the criteria of The Code, which were established in the Resolution of the Vice-Minister of Tourism No. *3840 of 2009 (December 24)*.<sup>4</sup> The requirements are unique as they provide examples of actions that companies can take, as well as the actions they should avoid. The **criteria** include, among others:

- Protection of children from any form of sexual exploitation and violence caused by tourists, without discriminating between locals and foreigners;
- Training for all staff and suppliers who are in contact with tourists;
- Suspicious case reporting;
- Design and dissemination of a policy that establishes measures to prevent all forms of sexual exploitation of children;
- Companies restraining from offering this type of exploitation activities in their operations; and
- Informing users of the legal consequences of committing any of these acts.

3. The full name is Law No. 1336 of 2009 (July 21), which adds to and strengthens Law 679 of 2001, on fighting against exploitation, pornography involving children and sexual exploitation of children in travel and tourism.

4. The full name is Resolution of the Vice Minister of Tourism No. 3840 of 2009 (December 24), which establishes the Code of Conduct referred to in Article 1 of Law 1336 of 21 July 2009 and other provisions.



The Vice Ministry of Tourism, through the Directorate of Sectoral Analysis and Promotion - Tourist Protection Group, investigates and sanctions tourism service providers that operate without being registered in the registry; it also supports awareness-raising and training on compliance with the commitments. The Colombian Code covers also an **e-learning course** “*Todos unidos contra la explotación sexual comercial de niñas, niños y adolescentes en viajes y turismo*” (United against sexual exploitation of children in travel and tourism). An important resource developed by the Ministry of Tourism is the *Manual of Good Practices for the Prevention of the Crime of Commercial Sexual Exploitation of Children in the context of Travel and Tourism*, which guides companies in the implementation of actions to prevent these crimes.

## HOW DOES THE CODE COEXIST WITH AND COMPLEMENT THE IMPLEMENTATION OF THE NATIONAL CODES?

The international initiative (The Code) coexists with the national codes (which are voluntary in Mexico and mandatory in Colombia) and complements their implementation in many ways. In Mexico and Colombia we interviewed representatives of companies that commit to the national code and are also members of The Code. In these cases the representatives stated that the fact of being a member of The Code did not exclude or discourage them from committing to the Mexican National Code of Conduct, and that mandatory commitment to the Colombian Code of Conduct did not prevent them from becoming members of The Code, since both instruments have a different scope and complement each other. In addition, other companies argued that they preferred to implement only one of them, referring mainly to The Code. The main complementarities they identified included:



- *The Code offers nine e-learning modules covering specific sectors of travel and tourism, while the trainings promoted by the national authorities are fewer and they cover less sectors. Moreover, the Code’s trainings are focused on sexual exploitation of children, while the national courses also cover other issues, providing a broader scope of child protection.*
- *All annual reports submitted to The Code are reviewed by its Secretariat and, based on this review, the companies that best meet the criteria are selected (“Top Members”). This designation gives companies international visibility and motivates them to progress.*
- *The fact that The Code brings together companies from around the world enables them to learn from each other, as well as share practices that can be useful in other contexts and regions, given that its Secretariat can organize best practices exchange events.*
- *The Local Code Representatives provide advice and guidance to companies on preventing sexual exploitation of children. In Colombia, Fundación Renacer (through the implementation of The Code) promotes compliance with the national Code of Conduct, since the procedure required by the Vice-Ministry of Tourism to comply with Law No. 1336 of 2009 and Resolution of the Vice Minister of Tourism No. 3840 of 2009, is easier to apply by demonstrating that the company is a member of The Code. In Mexico, ECPAT-Mexico’s technical assistance develops complementary resources, such as Internal Action Protocols for Companies, which guide employees on how to respond to cases of suspected sexual exploitation of children. The protocols are useful both for companies that are only members of the Code, as well as for those that choose to follow the National Code of Conduct.*

Finally, pursuing both processes, the voluntary process and the mandatory one allows more companies to be committed to the prevention and reporting of sexual exploitation of children.

# WHY ADOPTING AND IMPLEMENTING THE CODES OF CONDUCT AND HOW TO ENSURE THEIR EFFECTIVENESS?

Reflecting on the reasons for adopting and implementing the national codes of conduct and The Code, the company representatives considered key factors such as the **motivation and added value** they provide and the operational measures needed to ensure their effectiveness.

In the case of the voluntary codes of conduct, the main **motivation** indicated by Mexican companies that make them to commit to the National Code, and for companies in both countries - Mexico and Colombia – the motivation to become members of the international Code, was their **concern about the negative impact** that could result from their activities if they did not take measures to protect children. In addition, they were motivated by their interest in assuring safe spaces for children in their facilities and **promoting sustainable and responsible tourism**.<sup>5</sup> According to some companies, the score obtained by being part of the Mexican National Code to get the tourism quality certification is a factor that encourages them to join the National Code.

In relation to the mandatory National Code of Conduct in Colombia, the commitment to the code is focused on **compliance with the standard**. However, this does not mean that companies are not also concerned about the negative impact of sexual exploitation, nor that they do not value the commitment to promote sustainable and responsible tourism. On the other hand, the assistance provided by Fundación Renacer to Colombian companies and by ECPAT-Mexico to Mexican companies in meeting the six criteria of The Code encourages them to join and remain in The Code - this shows the importance of the Local Code Representatives.

All companies, regardless of the country or the code which they joined, consider that the most significant **added value** of implementing the codes has been the awareness of company employees regarding crimes related to the sexual exploitation of children as result of the training processes. It is noted that the staff is now not only attentive to their duties, but are also alert to these possible situations and even other types of abuses. **The achieved awareness** is evidenced by:

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5. One of the activities that can put children at risk of abuse and exploitation in the travel and tourism sector is voluntourism, especially when it involves visits to residential care centres where they are protected or to local communities of origin. The Code has therefore developed a specific **policy** that outlines the types of voluntourism activities that are not permitted under this initiative and those that should be regulated and monitored. As part of this case study, companies were asked about the existence of these types of activities and their awareness of the policy. In general, companies in both countries do not currently engage in voluntourism activities and are not aware of the policy, which identifies an area of work where efforts should be focused as a preventive measure should they wish to engage in this type of initiative.

- testimonies collected during workshops,
- surveys completed by the staff,
- tests that ensure that the staff acts in accordance with the codes,
- reporting of suspicious cases to the authorities and cases prosecuted due to the successful performance of the companies and,
- in their responses to the customer enquiries about the certificates that confirm and inform about their membership in the codes of conduct.

Some companies members of The Code point out that monitoring the value chain has its challenges, as it requires not only specific clauses and their inclusion in contracts, but also the development of control mechanisms that are not always easy to implement. However, this task is facilitated by the fact that more and more service providers are requiring the standards of conduct as part of their sustainability criteria.

### **Key operational factors identified by the companies in both countries to achieve effective implementation of the national codes and The Code**

**The following were identified in the interviews as key operational factors:**

- Supporting employees from the management level of the company in complying with the codes.
- Involving management in the review and updating of the codes.
- Systematization of training processes in terms of the staff mobility.
- Adapting of training modules to different educational levels.
- Face-to-face training, in addition to online training, through cooperation with civil society organizations.
- The need to train 100% of the staff.

# MAIN RESULTS OF THE IMPLEMENTATION OF THE DIFFERENT MODALITIES OF THE CODES OF CONDUCT AND THEIR CORRELATION

The most important results obtained after the implementation of the national codes and The Code are as follows:

## THE REPORTING ROUTE

One of the most significant contributions of having a code of conduct for the companies is the defined **route for reporting suspected cases** of sexual exploitation of children. This has been possible thanks to the support and work of the Local Code Representatives - Fundación Renacer (Colombia) and ECPAT Mexico- as well as of the national tourism authorities of both countries, **which applies to both the national codes (voluntary and mandatory) and The Code**. The people interviewed indicated that prior to the implementation of these codes, there was a lack of clarity about how to identify suspicious cases of misuse of the companies' services and operations, a fear of reporting and little clarity about the reporting channels. However, there is no precise data on the number of reported cases.

THE CODE OF CONDUCT HELPS THEM MANAGE A PROBLEM PROFESSIONALLY. IT PROVIDES THEM WITH A GUIDE TO REACT TO THIS PROBLEM. THIS HAS GENERATED A SENSE OF PRIDE AMONG THE EMPLOYEES, AS THEY FEEL RESPONSIBLE FOR THE SITUATIONS.

Olga Gutiérrez, Legal Department Director,  
Grupo Posadas, Colombia.



## LEVEL OF THE BUSINESS' COMMITMENT

Regardless of the country, it was mentioned in the interviews that the coexistence of the national codes of conduct (voluntary or mandatory) and The Code is an ideal formula and that both are necessary. However, the chosen modality leads to a different level of commitment.

On the one hand, since this is a very serious crime, it **was pointed out that national codes should be mandatory in all cases**. Therefore it is vital that all companies have such a code in place, as it should not be left to the discretion of an individual whether and how to deal with suspected cases that are identified. The State has an irrevocable and non-delegable obligation to protect the rights of children. One way to do this is to put in force **a law obliging the travel and tourism industry to adopt a code of conduct and establishing penalties for non-compliance**. For this reason, it is considered that national codes of conduct are necessary and should be mandatory, as far as possible.

In the case of the voluntary national codes, **it was pointed out as a weakness that joining them can be limited**. In the case of Mexico, despite the existence of incentives, the number of the companies committing to the National Code of Conduct is relatively low compared to the large number of companies in the country. It is striking that even with the existence of motivations, the level of joining the National Code is not significant.

**The Code is a technical instrument complementary to** the national codes and it reinforces the companies' internal policies through technical assistance provided by Local Code Representatives, as well as the diversity of e-learning offered and the monitoring carried out through the submission of annual reports. In addition, The Code has an international scope, making it highly competitive and attractive for companies. This is an important added value of The Code, as thanks to its international dimension, it enables small and medium-sized companies to position themselves on an international level alongside large and well-known businesses, thus giving them access to visibility beyond the national level. In addition, it has a monitoring system recognized by companies, allowing them to improve each year thanks to the process of selection of "Top Members" (however, The Code members expect more technical feedback from The Code).

**On the other hand, it was mentioned that a mandatory code may have limitations in terms of** enforcement by public authorities, as it requires sufficient human, material and budgetary resources, which not all countries have. The authorities need to employ staff to follow up on implementation and to provide feedback on the compliance reports. The companies value this feedback and they report that they do not always receive it. It should be noted that the limitation of implementation monitoring is also present in the case of the voluntary codes, as the voluntary nature of the codes does not exempt the State from the obligation of ensuring their effectiveness.

In this regard, it should be noted that the **institutions responsible for the tourism sector policies generally do not have sufficient resources to monitor compliance with the codes of conduct in travel and tourism** (GARA, 2020). However, there is an obligation resulting from the Convention on the Rights of the Child and the national legal standards established due to its ratification, which defines the primary responsibility of the State to ensure compliance with the rights of children in every area in which they develop. The lack of resources to ensure compliance can never be an argument for omitting this responsibility, or for delegating it to other actors or sectors. However, it is possible to ask for the support of civil society, although it must be provided with the necessary resources to fulfil this function, and the support of the international cooperation to support the State's efforts to guarantee respecting the rights of children in this area.

**TO DEVELOP THESE CODES IN OTHER COUNTRIES, THEY SHOULD CONSIDER WHETHER IT WILL BE VOLUNTARY OR MANDATORY; IF IT IS JUST A 'SIGN-AND-GO' OR IF METHODOLOGIES OR PROCESSES SHALL BE DEVELOPED TO ENSURE THAT THERE IS DETECTION AND CHANNELLING OF RISK SITUATIONS.**

Claudia García, Director of Promotion and Gender Mainstreaming, Ministry of Tourism, Mexico.

## CHANGES IN THE WAY OF CARRYING OUT BUSINESS

In Colombia and Mexico, by joining The Code and the national codes (voluntary and mandatory), the companies become more visible in terms of responsibility, being recognised for **their commitment to sustainable tourism that does not tolerate sexual exploitation of children**: they move from the “taboo subjects” to the standards of behaviour that become a competitive advantage. This makes guests feel more confident that their children - and other children - are in a safe place.

All companies agreed that being part of these codes generates a sense of pride among company employees, knowing that through their work they can prevent serious crimes and protect children.

In Colombia, under the leadership of Fundación Renacer, the “**Protective Environment**”<sup>6</sup> model has been promoted in several regions to ensure that communities and all of the communities social actors are committed to the protection of children from sexual exploitation. Tourism companies are invited to participate in the construction of these protective environments, and in this respect they say that they have felt part of an urban strategy in which there was an appropriate articulation between the public and private sectors, going beyond individual initiative and linking up with the local communities in which they operate.

6. The experience of implementing the “Protective Environment” model in the case study: ECPAT International (2023). A model to prevent the sexual exploitation of children in travel and tourism. Case study of Colombia and experiences from Costa Rica.

# CHALLENGES AND MAIN LEARNINGS

The people interviewed for this study, whether they were representatives of companies adhering to a voluntary (national or international) or mandatory code, public authorities or representatives of civil society, agreed that the main challenges and lessons learned were as follows:

## CHALLENGES

- **The adaptability of the national codes to technological advances** as it affects the way operations are conducted (e.g. digital check-in ) and may complicate the task of identifying cases of sexual exploitation, as well as sexual offenders and exploiters.

**INTERNALLY THEY HAVE THE CHALLENGE OF ADAPTING THINGS, THE CHECK-IN IS NOW DIGITAL. THEY HAVE TO FIND MECHANISMS TO ADAPT THE PROTOCOLS IN THOSE CASES.**

Alma Tesillos, Director of Corporate Social Responsibility for America, RIU Hotels & Resorts, Mexico.

- **Timely institutional response by the law enforcement and judicial authorities when the cases are reported.** A key aspect of the 'protective environment' approach is the fulfilment of the state's obligations.
- **To continue to have the resources** to proceed with awareness-raising and training processes, both face-to-face and e-learning, whether they are government initiatives, through the tourism authorities, or private organisations - such as Local Code Representatives, including ECPAT-Mexico and Fundación Renacer, among others. This is also a priority because of the impact of these processes on changing people's attitudes and practices, and additionally due to frequent staff changes that may occur (which require systematic training processes).

- In the private sphere, the **sustainability of The Code** gains relevance through the contributions of companies that were affected by the difficulties in the travel and tourism sector during the pandemic. The cost of membership, however, was not cited as an obstacle to becoming a member of The Code, since membership is determined on the basis of the companies' profits.
- **Greater positioning of the Mexico's voluntary national Code of Conduct** and The Code in both Colombia and Mexico, so that a customer can choose a hotel given that it meets certain standards. This calls for a broader dissemination of the existence of these mechanisms.

## LESSONS LEARNED

- **There is added value in creating national codes of conduct** for the protection of children, and making the codes voluntary or mandatory. In addition to reflecting the efforts of countries to meet their obligations to protect children, it also allows a greater number of businesses to be reached by establishing a national standard of conduct to be followed by all those working in the travel and tourism sector, including its value chain.
- **In the case of the mandatory national codes**, while it is desirable that all companies not only have a code of conduct but also implement it, this reality is limited by the resources of the State to ensure compliance and provide feedback. **Voluntariness, on the other hand, leads to limited commitment to the codes**, even with incentive policies. The contribution of civil society and international cooperation is fundamental in both cases to promote the adoption of the codes of conduct and support the State in their implementation.
- **Civil society plays an important role** in promoting The Code through Local Code Representatives, as an initiative that complements the efforts of the national codes, enabling them to project themselves at the international level. However, it is also limited by their capacity in terms of human and financial resources.
- **Support at the management level makes a difference in the adoption of the national codes of conduct and the Code by employees**, as well as their effective implementation in tourism companies.
- **It is essential that tourism institutions develop or promote practical tools** to guide and support businesses in complying with the criteria or guidelines of the national codes. This should be done to ensure that the codes are implemented with high standards, resulting in improved protection of children from all forms of exploitation.

# ECPAT INTERNATIONAL: CALL FOR ACTION

Taking into account the implications and challenges of implementing the voluntary and mandatory national codes and The Code, there is no one-size-fits-all approach or solution. We need to highlight that **a smart mix of mandatory and voluntary measures should be implemented in each country, focusing on their effectiveness and impact to improve prevention and response to end sexual exploitation of children** as well as other forms of violence. Such a combination of measures should focus on the capacity and cooperation of all parties, as well as the public and private sectors, to translate commitments and policies into workable frameworks. Given this perspective, ECPAT International recommends that:

- **The travel and tourism sector** - both public and private – should work together with civil society (including Local Code Representatives) in the implementation of the national and international codes of conduct (The Code), encouraging member companies **to join in building and strengthening protective environments**<sup>7</sup> for children.
- **The private sector should prioritize the implementation of the most efficient strategic frameworks** (national or international) to comply with the responsibilities set out in the UN Guiding Principles on Business and Human Rights and in the Children’s Rights and Business Principles. This should be done in order to promote and respect the rights of children in their business operations and supply chains, while addressing the impacts and risks related to sexual exploitation. This action will require consultation with civil society organizations working in local communities with children.
- **Governments should continue to provide financial and human resource support to monitor the implementation of the national codes**, as well as to provide technical advice to companies that require it for the compliance of the codes; they should include the implementation of these codes in national policies, where they are not mandatory; and develop and apply impact assessment and measurement tools in all cases.
- **Governments and the private sector are recommended to identify and promote solutions that address emerging trends in the travel and tourism industry** by improving child protection measures as part of the risks and impacts on children associated with the digital transformation of the industry and community-based tourism. This includes awareness raising and implementation of The Code’s Voluntourism Policy to address the risks that this practice may pose to children and to develop preventive measures.

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7. ECPAT International (2023). Case study of Colombia and experiences of Costa Rica. A model to prevent sexual exploitation of children in travel and tourism.

- After several years of implementation of both types of national codes of conduct – the voluntary and mandatory codes - which often co-exist in a complementary manner with The Code, **it is important to develop a broader evaluation process to determine the extent to which their objectives are being met and, if necessary, to propose further corrective measures and improvements.** National governments and ECPAT International, along with Local Code Representatives, could jointly work following these guidelines.



## REFERENCES

ECPAT International (2023). Case study of Colombia and experiences of Costa Rica. A model to prevent sexual exploitation of children in travel and tourism.

ECPAT International (2020). THE AMERICAS: First overview of child protection standards to ensure that travel and tourism is free from sexual exploitation, at [www.ecpat.org/codes-of-conduct-to-preventchild-sexual-exploitation-in-tourism](http://www.ecpat.org/codes-of-conduct-to-preventchild-sexual-exploitation-in-tourism)

## INTERVIEWS CONDUCTED

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