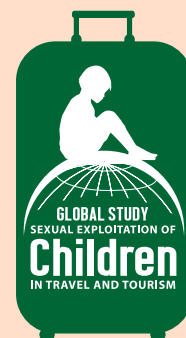


GLOBAL STUDY ON SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM

COUNTRY-SPECIFIC REPORT

CHINA

2015



The country-specific research on sexual exploitation of children in travel and tourism was written by Olalla Pruneda for ECPAT International.



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September 2015

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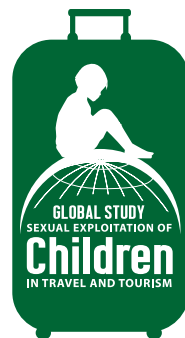
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Ministry of Foreign Affairs of the
Netherlands





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ACRONYMS

APPLE	Action Pour Les Enfants
CRC	Convention on the Rights of the Child
CSEC	Commercial Sexual Exploitation of Children
CSR	Corporate Social Responsibility
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
GDP	Gross Domestic Product
ICT	Information and Communication Technology
NGO	Non-Governmental Organization
OPSC	Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography
SECTT	Sexual Exploitation of Children in Travel and Tourism
TIP Report	United States' Department of State's annual Trafficking in Persons Report
UN	United Nations
UNIAP	United Nations Inter-Agency Project in Human Trafficking
UNICEF	United Nations Children's Emergency Fund
UNODC	United Nations Office on Drugs and Crime
UNWTO	United Nations World Tourism Organization
WCIII	World Congress III Against the Commercial Sexual Exploitation of Children

EXECUTIVE SUMMARY

China is home to 274 million children, the second largest child population in the world. Over the past three decades, the country has experienced remarkable progress in poverty alleviation and living standards, including the realisation of universal access to primary education and a drastic reduction in child mortality.¹

However, growing regional disparities and migration are having a great impact on the lives of more than 100 million Chinese children today. Of them, 36 million have migrated to the cities with their parents with no right to education or health care services in the urban areas where they live. Meanwhile, nearly 70 million of them have become the so-called “left-behind children”, in the care of relatives in their home villages.² Away from the protection of their parents or unable to register as legal residents of China’s cities, they are the most vulnerable children in China today, running the risk of being trafficked, sexually exploited or dragged into other forms of forced labour.

With 14 per cent of the world’s children, the “high prevalence of sexual exploitation and abuse against children, including rape”³ in China is an issue of paramount importance for all concerned with children’s wellbeing. In the midst of China’s outstanding economic growth and the resulting deep social transformations, a new trend is emerging which places new challenges for the protection of children. It is the growth of China’s domestic tourism market and the country’s consolidation as the fastest-growing tourism source market on a global scale.⁴

Today nearly one in ten tourists in the world is Chinese. All forecasts suggest that the growing trend will continue over the next few years and “will surely continue to change the map of world tourism”, in the words of the United Nations World Tourism Organization (UNWTO) Secretary-General, Taleb Rifai.⁵ Chinese travellers are the biggest spenders globally since 2012.⁶ Neighbouring countries and regions are expected to remain as the preferred destinations for Chinese tourists in the coming years, with Hong Kong, Macau, South Korea, Thailand and Taiwan leading the way at present.⁷

Within China, domestic travel spending (90.9 per cent) is far more important than foreign visitor spending (9.1 per cent).⁸ Furthermore, the economic weight of the domestic tourism and travel sector keeps growing, generating 9.3 per cent of its GDP and employing 64.4 million Chinese in 2013.⁹ Tourism development is mostly taking place in ethnic minority regions such as Yunnan, Sichuan and Tibet, drawing on the folklorisation of these groups by representing them as an ‘exotic’ other. In the light of this ethnic tourism trend, the local population of ethnic minority areas appear to pin their hopes of further economic development on the increasing arrival of urban Han Chinese.¹⁰

The conflation of these trends with growing regional disparities, which are leading hundreds of millions to move to China’s cities and industrial areas in search of a better job, create an unprecedented challenge to

1. UNICEF (2014), “Children in China: An Atlas of Social Indicators”, Beijing: UNICEF, pp. 14, 27, accessed 10 February 2015, <http://www.unicef.cn/en/uploadfile/2015/0114/20150114094309619.pdf>.
2. Ibid., 112.
3. UN Committee on the Rights of the Child (2013), “Concluding observations on the combined third and fourth periodic reports of China, adopted by the Committee at its sixty-fourth session (16 September–4 October 2013)”, UN Doc. CRC/C/CHN/CO/3-4, 29 October 2013, para. 45, accessed 9 February 2015, http://www2.ohchr.org/english/bodies/crc/docs/co/CRC_C_CHN_CO_3-4.doc.
4. UNWTO (2014), “International tourism shows continued strength”, UNWTO Press Release, 30 October 2014, accessed 2 December 2014, <http://media.unwto.org/press-release/2014-10-30/international-tourism-shows-continued-strength>.
5. UNWTO (2013), “China - the new number one tourism source market in the world”, UNWTO Press Release, 04 April 2013, accessed 2 April 2015, <http://media.unwto.org/en/press-release/2013-04-04/china-new-number-one-tourism-source-market-world>.
6. UNWTO, “International tourism shows continued strength”.
7. Grant, Michelle (2013), “Top 25 Most Popular Destinations for Chinese Tourists”. Skift Travel IQ, 3 September 2013, accessed 23 December 2014, <http://skift.com/2013/09/03/top-25-most-popular-destinations-for-chinese-tourists/>.
8. In terms of their direct travel and tourism GDP contribution in 2013 WTTC(2014), “Travel & Tourism: Economic Impact 2014 China”, p. 6, accessed 2 March 2016, <http://www.wttc.org/media/files/reports/economic%20impact%20research/country%20reports/china2014.pdf>.
9. WTTC (2013), “Benchmarking Travel & Tourism in China: How does Travel & Tourism compare to other sectors?”, November 2013, pp. 9-10, accessed 2 March 2016, <http://www.wttc.org/-/media/files/rports/benchmark%20reports/country%20results/china%20benchmarking%202013.pdf>.
10. Hyde, Sandra Theresa (2001), “Sex Tourism Practices on the Periphery: Eroticizing Ethnicity and Pathologizing Sex on the Lancang”, in China Urban: Ethnographies of Contemporary Culture, eds. Chen, Nancy N., et al., Durham & London: Duke University Press, 143-162.

ensure the protection of children's rights. In addition, a traditional preference for sons has resulted in a skewed sex ratio of 118 boys born for every 100 girls as of 2014. As a result of this preference and the in 2015 abolished one-child policy, China's population appears to be "aging and increasingly male".¹¹ This seems to suggest that the demand for prostitution and forced marriages will most likely keep increasing over the coming decades.

With the country's economic growth, its entertainment industry has developed rapidly on the more developed eastern coast of the country as well as in tourist spots across the country. China's business culture involves frequenting entertainment venues as a necessary step in building trust among business partners. The presence of teenagers in entertainment venues where sex services are offered to tourists and travellers seems a recurrent problem as Chinese society sees an erosion of the family values rooted in the Confucian tradition.¹²

However, we still have very limited data on the magnitude and features of this growing problem in

China. Further research is needed to better understand who are the children most adversely affected, who are the offenders and how they operate, as well as what else can be done to enhance the protection of children's rights. In early 2015, important steps are being taken to remove the stigmatising "soliciting underage prostitution" crime to replace it for statutory rape. However, the Criminal Law still makes no specific reference to the crime of facilitating the prostitution of boys under 18 or girls between 14 and 18 years of age.¹³

This report aims to shed new light on the heinous crime of sexual exploitation of children in travel and tourism in China and by Chinese travellers abroad by reviewing research conducted to date by academics, governments, international organisations and NGOs. It hopes to help identify the gaps of what we know about this phenomenon at present in order to encourage further research and improve existing laws and policies to better protect children and ensure their recovery and reintegration. It is our shared responsibility.

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11. UNICEF (2013), "Annual Report 2013 – China", p. 2, accessed 17 November 2014, http://www.unicef.org/about/annualreport/files/China_COAR_2013.pdf.
 12. Jackson, Stevi, Liu, Jieyu and Juhyun Woo (2008), "Reflections on Gender, Modernity and East Asian Sexualities", in *East Asian Sexualities: Modernity, Gender and New Sexual Cultures*, eds. Jackson, Stevi, Liu, Jieyu and Juhyun Woo, London & New York: Zed Books, 1-32.
 13. Government of the People's Republic of China (1997), "Criminal Law of the People's Republic of China (中华人民共和国刑法)", accessed 11 December 2014, <http://www.lawinfochina.com/Display.aspx?lib=law&ID=354>.

CHAPTER 1

INTRODUCTION

CONTEXT

Commercial sexual exploitation of children still remains a largely unexplored issue in China, even more so in relation to travel and tourism. By trying to identify and assess the key variables that shape the current state of affairs, this report aims to contribute to strengthening a more comprehensive child protection and welfare system that is emerging in China.

Aiming to provide an accurate and thorough overview of the sexual exploitation of children in travel and tourism in China and by Chinese travellers abroad is a much needed and timely endeavour. The “high prevalence of sexual exploitation and abuse against children” in China was one of the key concerns raised by the UN Committee on the Rights of the Child in 2013.¹⁴ The “low rate of prosecution for such crimes” and the “lack of awareness among children” about ways to report sex abuses are among the most pressing problems that must be tackled as part of any efforts to end sexual exploitation of children in travel and tourism in China.¹⁵

According to the National Bureau of Statistics, 23 per cent of the Chinese population had up to 19 years of age in 2012.¹⁶ Growing numbers of teenagers from China’s rural areas migrate to the cities in search of a better-paid job every year¹⁷ while trafficking is becoming “pronounced among China’s internal migrant population”.¹⁸ China’s Criminal Law narrowly defines trafficking as “abducting, kidnapping, buying, selling,

transporting, or transshipping women or children”¹⁹, a definition that fails to comply with international standards by excluding men as potential victims of this crime. Moreover, the United Nations Inter-Agency Project on Human Trafficking indicates that trafficking in women and children into China for forced labour and sexual exploitation is becoming “more prevalent” in several provinces.²⁰ Yet we still have very “limited public accessibility to reliable and comprehensive statistical data” in all areas concerning children but in particular regarding these current and emerging trends.²¹

The economic weight of the tourism and travel sector keeps growing, generating 9.3% of its GDP and employing 64.4 million Chinese in 2013.²² Meanwhile, the government aims to build a “moderately prosperous society” and more Chinese are travelling for business and leisure.²³ As these trends coincide, China has managed to lift over 500 million people out of poverty. However, its Gini coefficient shows a worryingly increase in income disparity, from 29.1 in 1981 to 42.1 in 2010²⁴, since the reform and opening up was launched in 1978.

In post-reform China, economic development has become the prominent political goal and arguably the ultimate proof of individual success. The availability of sex almost at every level of society, also involving underage individuals, is an expression of the deep social changes that China is undergoing, including an erosion of the family values rooted in the Confucian tradition.²⁵ On the back of these trends, sex consumption has emerged as a defining factor of elite male identities.

14. UN Committee on the Rights of the Child, “Concluding observations”.

15. Ibid., para. 45 (b).

16. National Bureau of Statistics of China, “China Statistical Yearbook 2013”, accessed 2 April 2015, <http://www.stats.gov.cn/tjsj/ndsj/2013/indexeh.htm>.

17. UNICEF, “Atlas on Children in China”.

18. U. S. Department of State (2014), “Country Narratives: China”, 2014 Trafficking in Persons Report, p. 132, accessed 23 December 2014, <http://www.state.gov/documents/organization/226845.pdf>.

19. People’s Republic of China, Criminal Law, art. 240.

20. UNIAF, “The Trafficking Situation in China”, accessed 2 April 2015, <http://www.no-trafficking.org/china.html>.

21. UN Committee on the Rights of the Child “Concluding observations”, para. 15-16.

22. WTTC, “Benchmarking Travel & Tourism in China”, p. 9.

23. Ross, John “‘Moderately prosperous society’ is key goal for China”, China.org.cn, 14 November 2012, accessed 10 February 2015, http://www.china.org.cn/opinion/2012-11/14/content_27108452.htm.

24. The Gini coefficient is one of the most widely used indicators of income inequality among individuals or households within a country. It ranges between 0, representing perfect equality, and 1, representing perfect inequality. More information available at The World Bank, “GINI index (World Bank estimate)”, accessed 10 February 2015, <http://data.worldbank.org/indicator/SI.POV.GINI>.

25. Jackson, “Reflections on Gender”, 1-32.

Moral values are often overlooked for the sake of financial benefit while those enjoying economic or political power appear to feel immune from prosecution when engaging in sex with minors.

Tourism development is mostly taking place in ethnic minority regions such as Yunnan, Sichuan and Tibet. The representation of ethnic minorities as an exotic 'other' by the government discourse, the tourism industry, journalists and even novelists is underpinning this trend. In the official narrative, the "civilised" Han are bringing prosperity and modernity to ethnic minorities -represented as a "backward" and wild other²⁶ through tourism and successive waves of Han migration to the western parts of the country.²⁷ In the light of this ethnic tourism trend, the local population of ethnic minority areas such as Hekou or Xishuangbanna appear to pin their hopes of further economic development on the increasing arrival of urban Chinese.²⁸

At the same time, the entertainment industry has developed rapidly in areas with strong economic growth on the eastern coast of the country. China's business culture involves frequenting entertainment venues as a necessary step in building trust among business partners. These areas of economic growth are, in turn, common destinations for business travellers from all over the world. According to the 2010 Census, child population is also concentrated in the south-eastern regions of the country.²⁹

In addition, minors living in the rural areas are increasingly migrating to the eastern part of the country either with their parents or alone once they reach an age where they are expected to provide for their families. They are part of the so-called "floating population", faced by a difficult administrative status once they resettle in China's urban centres. These children, as well as their parents, move without being registered as legal residents of the cities where they have come to live and work. This situation leaves them without access to social welfare resources in the cities, including schooling and healthcare.³⁰

Economic growth clearly presents new opportunities for child development, as indicated in the National Programme for Child Development (2011-2020) and, more broadly, for a wider social welfare provision. However, the ongoing economic and social changes

also leave key stakeholders faced by substantial challenges to ensure that child rights and wellbeing are effectively protected as these trends evolve. Responses to emerging challenges must be grounded on evidence-based data to effectively tackle the most pressing needs of Chinese children being sexually exploited in the travel and tourism context.

METHODOLOGY & LIMITATIONS

This desk study involved a review of the limited literature available on sexual exploitation of children in travel and tourism in China and by Chinese travellers abroad. The literature reviewed includes academic works, reports by governmental institutions, international organisations, NGOs, and the media. Early desktop research revealed a lack of information in most areas, including the very magnitude and characteristics of the problem in China and also in relation to Chinese child sex offenders abroad.

There are anecdotal reports and scattered quantitative data available pertaining to the phenomenon of sexual exploitation of children –but not specifically in the context of travel and tourism. It is thus difficult to extrapolate reliable national figures from the limited information available. Given the lack of research on the sexual exploitation of children in the travel and tourism context, this study presents accounts of sexual exploitation of children more broadly as an attempt to define who are the victims and what are the resources available for their recovery and reintegration.

Research of secondary sources included the last periodic report by the UN on China's progress on the implementation of the Convention on the Rights of the Child (CRC), information released by UNICEF China, and research conducted by prominent anthropologists, legal and public policy experts. Due to the lack of academic research specifically focused on the sexual exploitation of children in the context of travel and tourism, the study has widely used media sources to try to include as much information as possible on the cases that are being reported. It must be noted that the age limit in the sex work context often appears as an unclear concept owing to the fact that local people

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26. Hansen, Mette Halskov (1999), "The Call of Mao or Money? Han Chinese Settlers on China's South-western Borders", *The China Quarterly* 158 (June 1999): 394-413.
 27. Fischer, Andrew Martin (2008), "'Population Invasion' versus Urban Exclusion in the Tibetan Areas of Western China", *Population and Development Review* 34, no. 4 (2008): 643.
 28. Hyde, "Sex Tourism Practices", 143-62.
 29. UNICEF, "Atlas on children in China".
 30. Hansen, "The Call of Mao or Money?".

may not deem certain individuals as children despite the fact that they are minors from a legal perspective. Information regarding the involvement of underage women in these activities can be found scattered in accounts of sexual exploitation of women more generally.

Where available, statistics are provided. However, for instance with regards trafficking victims, there is no available disaggregated data by age, gender and purpose of trafficking, along with a complete lack of information regarding boys in general. With respect to child sex abuse more broadly, only scattered qualitative data has been identified with no indication as to the context in which such abuses took place. Likewise, it has proven difficult to gain access to information on the resources available nationally for the recovery and reintegration of minors who have been subject to sexual exploitation.

Efforts to collect information relevant to this study have included contacts with a number of scholars in China and abroad who work on child rights protection issues, government institutions, international and non-governmental organisations devoted to provide assistance to vulnerable children in China. We have not been able to include this information in all cases as per their request, but we would like to thank all of them for their invaluable input.

Despite the number of challenges facing this research endeavour, the report hopes to present a balanced overview of what we know so far regarding this phenomenon in China. Even more importantly, we hope that this effort will lead key stakeholders to take initiative in finding out the dimensions of the problem so that necessary responses are put into place to stop children being dragged into sexual exploitation in travel and tourism.

CHAPTER 2

WHERE ARE WE NOW?

Where are we now? Twenty years after the first World Congress against the Commercial Sexual Exploitation of Children in Stockholm, Sweden held in 1996.

This report will start by analysing China's legal framework to protect children from abuse and exploitation. It will then discuss current and emerging trends identified in the Chinese context with regards to sexual exploitation of children in travel and tourism. Thirdly, it will explore the responses to date from the government, civil society, as well as the corporate sectors. This study will conclude with recommendations for action to all key stakeholders to foster a better understanding of the phenomenon of sexual exploitation of children in travel and tourism in China and by Chinese travellers abroad, with the hope to eradicate this appalling and growing business.

LEGAL ANALYSIS

China has committed to be legally bound by a number of relevant international conventions pertaining to the protection of children's rights. The country ratified the Convention on the Rights of the Child in March 1992 and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography in December 2002. While the Optional Protocol also applies to the Macao Special Administrative Region (SAR), it does not, however, apply to the Hong Kong SAR, where the Basic Law "requires prior enactment of domestic legislation".³¹ In addition, China is a signatory of the International Covenant on Economic, Social and Cultural Rights since 2001, the ILO Convention on the Worst Forms of Child Labour since 2002, as

31. UN, "Signatories of the Convention on the Rights of the Child", UN Treaty Collection, end note 2, accessed 13 February 2015, https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-11-c&chapter=4&lang=en.

well as The Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption in 1993.³² Additionally, China has ratified extradition treaties, mutual legal assistance treaties and agreements on law enforcement cooperation regarding human trafficking with over 50 countries, including Vietnam, Cambodia, Laos and Thailand.³³

On a domestic level, the Chinese Constitution states that children “are protected by the State”, adding that their “maltreatment” is prohibited.³⁴ An expert on social work at Nankai University in Tianjin, Chen Zhonglin, interestingly points out that “in the past Chinese people regarded child protection only as a domestic issue, but now people understand it is a key component of social welfare and the government is responsible for it too”.³⁵ Overall, a low rate of prosecution for crimes of sexual abuse and exploitation against children prevails in China, Hong Kong and Macao, where child victims have a “limited access to justice” under the national legislation.³⁶

Nowadays, it is the Criminal Law that deals with several issues pertaining to the sexual exploitation of children (with no specific mention to the context of travel and tourism). The law criminalises acting “indecently” against a child.³⁷ More specifically, it stipulates that “whoever has sexual relations with a girl under the age of 14 shall be deemed to have committed rape” and be given a “fixed-term imprisonment of not less than ten years, life imprisonment or death”.³⁸ However, criticisms are often raised by children’s rights advocates over sentences being too lenient. For instance, in a case in 2012 where a group of Chinese government officials paid to have sex with a 12-year old girl in Shaanxi province, a local court classified their crime as “sex with an underage prostitute”.³⁹

In effect, Section VIII of the Criminal Law, which deals with “The Crime of Organising, Forcing, Seducing, Harboring, or Introducing Prostitution”, and article 360 in particular, stipulate that “those who visit young girl prostitutes under 14 years of age are to be sentenced to five years or more in prison in addition to paying a fine”.⁴⁰ Moreover, the law indicates that “those forcing young girls under the age of 14 into prostitution” are to be sentenced “to 10 years or more in prison or given a life sentence”.⁴¹ This means that the law makes a distinction between the crime of visiting “underage prostitutes” and that of child rape. Consequently, the sentences given to perpetrators of what is classified either as ‘child rape’ or soliciting an ‘underage prostitute’ also vary.⁴² The Criminal Law, nevertheless, does not make any specific reference to the crime of facilitating the prostitution of boys under 18 or girls between 14 and 18 years of age. Only the Law on the Protection of Minors (1991) stipulates that those who lure, instigate or force a minor into prostitution should be given “heavier punishment”⁴³ than cases involving adults.

A number of media reports have exposed sentences by local courts that do not regard having sexual intercourse with a girl under 14 as statutory rape when: a) the perpetrator was ignorant of the age of the child; and b) has a reportedly “consented” relationship. The assessment on whether these two conditions can be accepted as mitigating factors is conducted on a case-by-case basis and largely depends on the court responsible for a case, as this is not specified in the law. If the offender paid for such a relationship, he can be prosecuted for the crime of visiting an “underage prostitute”.⁴⁴ In contrast to this arguably light punishment for perpetrators, the Law on the Prevention of Juvenile Delinquency includes “conducting prurience, eroticism and prostitution” among the “seriously adverse acts of minors” that need “correction and cure” but do not carry criminal liability.⁴⁵

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32. Zhang, Laney (2007), “China Children’s Rights”, The Law Library of Congress, August 2007, p. 62, accessed 9 December 2014, <http://www.loc.gov/law/help/child-rights/pdfs/Children's%20Rights-China.pdf>.
 33. UN-ACT China (2004), “Country Paper against Trafficking in Women and Children (打击拐卖妇女和儿童问题国家报告)”, 28 July 2004, accessed 2 April 2015, <http://www.notip.org.cn/article/Details.asp?LanFlag=2&NewsId=1740&classid=29&BID=>.
 34. Government of the People’s Republic of China (1982), “Constitution of the People’s Republic of China (中华人民共和国宪法)”, art. 49, accessed 9 December 2014, http://www.npc.gov.cn/englishnpc/Constitution/node_2825.htm.
 35. Branigan, Tania, “Baby 59 case highlights shortcomings of child protection system in China”, Guardian, 31 May 2013, accessed 7 November 2014, <http://www.theguardian.com/world/2013/may/31/baby-59-child-protection-china>.
 36. UN Committee on the Rights of the Child, “Concluding observations”, para. 45.
 37. People’s Republic of China, Criminal Law, art. 237.
 38. Ibid., art. 236.
 39. Burkitt, Laurie, “A Loophole for Pedophiles in China’s Prostitution Laws”, Wall Street Journal, 13 March 2012, accessed 7 November 2014, <http://blogs.wsj.com/chinarealtime/2012/03/13/a-loophole-for-pedophiles-in-chinas-prostitution-laws/>.
 40. People’s Republic of China, Criminal Law, art. 360.
 41. People’s Republic of China, Criminal Law, art. 358.
 42. Mu, Xuequan, “China mulls tougher penalty for sex with underage prostitutes”, Xinhua, 9 March 2014, accessed 17 December 2014, http://news.xinhuanet.com/english/china/2014-03/09/c_126241774.htm.
 43. Government of the People’s Republic of China (1991), “Law of the People’s Republic of China on the Protection of Minors [中华人民共和国未成年人保护法(2012修正)]”, art. 53, accessed 7 November 2014, <http://www.lawinfochina.com/display.aspx?lib=law&id=5624&CGid=>.
 44. People’s Republic of China, Criminal Law, art. 360.
 45. Government of the People’s Republic of China (1999), “Law on the Prevention of Juvenile Delinquency (中华人民共和国预防未成年人犯罪法)”, art. 34, accessed 12 December 2014, <http://www.lawinfochina.com/display.aspx?lib=law&id=4852&CGid=>.

Moreover, the Law on the Protection of Minors states that parents should educate minors “in sound ideology” to stop them from getting into prostitution.⁴⁶ In line with Confucian values, this “sound ideology” entails a view of an “appropriate” woman as chaste and virgin until marriage, and acting as passive parties in sexual encounters. Girls are traditionally expected to follow such behaviour and get married once they reach their mid-twenties in order to fulfil the most important filial duty, that is continuing the family line and taking care of the elders.⁴⁷ Despite the substantial changes seen in social values over recent years especially in Chinese cities, traditional conceptions of appropriate behaviour of young women are still present in the laws and news stories on official media. These conceptions affect the way minors working in the sex trade and their families are publicly presented and, hence, influence social perceptions about them. They often seem represented as individuals who deviate from the “sound ideology” for the sake of money.

According to professor Tong Xiaojun, from the Social Work Research Centre in the China Youth University for Political Studies, “the ideology behind it is that the children are willing and able to do this” but she argues that “the responsibility should be fully put in the adult world instead”.⁴⁸ Zhen Yan, vice chairman of the All-China Women’s Federation, a state-controlled NGO, also argues “that China’s laws inadequately protect children against sexual crimes”.⁴⁹ Children’s rights advocates, thus, hold that only continued public pressure can bring about a change in legislation to better protect children from sexual exploitation.⁵⁰

Over recent decades, lawyer Lu Xiaoquan, who works with the Beijing Zhongze Legal Advice Centre for Women, and a number of children’s rights activists and parents have been calling for replacing the criminal law on underage prostitution with child rape to avoid the stigma associated with prostitution onto child victims of

sexual exploitation.⁵¹ The All-China Women’s Federation launched a signature campaign in 2011 but all attempts were unsuccessful until recently.⁵² In July 2014, the PRC Supreme Court stated that “it would seek to push for legislative action to remove it [the child prostitution charge] from the criminal code”.⁵³ Moreover, since the end of 2014 substantial steps have been taken in this regard. During the annual session of the National People’s Congress, China’s parliament, in March 2015 deputies and legal experts discussed the need to remove the child prostitution charge from the Criminal Law. Following this decision, legal experts are currently working on introducing substantial changes to China’s laws to better protect children from sexual exploitation.⁵⁴

It must be noted that prostitution in China was officially abolished soon after the Communist Party came to power in 1949. The Chinese government claimed that thanks, to a great extent, to this decision sexually transmitted diseases had disappeared in the early 1960s.⁵⁵ The Rules on the Control of and Punishment Concerning Public Security of the People’s Republic of China, adopted in October 1957, were the first legislation banning prostitution. Yet severe punishments for sex workers and their clients were introduced in 1979 with the Criminal Law of the People’s Republic of China.⁵⁶ Notwithstanding these laws, the Reform and Opening Up policies introduced by Deng Xiaoping in the late 1970s generated new opportunities for a flourishing sex industry in China, where children are being dragged into today.⁵⁷

Sex work remains a deeply stigmatised activity in Chinese society. From a legal standpoint, Re-Education through Labour Camps, where prostitutes and other “minor offenders” used to be sent to, were formally abolished at the end of 2013.⁵⁸ However, public security organs are still entitled to force adult sex workers and their clients to take part in a compulsory ‘Custody and Education’ system that can

46. People’s Republic of China, Protection of Minors Law, art. 10.

47. Jackson, “Reflections on Gender”, 1-32.

48. Boehler, Patrick, “Judicial bodies under fire over loopholes in child sex abuse legislation”, South China Morning Post, 6 January 2014, accessed 10 November 2014, <http://www.scmp.com/news/china-insider/article/1396735/judicial-bodies-under-fire-over-age-consent-loophole-legislation>.

49. Burkitt, “A Loophole for Pedophiles”.

50. Ibid.

51. Boehler, “Judicial bodies under fire”.

52. Lam, Oiwan, “China: Outrage as ‘Underage Prostitution’ Law Protects Child Rapists”, Global Voices, 8 December 2011, accessed 7 November 2014, <http://globalvoicesonline.org/2011/12/08/china-outrage-as-underage-prostitution-law-protects-child-rapists/>.

53. Boehler, “Judicial bodies under fire”.

54. Liu, Kiki, “China’s Landmark Case on the Solicitation of Underage Prostitution”, Women of China, 7 March 2015, accessed 20 March 2015, <http://www.womenofchina.cn/womenofchina/html1/features/rights/1503/862-1.htm>.

55. Jeffreys, Elaine (2004), “China, Sex and Prostitution”, London and New York: Routledge, 96.

56. Ruan, Fang-fu and Matsumura, Molleen (1991), “Sex in China: Studies in Sexology in Chinese Culture”, New York: Plenum Press, 76-77, 98-99.

57. O’Connell Davidson, Julia (2001), “Children in the Sex Trade in China”, Save the Children, p. 6, accessed 4 November 2014, <http://resourcecentre.savethechildren.se/sites/default/files/documents/2400.pdf>.

58. Von Hein, Matthias, “No end to China’s notorious re-education camps”, Deutsche Welle, 15 January 2014, accessed 18 December 2014, <http://www.dw.de/no-end-to-chinas-notorious-re-education-camps/a-17362570>.

last between six months and two years.⁵⁹ During this time, women are reportedly forced to perform manual labour in ‘Custody and Education’ centres spread across the country.⁶⁰ In addition, prostitutes and their clients can be detained from 10 to 15 days, according to the Public Security Administration Punishments Law.⁶¹ Chinese law does not specify what is allowed as evidence of sex work and a number of accounts expose humiliating situations faced by sex workers upon detention.⁶²

In Hong Kong, the Basic Law grants the region certain degree of autonomy except for foreign affairs and defence issues. Consequently, Hong Kong has its own Crimes Ordinance regulating crimes of sexual abuse or exploitation of children, with no reference to the travel and tourism sector specifically. Within Chapter 200, sections 123, 124 and 132 outlined very similar definitions and punishments for such crimes as the ones included in China’s Criminal Law. Unlawful sexual intercourse with a girl under 13 may carry life imprisonment while the same act with a minor under 16 could mean up to five years in jail.⁶³ In addition to what can be regarded as lenient punishments, it must be noted that these regulations only provide protection for girls and not boys.

Furthermore, Hong Kong’s laws set the age of sexual consent at 16, leaving minors above 16 in an unclear situation, which is inconsistent with international legal standards. The main provision centred on sexual exploitation of children of Hong Kong’s Crimes Ordinance is Section 135: “A person who causes or encourages the prostitution of or an unlawful sexual act with a girl or boy under the age of 16 (...) shall be liable on conviction on indictment to imprisonment for 10 years”.⁶⁴ In addition, Hong Kong SAR criminal legislation gives sexual offenses against children extraterritorial effect.⁶⁵

The Macau SAR also has its own criminal law. In

Macau’s Penal Code, the key provisions dealing with sexual exploitation of children are articles 166 to 170. Here some of the aforementioned gaps can also be identified. These include the lack of regulations referring to abuses committed against boys and legal protection only granted to girls up to 16 years of age. For instance, article 166 stipulates jail terms between three to ten years to those who commit sexual offenses against girls under 14.⁶⁶ Having intercourse with minors between 14 and 16 is defined as rape and those found guilty of such crime can face imprisonment of up to four years.⁶⁷ However, article 169 stipulates that committing “sexual acts with minors” between 14 and 16 years of age can lead to a three-year jail term with no clear explanation as to how these two crimes, ‘rape’ and ‘committing sexual acts with minors’, differ.⁶⁸

When dealing with child protection against sexual exploitation and abuse in China, the head of the sociology and social work department at Xi’an’s Northwestern University, Xue Xinya, notes that many people lack awareness of sexual abuse in China, “partly because they did not want to discuss issues related to sex”. Professor Xue indicates that “you can find books to help children learn how to avoid fires and other disasters but you cannot find any helping children to protect themselves in this regard”. While conducting a survey in middle schools across the country, she was criticised by teachers for her “inappropriate questions”. Referring to one of her interviews, she explains: “The teachers did not understand it. But one girl cried immediately when she saw the questionnaire – we knew it had happened”.⁶⁹

Although there is no legislation dealing specifically with the sexual exploitation of children in travel and tourism, the Criminal Law points out that: “personnel of hotels, restaurants, entertainment industry, taxi companies, and other units who take advantage of their units’ position to organise, force, seduce, harbour, or introduce others

59. Standing Committee of the National People’s Congress (1991), “Decision of the Standing Committee of the NCP on Strictly Prohibiting Prostitution and the Visiting of Prostitutes (全国人民代表大会常务委员会关于严禁卖淫嫖娼的决定)”, 4 September 1991, art. 4, accessed 15 December 2014, http://www.npc.gov.cn/wxzl/gongbao/2000-12/05/content_5004558.htm.

60. U. S. Department of State (2014), “Country Narratives: China”, 132.

61. Government of the People’s Republic of China (2005), “Public Security Administration Punishments Law (中华人民共和国治安管理处罚法)”, 28 August 2005, art. 66, accessed 15 December 2014, <http://www.lawinfochina.com/display.aspx?lib=law&id=4549&CGid=->.

62. Asia Catalyst (2013), “Custody and Education: Arbitrary Detention for Female Sex Workers in China”, December 2013, pp. 14, 21, accessed 9 December 2014, http://asiacatalyst.org/wp-content/uploads/2014/09/AsiaCatalyst_CustodyEducation2013-12-EN.pdf.

63. Government of Hong Kong SAR (1997), “Crimes Ordinance: Chapter 200”, sec. 123, 124, 132, accessed 16 February 2015, [http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/46A02C9D714527F1482575EE004C2BC1/\\$FILE/CAP_200_e_b5.pdf](http://www.legislation.gov.hk/blis_pdf.nsf/6799165D2FEE3FA94825755E0033E532/46A02C9D714527F1482575EE004C2BC1/$FILE/CAP_200_e_b5.pdf).

64. Hong Kong SAR, “Crimes Ordinance”, sec. 135.

65. ECPAT International (2012), “Country Monitoring Report: Hong Kong SAR”, Bangkok: ECPAT, p. 13, accessed 12 February 2015, http://www.ecpat.net/sites/default/files/Global_Monitoring_Report_HK%20SAR.pdf.

66. Government of Macau (1995), “Penal Code”, 14 November 1995, art. 166-170, accessed 16 February 2015, <http://bo.io.gov.mo/bo/i/95/46/codpenpt/codpen0101.asp>.

67. Ibid., art. 168.

68. Ibid., art. 70.

69. Branigan, “Baby 59 case”.

to prostitution are to be convicted and punished”.⁷⁰ Neither the Criminal Law nor the recently introduced Tourism Law of the People's Republic of China include any reference to travelling child sex offenders.⁷¹

The Tourism Law took effect in October 2013 with the stated goal to ensure “the sustainable and sound development of the tourist industry”.⁷² It points out that “tourists may not damage the lawful rights and interests of local residents”,⁷³ and advises travel agencies to terminate contracts when a “tourist is engaged in illegal activities or activities that violate social morality”.⁷⁴ However, no cases have been reported as of early 2015 against travelling child sex offenders on the basis of this new law. Furthermore, the Regulations on the Administration of Entertainment Venues (2006) stipulate that no singing or dancing entertainment venue should employ minors (article 24). The Regulations also indicate that entertainment venues should place warning marks against prostitution (article 30), but it fails to recommend any particular monitoring systems or controls to avoid the sexual exploitation of minors in these places.⁷⁵

In addition, it is worth pointing out that, traditionally, domestic violence was regarded a private family matter not concerning the government.⁷⁶ The term “domestic violence” was included for the first time in Chinese legislation in 2001 in an amendment to the Marriage Law of China.⁷⁷ A draft of the country's first ever law against domestic violence was released by the State Council, China's cabinet, in November 2014. The draft law, advocated by the All-China Women's Federation, is currently under review by the Legislation Working Committee of the National

People's Congress and expected to be adopted by the end of this year. While the current draft adds clarity to the issue by putting forward a legal definition of the term, it still leaves the unmarried, divorced and homosexual couples unprotected. Sexual violence is not covered either.⁷⁸

With regards to pornographic materials, the Criminal Law punishes the production and dissemination of them while there are no specific regulations centred on child pornography, live streaming or online grooming in particular.⁷⁹ Furthermore, as previously indicated, human trafficking is regarded by Chinese law as a phenomenon affecting only women and children.⁸⁰ The Marriage Law of the People's Republic of China (1981) outlaws forced marriages as well as marriages with minors⁸¹ although evidence shows that this is a persistent problem.⁸²

As has been discussed, Chinese legislation presents significant gaps in the protection of children from sexual exploitation in travel and tourism. While new laws are being developed to improve the legal framework to protect children, its effectiveness will largely depend on enforcement. In October 2013, key judicial institutions –namely the Supreme People's Court, Supreme People's Procuratorate, Ministry of Public Security, and Ministry of Justice- jointly issued a set of guidelines dealing specifically with punishments against child sex offences.⁸³ According to Zhang Junpu, with the Supreme People's Court, “the main purpose of this joint opinion is to unify the understanding and methods to handle these crimes. It also aims to improve the efficiency with which these cases are handled and increase the efforts to combat them”.⁸⁴

70. People's Republic of China, Criminal Law, art. 361.

71. Government of the People's Republic of China (2013), “Tourism Law (中华人民共和国旅游法)”, accessed 12 December 2014, <http://www.lawinfochina.com/display.aspx?lib=law&id=13090&CGid=>

72. People's Republic of China, Tourism Law, art. 1.

73. Ibid., art. 14.

74. Ibid., art. 66.

75. Government of the People's Republic of China (2006), “Regulations on the Administration of Entertainment Venues (娱乐场所管理条例)”, 29 January 2006, accessed 10 February 2015, <http://www.lawinfochina.com/Display.aspx?lib=law&CGid=73419>.

76. Liu, Kiki, “Enormous Progress Has Been Made with Regards to the Legislation of Anti-domestic Violence Law”, Women of China, 26 November 2014, accessed 16 December 2014, <http://www.womenofchina.cn/womenofchina/html1/1412/926-1.htm>.

77. Chen, Tingting (2013), “Breaking Pattern of Silence over Domestic Violence in China”, The Asia Foundation, 30 October 2013, accessed 15 December 2014, <http://asiafoundation.org/in-asia/2013/10/30/breaking-pattern-of-silence-over-domestic-violence-in-china/>.

78. “China drafts first national domestic violence law”, BBC, 26 November 2014, accessed 12 December 2014, <http://www.bbc.com/news/world-asia-china-30210744>.

79. People's Republic of China, Criminal Law, art. 364-367.

80. Ibid., art. 240.

81. Government of the People's Republic of China (1981), “The Marriage Law (中华人民共和国婚姻法)”, art. 3, 6, 11, accessed 16 December 2014, <http://www.lawinfochina.com/display.aspx?lib=law&id=11&CGid=>

82. Yan, Zhang, “Police to target websites touting foreign brides”, China Daily, 15 September 2014, accessed 25 November 2014, http://usa.chinadaily.com.cn/china/2014-09/15/content_18598668.htm.

83. The Supreme People's Court, The Supreme People's Procuratorate, The Ministry of Public Security, and Ministry of Justice Opinion on Punishing Sexual Violations of Minors, “Opinions of four departments to punish the crime of sexual abuse of minors (四部门关于依法惩治性侵害未成年人犯罪的意见)”, 25 October 2013, accessed 5 April 2015, http://www.spp.gov.cn/zdgz/201310/t20131025_63797.shtml.

84. “Four ministries jointly issue Opinions on child sex abus”, CCTV, 25 October 2013, accessed 3 March 2016, <http://english.cntv.cn/program/china24/20131025/101255.shtml>.

CHAPTER 3

WHAT ARE THE NEW AND EMERGING TRENDS?

China is home today to 274 million children and almost 25 per cent of them live in poverty. As the rural-urban inequality keeps growing, the flows of rural residents migrating to Chinese cities in search of jobs have significantly affected the lives of over a hundred million children. According to the 2014 UNICEF's Atlas on Children in China, about 36 million of Chinese children have migrated to the cities with their parents. Meanwhile, 70 million have been "left behind" in rural areas in the care of their relatives. And nearly 2 million live alone,⁸⁵ becoming vulnerable to being trafficked, sexually exploited or dragged into other forms of forced labour.⁸⁶

In addition, the household registration system, or hukou, which links access to public services to a person's place of origin, seems to have acted as a significant push factor for the lack of registration of almost 13 million minors.⁸⁷ The legal limbo in which these children find themselves determines their access to education, health services and employment. A similar situation awaits those minors who travel to the cities with their parents but are still being officially labelled as rural residents.⁸⁸

More importantly, a traditional preference for sons has resulted in a skewed sex ratio of 118 boys born for every 100 girls as of 2014.⁸⁹ As a result of this preference and the one-child policy, China's population appears to be "aging and increasingly male".⁹⁰ This seems to suggest that the demand for prostitution

and forced marriages will most likely keep increasing in the country over the coming decades.

According to the 2014 Trafficking in Persons Report, China is "a source, destination, and transit country for men, women, and children subjected to forced labour and sex trafficking".⁹¹ Evidence shows that international criminal rings and local gangs are instrumental in the trafficking of Chinese women and girls to foreign countries and inbound trafficking into China. Adults and minors from Myanmar, Vietnam, Laos, Mongolia and North Korea -as well as Africa and America to a lesser extent- are reportedly trafficked for sexual exploitation into China. Some of them are recruited through marriage brokers but end up being forced into prostitution upon their arrival in China.⁹² Others move to China to voluntarily work in the country's booming sex trade with the expectation to send money home given the higher income provided by this type of work.⁹³

It is important to note that trafficking of minors in China is not only related to sexual exploitation but also to forced marriages, forced labour and illegal adoptions.⁹⁴ This distinction often becomes blurry in official data as the government releases aggregated data of human trafficking cases. Figures tend to become available when the Ministry of Public Security, which is responsible for prosecuting and preventing human trafficking, launches crackdowns against organised crime groups.⁹⁵ Official data shows that a total of 13,723 cases of trafficking in children were detected between 2009 and 2013.⁹⁶

85. UNICEF, "Atlas on children in China".

86. Wu, Yuwen, "The abuse of China's 'left-behind' children", BBC, 12 August 2013, accessed 5 November 2014, <http://www.bbc.com/news/world-asia-china-23628090>.

87. UNICEF, "Atlas on Children in China".

88. Zhou, Yingying (2005), "Uncovering Children in Marginalization: Explaining Unregistered Children in China", 14 June 2005, accessed 6 January 2015, <http://iussp2005.princeton.edu/papers/50479>.

89. UNICEF, "Atlas on children in China".

90. UNICEF, "Annual Report 2013 – China", accessed 17 November 2014, http://www.unicef.org/about/annualreport/files/China_COAR_2013.pdf.

91. U. S. Department of State (2014), "Country Narratives: China", 132.

92. Ibid.

93. Ding, Yu and Ho, Petula Sik Ying (2008), "Beyond Sex Work: An Analysis of Xiaojies' Understandings of Work in the Pearl River Delta Area, China", in *East Asian Sexualities: Modernity, Gender and New Sexual Cultures*, eds. Jackson, Stevi, Liu, Jieyu and Juhyun Woo, London & New York: Zed Books, 123-140.

94. Zheng, Tiantian, "China: Sex Work and Human Trafficking (Part 1)", Fair Observer, 19 August 2013, accessed 17 November 2014, http://www.fairobserver.com/region/asia_pacific/china-sex-work-human-trafficking-part-1/.

95. Yan, Zhang, "Efforts boosted against human trafficking", China Daily, 22 January 2013, accessed 25 November 2014, http://www.chinadaily.com.cn/china/2013-01/22/content_16150717.htm.

96. UNICEF (2015), "Number of trafficking cases involving young children and women, 2000–2013", 10 January 2015, accessed 3 March 2016, <http://www.unicef.cn/en/index.php?m=content&c=index&a=show&catid=207&id=909>.

According to the UNIAP, about 50 to 60% of victims are trafficked to feed the entertainment industry. Girls between 16 and 20 years old appear to be increasingly becoming the main targets of these trafficking networks.⁹⁷

When available, official information on prostitution-related offences rarely includes data on the ages of those involved. And statistics about child sex abuse fail to show whether the minors were involved in the sex trade when the offences took place. The founder of the Beijing-based Maple Women's Psychological Counselling Centre, Wang Xingjuan, explains that over 1,700 child sex abuse cases were reported between 2008 and 2011 in Guangdong province.⁹⁸ Interestingly, Dongguan in Guangdong province is home to several electronic equipment and textile factories providing commodities that are sold by multinationals across the world. For this reason, it is also a regular destination for business travellers both from China and abroad.⁹⁹

More recently, the All-China Women's Federation quoted official statistics showing that a total of 503 cases of sexual assault against girls were reported in 2014, the majority of them involving victims between 7 and 14 years of age.¹⁰⁰ Such low figures of reported cases bring experts such as Wang Dawei, criminologist in the People's Public Security University of China, to point out what is allegedly a worldwide trend: that "behind every reported sex abuse case [affecting children], there might be six hidden cases unreported".¹⁰¹ Children might be fearful and ashamed to report a sex crime or might not be even aware that such an abuse has been committed against them.

Culturally, sex in China is regarded as a private matter and parents do not discuss it with their children.¹⁰² Despite the fact that the Ministry of Education prescribes mandatory sex education classes, many schools across the country fail to provide students with such

classes, according to a survey conducted in 2013 by the newspaper Beijing News and the Maple Women's Psychological Counselling Centre.¹⁰³ Insufficient funds and the fact that sex education is not a test topic in China's exam-oriented education system are blamed for this situation.¹⁰⁴ As a result, Chinese children appear to receive little information about sexual offences and have a "weak awareness or capability" to protect themselves from such offences.¹⁰⁵

From a political perspective, child trafficking and prostitution are also sensitive issues in China.¹⁰⁶ On the one hand, the Chinese Communist Party partially anchors its moral legitimacy as the nation's ruler to being the guarantor of social order and "harmony".¹⁰⁷ Therefore, acknowledging the sexual exploitation of children becomes challenging. On the other hand, a number of Chinese local officials have been found to be involved in child sex abuses¹⁰⁸ or to benefit from taking bribes to turn a blind eye to the flourishing sex industry.¹⁰⁹

While acknowledging sexual exploitation of children and increasing transparency about it presents a number of political challenges, the economic weight of China's tourism industry must be considered when exploring the problem within the context of travel and tourism. According to the World Travel and Tourism Council, the industry generated 9.3% of China's GDP in 2013 with a total impact of \$817 billion, larger than the size of the automotive and education sectors.¹¹⁰ The Council forecasts that China's tourism GDP will grow at an average of 6.6% yearly over the next decade.¹¹¹ Moreover, the travel and tourism industry, which is highly interconnected with a country's entire economy, has by definition a significant direct impact on the entertainment and recreation sector.¹¹² And these appear to be the locations where most cases of sexual exploitation of children in travel and tourism are allegedly taking place in China.¹¹³

97. UNIAP, "Who is being trafficked in China?", accessed 22 December 2014, http://www.no-trafficking.org/china_who.html.

98. Wu, "The abuse of China's 'left-behind' children".

99. Xin, Zhiming, "Dongguan: 'Sin City' and economic restructuring", China Daily, 11 February 2014, accessed 6 January 2015, http://www.chinadaily.com.cn/opinion/2014-02/11/content_17277525.htm.

100. Liu, "China's Landmark Case".

101. Wu, "The abuse of China's 'left-behind' children".

102. Tatlow, Didi Kirsten, "When Parents Need Help with the Facts of Life", New York Times, 4 June 2014, accessed 5 January 2015, <http://sinosphere.blogs.nytimes.com/2014/06/04/when-parents-need-help-with-the-facts-of-life/>.

103. "90 pct Chinese parents support sex education", Xinhua, 3 June 2013, accessed 24 December 2014, http://news.xinhuanet.com/english/china/2013-06/03/c_132427136.htm.

104. Tatlow, "When Parents Need Help".

105. "90 pct Chinese parents".

106. O'Connell Davidson, "Children in the Sex Trade", 8.

107. Baxter, Tom, "China's Communist Party Plenum Focuses On Rule Of Law, But Not As The West Sees It", International Business Times, 19 October 2014, accessed 6 January 2015, <http://www.ibtimes.com/chinas-communist-party-plenum-focuses-rule-law-not-west-sees-it-1707504>.

108. Zheng, "China: Sex Work and Human Trafficking".

109. "8 policemen probed for allegedly harbouring prostitution", Xinhua, 21 April 2014, accessed 17 December 2014, http://news.xinhuanet.com/english/china/2014-04/21/c_133279272.htm.

110. World Travel and Tourism Council, "Benchmarking Travel & Tourism in China".

111. Ibid., 11.

112. Ibid., 7.

113. O'Connell Davidson, "Children in the Sex Trade".

Interestingly, domestic travel spending (90.9%) is far more important than foreign visitor spending (9.1%).¹¹⁴ Media reports also show a steady decline of international visitors to China over recent years. According to Dai Bin, president of the China Tourism Academy, a research institute affiliated to the China National Tourism Administration,¹¹⁵ this diminishing trend started in the first quarter of 2012.¹¹⁶ In contrast to this decline, domestic tourism keeps growing. In 2013, Yunnan, Sichuan, Qinghai, Shanxi, Anhui and Xinjiang are the provinces that experienced highest growth rates, of at least 30%, in tourism income.¹¹⁷ Meanwhile, Hong Kong and Macau remain the top two preferred destinations among travellers from mainland China.¹¹⁸

THE VICTIMS

When trying to identify patterns of how sexual exploitation of children in travel and tourism takes place in China, the literature presents somewhat conflicting views. Professor of Sociology Julia O'Connell Davidson, who conducted a study about 'Children in the Sex Trade in China' in 2001, argues that minors tend to work alongside adults based on her "fact finding trip" to Hong Kong and Yunnan province.¹¹⁹ Local NGOs interviewed by ECPAT for this study claim that the official number of minors sexually exploited in China appears to be low. It is reportedly a very hidden and underground business, affecting girls in their mid to late teens, as young as 15 or 16, and the perpetrators are allegedly mainly Chinese men. Organisations and individuals working with sex workers in China consistently point out that local officials appear to be involved in a significant number of cases.¹²⁰

Officials seem to feel protected by some degree of impunity due to their status and power in China's society. In addition, corrupt officials have long taken advantage of an invisible type of prostitution whereby

sexual favours, sometimes involving minors, are offered to them with the expectation to receive some form of patronage or recompense in exchange. This practice is "neither viewed nor handled" as prostitution and, thus, officials appear exempted from any potential punishment associated with buying sex from minors, let alone adults.¹²¹

Referring to adults, Professor of Anthropology at State University of New York, Cortland, Zheng Tiantian, who has explored the intersection between sex work and human trafficking in China over the past decade, claims that "to date, research on human trafficking in China has found little or no evidence of sex workers being forced into sex work".¹²² Furthermore, Pan Suiming, a leading expert in sexual sociology in China and former director of the Institute of Sexuality and Gender at Renmin University's Department of Sociology, interviewed over a thousand young women working as prostitutes, as well as hundreds of pimps and male clients across 23 red-light districts in mainland China between 1998 and 2010.¹²³ The study also argues that most adult sex workers in mainland China are voluntary rather than forced.¹²⁴

Among cases of commercial sexual exploitation of children reported by local NGOs, international organisations and the media, it appears that a large majority of the girls come from rural areas. Pan Suiming points out a number of contributing factors for a "young rural woman" to enter into the sex trade: 1) lacking a social network which can help her to depart from her hometown, wait for a job, or to become a factory labourer; 2) having already lost her virginity, abandoned by her boyfriend, or divorced; 3) meeting a woman who acts as a broker or having a friend who is already a sex worker.¹²⁵ Furthermore, a report by the Economic and Social Commission for Asia and the Pacific also shows that girls who had been victims of commercial sexual exploitation in Yunnan shared similar backgrounds: "A

114. In terms of their direct travel and tourism GDP contribution in 2013: WTTC, "Travel & Tourism", 6.

115. China does not have a Ministry of Tourism. The China National Tourism Administration (CNTA) is the highest ranking government institution responsible for developing and regulating China's tourism industry. The CNTA is directly regulated by the State Council, China's cabinet.

116. Feng, Bree, "Beijing Battles Decline in Tourism", New York Times, 19 December 2014, accessed 24 December 2014, <http://sinosphere.blogs.nytimes.com/2014/12/19/beijing-battles-decline-in-tourism/?ref=world>.

117. Chen, Te-Ping, "Forget Beijing: Where China's Tourist Hordes Are Travelling", Wall Street Journal, 9 April 2014, accessed 3 December 2014, <http://blogs.wsj.com/chinarealtime/2014/04/09/forget-beijing-where-chinas-tourist-hordes-are-traveling/>.

118. Grant, "Top 25 Most Popular Destinations".

119. O'Connell Davidson, "Children in the Sex Trade", 8.

120. E-mail communications with NGOs concerned with recovery and reintegration of adult sex workers in China during November and December of 2014.

121. Jeffreys, "China, sex and prostitution", 104.

122. Zheng, "China: Sex Work and Human Trafficking".

123. "China's Godfather of Sexology Says Prostitution in China is Voluntary (中国性学教父：小姐入行很少被逼 多数是自愿)", Wenxuecity, 17 April 2014, accessed 16 December 2014, <http://www.wenxuecity.com/news/2014/02/25/3046055.html>. English translation available at: <http://www.echinacities.com/china-media/Chinas-Godfather-of-Sexology-Says-Prostitution-in-China-is-Voluntary>.

124. Ibid.

125. Pan, Suiming (1997), "Study in social organizations of three illegal 'red light' districts (People's Republic of China)", HIV/AIDS Best Practices - Summary Booklet of Best Practices - Issue 1, accessed 3 March 2016, <http://collections.infocollections.org/ukedu/uk/d/Jh0925e/17.1.html#Jh0925e.17.1>.

low level of education, lack of employment opportunities and, for some girls, prior sexual abuse. The second set of reasons concerned their family and community life. The parents were often separated or divorced, had a low educational level, and were poor".¹²⁶

Shanghai, regarded as China's financial capital, has become a hotspot for China's sex trade catering to national and foreign businessmen and tourists.¹²⁷ Along with Dongguan's growth of manufacturing businesses and warehouses, saunas with multiple floors,¹²⁸ back-street brothels and casino resorts have proliferated across the city.¹²⁹ Similarly, Shenzhen, China's first Special Economic Zone in 1980 and a hub for the manufacturing and services industries,¹³⁰ has followed suit in the sex trade meeting an increasing demand from Hongkongese, international travellers and migrant men from China's rural areas.¹³¹ It is no coincidence that Guangdong province, where both Dongguan and Shenzhen are located, has the largest GDP among China's provinces.¹³²

Some of the main red light districts in the country are also Dashilan in Beijing, Simalu in Shanghai, Lingkhori in Lhasa or Portland Street in Hong Kong.¹³³ Therefore, China's booming sex industry appears to be thriving in the most economically developed areas along with popular domestic tourist spots. Following a series of reports on national media, local authorities launched a crackdown on sex work venues in Dongguan that has been ongoing since February 2014.¹³⁴ This campaign appears to be forcing some venues to operate underground, especially in areas where the sex trade had become too visible for Chinese authorities.

During interviews conducted by Hong Kong-based NGO Ziteng in tourism destinations such as Macau and Hong Kong, some Chinese sex workers reported

having entered the sex trade when they were 16 or 17 years old.¹³⁵ Across Chinese cities, massage parlours, karaoke bars, strip clubs often operate as brothels, and some of them allegedly employ minors. However, NGOs approaching women in these venues point out that it is always difficult to confirm the girls' ages because they often lie about their experiences until the NGO workers are able to gain their trust over time.¹³⁶

Based on his ethnographic study, Pan Suiming explains that sex workers are commonly recruited by ads for waitresses, karaoke girls, singers and servers. He claims that migrant girls from rural areas (in their teenage years) often realise what is behind such an ad or might come to realise it during the interview if the boss asks to have dinner with him or recommends buying new clothes for the job. However, the prospect of much higher earnings in this type of job compared to factory salaries often acts as a persuasive factor to enter into prostitution.¹³⁷ Pan concludes that if the girls only want to get involved in "clean work", then they would leave and go somewhere else. Moreover, his study exposes cases of girls advertising themselves as virgins in Sichuan, one of the most popular destinations among tourists in mainland China, where a girl can reportedly sell her virginity for over Rmb 5,000 (\$800).¹³⁸

A diversity of beliefs about what sexual encounters with virgins can bring to manhood among East Asian males, including Chinese, seems to be a prominent driving force behind this trade in virgins. It appears to be widely assumed that the number and age of a man's sexual partners has a crucial impact on how quickly he can expect to age. As a result, men believe that by having numerous sex encounters with as young a female as possible they can become "much younger" and enjoy a stronger life vitality for longer time.¹³⁹

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126. ESCAP (2000), "Sexually Abused and Sexually Exploited Children and Youth in the Greater Mekong Subregion", New York: United Nations, 53.
127. Gordon, Susie. "Sin City: Is Shanghai Still the Whore of the Orient", *Echinacities*, 26 April 2011, accessed 6 November 2014, <http://www.echinacities.com/Shanghai/city-guide/Sin-City-Is-Shanghai-Still-the-Whore-of-the-Orient>.
128. Ibid.
129. "3,033 captured in China's prostitution crackdown", *Xinhua*, 12 June 2014, accessed 17 December 2014, http://news.xinhuanet.com/english/china/2014-06/12/c_133402921.htm.
130. Shenzhen Government Online, "General Information: Overview", accessed 29 December 2014, <http://english.sz.gov.cn/gi/>.
131. Zhong, Wei, "A Close Look at China's 'Sex Industry'", *Lianhe Zaobao*, 2 October 2000, accessed 6 November 2014, <http://web.archive.org/web/20020421054050/http://www.usembassy-china.org.cn/sandt/sex-industry.html>.
132. "Top 10 regions with highest GDP in China", *China Daily*, 1 April 2014, accessed 29 December 2014, http://www.chinadaily.com.cn/bizchina/2014-04/01/content_17393546.htm.
133. "Five Asian countries on the top list of sex tourists", *Dr Prem*, 27 January 2014, accessed 29 December 2014, <http://drprem.com/travel/five-asian-countries-top-list-sex-tourists/>.
134. "Prostitution crackdown a campaign against declining morality", *Xinhua*, 18 February 2014, accessed 17 December 2014, http://news.xinhuanet.com/english/china/2014-02/18/c_133125005.htm.
135. O'Connell Davidson, "Children in the Sex Trade", 7.
136. E-mail communications with NGOs concerned with recovery and reintegration of adult sex workers in China, November-December 2014.
137. "China's Godfather of Sexology".
138. Ibid.
139. Zheng, Tiantian (2006), "Cool Masculinity: male clients' sex consumption and business alliance in urban China's sex industry", *Journal of Contemporary China* 15, no. 46 (2006): 181.

Faced by limited employment opportunities, the most vulnerable girls to get involved in sex work are those who have reached an age where they are expected to earn money for their families. Although the use of force to recruit teenagers into the sex industry is not always necessary, it cannot be argued that they willingly enter prostitution. In most cases, girls from the rural areas have little work options in the cities due to their little education and few skills in a highly competitive work market.¹⁴⁰ Orphans or abandoned children are left with even dimmer chances to escape from abuse and exploitation.¹⁴¹

In order to illustrate how Chinese minors end up being subject to sexual exploitation and who is at the other end of this business driving the demand, some cases of sexual exploitation of children – not necessarily in the travel and tourism context – are also discussed in this chapter. The aim is to better understand the characteristics of this phenomenon in China and shed some light into the situation faced by sexually exploited children in tourism destinations.

In May 2012, police arrested six people, including a local government official, for allegedly running a prostitution ring with minors under 14. The detainees recruited over 20 children in Zhejiang, a highly industrialised province on the eastern coast of China, for clients who included wealthy entrepreneurs doing business in the area.¹⁴² In a similar case in July 2012, five men were arrested, including government officials and businessmen, for allegedly kidnapping and forcing into prostitution eight girls who had not even reached 14 years of age.¹⁴³

In its latest review in 2013, the UN Committee on the Rights of the Child stated that sexual exploitation of children in travel and tourism “remains a serious problem” in Macau and condemned the “alleged complicity of government officials in offences related to trafficking and sexual exploitation”, which is resulting in impunity for such crimes.¹⁴⁴ The UN body pointed out that all cases of human trafficking in

the island, including those affecting children, “were linked to sexual exploitation”.¹⁴⁵ The president of the UN Committee on the Rights of the Child, Kirsten Sandberg, claimed that the problem appears to be “linked to the casinos”.¹⁴⁶ While Macau authorities acknowledged an increase in the number of human trafficking cases recently,¹⁴⁷ the committee attributed this growth to effective prevention measures taken by security forces in Macau.¹⁴⁸

In Guangzhou, the capital of Guangdong province, Chinese police arrested 79 people working for a gang that abducted girls and women from rural areas to force them into prostitution in 2000. The victims, as young as 12 and 13, were promised jobs in Guangzhou’s industries. However, upon their arrival, they were locked up in hair salons where they had to receive at least three clients a day. State media reported that some gang members were also minors. Following this case, academics raised concerns in China about stigmatisation of the victims. After returning to their home villages, the girls faced rejection and prejudice, making their recovery and reintegration extremely difficult.¹⁴⁹

In 2002, more than 50 high school students were accused of involvement in an informal prostitution network in Kunming, the capital of Yunnan province and a popular destination for domestic and foreign tourists. One of the girls was sentenced to four years in prison while other nine with ages ranging between 16 and 18 were given suspended sentences. Their charges included not only prostitution but also introducing others to the network. According to media reports, their clients, mainly Chinese businessmen and officials, were interested in young girls. Some of them were as young as 13 years old.¹⁵⁰

Ah Lan was 19 when she was interviewed by Ziteng workers. “I worked in a porcelain tile factory in my village in Hunan.(...) I started work when I was 13 because our house collapsed after heavy rain.(...). I became a child worker because the economic situation in my family

140. Ding, Yu and Ho, Petula Sik Ying (2013), “Sex work in China’s Pearl River Delta: Accumulating sexual capital as a life-advancement strategy”, *Sexualities* 16(1): 43-60, accessed 6 January 2015, http://202.116.197.15/cadal/canton/Fulltext/20721_2014316_92636_31.pdf.

141. O’Connell Davidson, “Children in the Sex Trade”, 30-31.

142. “Police bust under-age prostitution ring in China”, *Hurriyet Daily News*, 29 May 2012, accessed 22 December 2014, <http://www.hurriyetdailynews.com/police-bust-under-age-prostitution-ring-in-china.aspx?pagerID=238&nID=21843&NewsCatID=356>.

143. U. S. Department of State (2013), “Country Narratives: China”, 2013 Trafficking in Persons Report, accessed 24 November 2014, <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215439.htm>.

144. UN Committee on the Rights of the Child, “Concluding observations”, para. 87.

145. Quintã, Vitor, “Government rejects complicity in child sex tourism”, *Macau Business Daily*, 14 October 2014, accessed 24 November 2014, <http://macaubusinessdaily.com/Society/Govt-rejects-complicity-child-sex-tourism>.

146. Ibid.

147. Government of Macau SAR, “Prevent and Combat Human Trafficking”, accessed 29 December 2014, <http://www.anti-tip.gov.mo/en/stat.aspx>.

148. Quintã, “Government rejects complicity in child sex tourism”.

149. “China arrests prostitution gang”, *BBC*, 28 April 2000, accessed 6 November 2014, <http://news.bbc.co.uk/2/hi/asia-pacific/729337.stm>.

150. “Teenage prostitution case shocks China”, *BBC*, 22 January 2002, accessed 6 November 2014, <http://news.bbc.co.uk/2/hi/asia-pacific/1775221.stm>.

was very bad after the house collapsed, so I decided to stop attending school and look for work. I worked in the factory for two years. In the factory I earned Rmb300 [\$48] per month at the very most. When I was 15, a friend told me I could earn up to Rmb10,000 [\$1,600] per month, so I decided to leave home... I worked in Changsha [capital of Hunan] in a salon... Every job is worth Rmb200 [\$32], and I have to pay Rmb50 [\$8] of this to the employer... I did this job for six months. I met a boyfriend, but he cheated me. I was so disappointed that I went home and stayed there for one year. But the economic situation there did not improve, so I decided to leave again, this is why I am here now. I have been in Zhuhai for two months up to now. This time I started working in a salon inside a hotel. Because the Madam of the salon is too unreasonable, she kicked us out. Then I went to a massage salon as a masseuse. I am now applying for a visa for Macao to make money. I hope to make Rmb150,000 [\$24,100] there then I will go home".¹⁵¹

Obtaining information on commercial sexual exploitation of children in China proves extremely difficult. Among the different categories of sex work that have been identified in China, it seems possible that teenage girls could be involved in sex work as 'ding dong girls'. This practice refers to girls ringing the doorbell of hotel guests or calling by phone to offer their services.¹⁵² As it allows quite a fair amount of privacy for their clients, it can be argued that it makes it easy for men to pay for encounters with minors.

Furthermore, evidence shows that rural migrant male workers also buy sex with prostitutes in Chinese cities. However, women involved in this low-tier sex trade are commonly older women who exchange their services even for just a meal. Meanwhile, the so-called 'second wives', 'packaged women' or 'female companions' seem to remain the realm of adult women for the most part.¹⁵³

The involvement of underage boys in prostitution seems to be a much less frequent occurrence and accurate information on this phenomenon is extremely hard to come by. In 2006, Chinese police

detained a Korean citizen for running a business with male sex workers in China. He used internet ads to attract clients, who were reportedly Chinese women and Korean female tourists. Local media provided no information about the sex workers but reported that the business owner worked with a recruiter in Korea to bring male prostitutes to his bar in China.¹⁵⁴ Given the infrastructure the owner used and the growing popularity of the Korean entertainment industry and fashion not only in China but across Asia, it seems likely that such bars continue to exist. Some of them might possibly employ boys under 18 but no information has been found in this regard.

FOREIGN GIRLS

Teenage girls from neighbouring countries such as Vietnam,¹⁵⁵ Russia and Mongolia¹⁵⁶ have been found to be engaged in prostitution in Yunnan province, as well as Beijing, Guangzhou, Macau and Hong Kong. Evidence shows that the girls are often tricked by relatives, boyfriends and friends who offer them jobs or their first ever opportunity to travel beyond the confines of their villages. According to child rights advocates in the area, some of these teenagers are believed to be sold to brothels but, fearing the stigma attached to sex work, they might choose to report having been sold as brides.¹⁵⁷

Some of these girls live in brothels and hair salons of Chinese ownership but often managed by Vietnamese madams. Adult sex workers and minors usually live in the salons where they work. According to O'Connell Davidson's account, while the majority of women working in these venues are in their 20s, their ages range from 15 up to 40.¹⁵⁸ Some salon owners reportedly use violence against girls who resist engaging in sex work and confiscate the girls' passports upon their arrival in China.¹⁵⁹ In other cases, the girls enter China illegally altogether, left in the hands of the traffickers or intermediaries to provide them with some sort of protection from police in a completely unfamiliar environment. Similarly, there are reports of teenage girls being kidnapped in

151. Asia Monitor Resource Center (2000), "Sex Work in China", accessed 29 December 2014, <http://www.amrc.org.hk/content/sex-work-china>.

152. Ding and Ho, "Sex work in China's Pearl River Delta", 43-60.

153. Asia Monitor Resource Center, "Sex Work in China".

154. "Prostitution Exports Expand to Include Male Variety", Chosun Ilbo, 23 August 2006, accessed 29 December 2014, http://english.chosun.com/site/data/html_dir/2006/08/23/2006082361026.html.

155. O'Connell Davidson, "Children in the Sex Trade", 11, 18.

156. Asia Foundation (2006), "Human Trafficking in Mongolia: Risks, Vulnerability and Trauma", November 2006, accessed 14 November 2014, <http://asiafoundation.org/resources/pdfs/MGtraffreporteng.pdf>.

157. "Brides for sale: trafficked Vietnamese girls sold into marriage in China", Guardian, 29 June 2014, accessed 6 November 2014, <http://www.theguardian.com/global-development/2014/jun/29/brides-for-sale-trafficked-vietnamese-girls-sold-marriage-china>.

158. O'Connell Davidson, "Children in the Sex Trade", 18-19.

159. Ibid., 21.

Ulaanbaatar and locked in hotels in China's red light districts where they are allegedly sexually exploited.¹⁶⁰ In all these accounts, it is rare to find information about the alleged child sex offenders except for cases where officials facing some kind of corruption charges are involved.¹⁶¹

The founder and chief executive of the Blue Dragon Children's Foundation, Michael Brosowski, explains that gangs pay up to \$5,000 for girls that are sold as brides or to brothels. Since 2010, a shelter in Lao Cai, in the northwestern part of Vietnam, has become a home for dozens of female victims. It is still difficult to find reliable data on the magnitude of the problem across Chinese borders given the underground nature of this business and sometimes the involvement of organised criminal groups. Phan Pa May, a community elder in northern Vietnam, says "I worry so much about it, as do all the mothers in the villages, but it has happened to a lot of girls already. 'I have one daughter. She's already married, but I'm worried about my granddaughter. We always ask where she is going, and tell her not to talk on the phone or trust anyone'".¹⁶²

A 17-year old Mongolian girl tells NGO workers of her ordeal being trafficked to China: "I contacted the broker about an advertisement that said 'We invite young people interested in studying abroad at low costs'. I called and agreed to meet the broker in a café. She convinced me that the registration of boys was finished and only girls were now being registered. Later I found out that this woman was not officially employed, she was on her own. She told me that there was a Chinese college where I could study and pay my tuition fees from wages because I would still be working. She took us, the five girls to Hangzhou, a town in southern China. We passed through six or seven towns. She promised to enrol us in a college in this city and there sold us as hostesses..."¹⁶³

THE PERPETRATORS

From a social perspective, Chinese men appear to be expected to buy sex from prostitutes as a way to build business relationships and to socialise with colleagues.¹⁶⁴ Banquets to discuss business matters might frequently end up in a karaoke bar or other venues where sex is included among their entertainment offerings. Being able to project a masculine image is a crucial factor determining a man's status in these male-dominated circles of political and economic power in China. As rightly pointed out by Professor Zheng Tiantian, "sexual potency is an index of business prowess" among wealthy men.¹⁶⁵ In this connection between power and masculinity, sex consumption in entertainment venues is a common practice in China's business culture. More importantly, showing self-control in sex consumption is seen as demonstrating whether a man is rational and trustworthy and, thus, a reliable business partner.¹⁶⁶ For instance, the general manager of a state-owned milk company who was convicted of corruption charges in 2000 complained that in his social circle "if you don't have several women, people will look down upon you".¹⁶⁷

Based on her extensive research on prostitution in China and investigations by the Chinese police, Associate Professor in China Studies at the University of Technology in Sydney Elaine Jeffreys points out that men buying sex in China come from a wide range of backgrounds ranging from business entrepreneurs, government employees, university professors, factory workers to taxi drivers and agricultural labourers.¹⁶⁸ Concurring with Jeffreys, Chinese writer Zhang Kangkang holds that the sex industry has "permeated" all levels of Chinese society and "men from every social class are using various levels of sex services".¹⁶⁹ Because having a sexual encounter with a virgin can cost over Rmb5,000 (\$804), it seems only within the reach of wealthy Chinese businessmen or officials.¹⁷⁰ For encounters with slightly older women, with ages ranging from 19 to 21, the prices go down significantly.

160. Asia Foundation, "Human Trafficking in Mongolia", 8.

161. Wong, Stephen, "China's concubine culture is back", Asia Times, 26 July 2009, accessed 30 December 2014, <http://www.atimes.com/atimes/China/KG26Ad01.html>.

162. "Brides for sale".

163. Asia Foundation, "Human Trafficking in Mongolia", 26.

164. Grillot, Caroline and Zhang, Juan (forthcoming 2016), "Ambivalent Encounters. Business and the Sex markets at the China-Vietnam Borderland", in *How Chinese Engagements are Changing Southeast Asia: People, Money, Ideas, and their Effects*, eds. Nyíri, Pál and Danielle Tan, Seattle : Washington Press.

165. Zheng, "Cool Masculinity", 180.

166. Ibid., 161-182.

167. Wong, "China's concubine culture is back".

168. Jeffreys, "China, sex and prostitution", 99.

169. "Sex Trade Dominates Debate on Chinese Women", Radio Free Asia, 11 April 2005, accessed 30 December 2014, http://www.rfa.org/english/news/social/china_prostitution-20050411.html.

170. Ibid.

In addition, local media reports that teenagers who are no longer virgins and adult women are also found at popular tourist spots or outside mines wearing miniskirts, in vans where they attend to less affluent customers such as budget travellers or migrant workers.¹⁷¹

Regarding the offenders' patterns of behaviour, O'Connell Davidson argues that demand from Chinese men seems to be driven by "a general interest in prostitute-use".¹⁷² Teenage girls tend to work alongside adult sex workers and clients generally do not show a "particular interest" in children.¹⁷³ If a girl looks "physically mature", Chinese men do not regard their sexual encounter with her as exploiting a child, even if she is only 15 years of age.¹⁷⁴ Meanwhile, as is the case in most parts of the world, Chinese adults who seek sexual encounters with pre-pubescent children are perceived as "sexually deviant and morally reprehensible".¹⁷⁵

The exotic appeal and de-inhibition associated with travelling to new places and encountering different people seems to play a significant role in some cases. And the data shows that Chinese are increasingly travelling for pleasure within their country. Leisure travel spending (both from domestic and foreign travellers) in 2013 in China accounted for 76.3% in comparison to 23.7% for business spending.¹⁷⁶ Reports show that Chinese male tourists travel to certain towns in Yunnan province where they know they can have sex encounters with Vietnamese women and minors. While these male tourists complain that Chinese sex workers are "businesslike", they see Vietnamese as "affectionate" and making them feel like "real men".¹⁷⁷

Building on the folklorisation of ethnic groups in China, the Xishuangbanna Dai autonomous prefecture, in southern Yunnan, has been a key spot for sexual tourism since the early 1990s. Bringing together "the fantasies of sex, travel and minority ethnicity",¹⁷⁸

over two million tourists travel to this region every year.¹⁷⁹ Among male Han Chinese,¹⁸⁰ Dai women are represented as beautiful, sexually free women living in a rural paradise, away from the norms of urban life in Shanghai or Guangzhou.¹⁸¹ Local authorities appear to let sex tourism businesses, such as karaoke bars, hair salons, massage parlors or saunas, operate and keep expanding. Meanwhile, increasing numbers of wealthy Chinese male tourists continue travelling to the region to consume sex and a commodified image of female Dai.¹⁸²

The Mosuo tribe is an even more recent case exploiting this freedom and wildness associated with ethnic minorities as a way to generate appetite for encounters with an exotic 'other'. This de-inhibition is often linked in the literature to the so-called 'situational offenders', referring to child sex offenders who might abuse children when presented with an opportunity in an out-of-the-ordinary context of relative impunity.

A valley on the border of China's Yunnan and Sichuan provinces has been the home of the Mosuo tribe for the past 2,000 years. Media and official narratives have built a brand for the area as the 'Women's Country'. Underpinning this brand, journalistic accounts and travel agencies' marketing materials present the Mosuo culture as a matriarchal, primitive society with a tempting exotic sexuality, where women are said to freely engage in sexual relations outside of marriage. Local residents often appear to reinforce these representations aiming to lure male Han tourists to consume an artificially sexualised local culture and women, as the economy of the area largely relies on the growth of this ethnic tourism.¹⁸³

In today's China, consumption and leisure seem to be playing an increasingly important role in shaping the identities of middle and upper class men. The tourism industry is arguably appealing to the willingness among Chinese male elites to demonstrate power, with the aim

171. Ibid.

172. O'Connell Davidson, "Children in the Sex Trade", 19.

173. Ibid.

174. Ibid.

175. O'Connell Davidson, "Children in the Sex Trade", 7.

176. WTTC, "Travel & Tourism", 6.

177. O'Connell Davidson, "Children in the Sex Trade", 27.

178. Hyde, "Sex Tourism Practices", 144.

179. Hyde, Sandra Theresa (2007), "Eating Spring Rice: The Cultural Politics of AIDS in Southwest China", London & Los Angeles: University of California Press, 105-127.

180. According to the 2010 Population Census, 91.51 percent of the total population are of Han ethnicity while the other 55 ethnic minorities represent 6.92 percent of China's population. In National Bureau of Statistics of China (2011), "Communiqué of the National Bureau of Statistics of People's Republic of China on Major Figures of the 2010 Population Census[1] (No. 1)", 28 April 2011, accessed 5 March 2015, http://web.archive.org/web/20131108022004/http://www.stats.gov.cn/english/newsandcomingevents/t20110428_402722244.htm.

181. Hyde, "Sex Tourism Practices", 143-162.

182. Ibid.

183. Walsh, Eileen Rose (2005), "From Nü Guo to Nü'er Guo: Negotiating Desire in the Land of the Mosuo", *Modern China* 31 (2005): 448-481.

to generate substantial revenues. Evidence shows that young female Han tourists interested in local men also travel to the region in search of the Mosuo primitive paradise although in much smaller numbers than men, as shown by Professor of Anthropology at Skidmore College Eileen Rose Walsh.¹⁸⁴

This exotic appeal marketed by Chinese tourist operators has been strategically accompanied by the construction of a main road to Luoshui, the main tourist destination in the area. At the same time, hotels, restaurants, casinos and karaoke bars have mushroomed in the town. Mosuo females are portrayed as initiating in sex at a young age.¹⁸⁵ This availability of young women or girls in their late teenage years is arguably a clear selling point for Chinese tourists.

In a study conducted in Hekou, a town in the southern part of China's Yunnan province, Caroline Grillot, Research Fellow at the Max Planck Institute for Social Anthropology, interestingly discusses how the town has become famous among Chinese men for its availability of "young, exotic, beautiful and cheap women". Girls from 14 to 15 years of age up to women in their early 30s work in several brothels spread along the Vietnamese Street and its famous Zhongyue and Jinming markets. Groups of businessmen and tourists appear to travel to Hekou on the weekends in search of "a 'special [tebie]' space, an exotic and exciting place with different sets of rules and behaviours from what could be found in a similar setting in China".¹⁸⁶ The constant arrival of new Vietnamese girls and women to Hekou keeps the appeal of the town rising. Chinese businessmen often bring along partners and colleagues to enjoy "a night of exotic pleasure" in Hekou as a way to build friendships and economic trust for future business deals.¹⁸⁷

Abundant evidence shows that the travel and tourism industry arguably lets the sex trade with adults and minors grow within its premises to reap the benefits and meet their clients' demands. There are accounts

of sex workers claiming that their services can be paid via the hotel where travellers stay.¹⁸⁸ In a prostitution crackdown launched in February 2014 and still ongoing, an official of Heilongjiang province stated that ending the "protective umbrella" of the travel and tourism industry was crucial to the success of the operation.¹⁸⁹ In Dongguan, the police used hidden cameras that showed hotel managers offering sex services to their clients. A manager of a hotel in Dongguan claimed "we would be out of business otherwise".¹⁹⁰

Likewise, a pharmacist in a border town in Yunnan argues that "without the Vietnamese girls offering sexual services, there would be no tourists" and the local economy in towns such as Hekou "would collapse".¹⁹¹ Pharmacies themselves benefit greatly from the sex trade by selling contraceptive pills, antibiotics and alleged cures for sexually transmitted diseases.¹⁹² Therefore, understandably local residents do not want to see tourists and the sex trade that came with them disappear without an alternative source of income.

Foreign offenders in China have been able to sexually exploit children by abusing a position of trust such as working as English teachers. In March 2014, a 47 year-old American citizen was condemned to 30 years' imprisonment by a United States court for "child molestation and producing child pornography".¹⁹³ He had been extradited from China to the United States in December 2012 after being reported by an expat mother for molesting a five-year old and attempting to do the same with her sister. The offender had spent years teaching in international schools in Shanghai before being reported. During the trial, it was proved that he had molested a minor in the United States in July 2012.¹⁹⁴ In a similar case, a US teacher was arrested for molesting six children at an international school in Shanghai in June 2013. The victims, four girls and two boys with ages between 6 to 10, were all foreign nationals.¹⁹⁵ Following a number of child sex abuses committed by foreigners, the Chinese government promised tighter scrutiny of teachers' criminal records.¹⁹⁶

184. Ibid.

185. Walsh, "From Nü Guo to Nü'er Guo", 448-481.

186. Grillot and Zhang, "Ambivalent Encounters".

187. Ibid.

188. Sudworth, John, "China sex trade infiltrates international hotels", BBC, 11 October 2013, accessed 6 January 2015, <http://www.bbc.com/news/world-asia-china-24487270>.

189. "Prostitution crackdown".

190. Ibid.

191. O'Connell Davidson, "Children in the Sex Trade", 26.

192. Ibid.

193. Boehler, Patrick, "US language tutor jailed for 30 years for sexually exploiting children in China", South China Morning Post, 8 March 2014, accessed 10 November 2014, <http://www.scmp.com/news/china-insider/article/1443498/us-language-tutor-jailed-30-years-sexually-exploiting-children>.

194. Ibid.

195. "China arrests US teacher for alleged molestation", Associated Press, 13 June 2013, accessed 5 January 2015, <http://bigstory.ap.org/article/china-arrests-us-teacher-alleged-child-molests>.

196. Boehler, "US language tutor".

Ahead of the Beijing Olympics 2008, police undertook a thorough supervision of the entertainment industry in the capital. This resulted in the expulsion of thousands of foreign prostitutes lacking residence papers and closures of nightclubs and karaoke bars popular among foreign businessmen.¹⁹⁷ A similar campaign preceded the Shanghai World Expo in 2010 and other major events hosted by China.¹⁹⁸ Most foreign sex workers in China come from Russia (an estimated 6,000), Vietnam, Cambodia, Thailand and Eastern European countries.¹⁹⁹ Reliable data on their ages, however, is extremely hard to come by and is mostly found in some anecdotal reports or scattered qualitative data.

LINKS BETWEEN THE SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM AND THE INFORMATION TECHNOLOGIES

Additionally, information and communications technology is increasingly playing a part in helping offenders gain access to minors. Popular instant messaging services in the mainland such as QQ, YY and WeChat (Weixin) are allegedly being used for this purpose.²⁰⁰ In August 2014, police arrested 16 alleged members of a gang who forced more than 30 girls, aged between 14 and 19, into prostitution. The detainees seduced the girls, the majority of them minors, via online chat rooms where they invited the victims to Yichang, in Hubei province, to have dates. Once the girls reached Yichang, they were locked and forced to sell sex.²⁰¹ WeChat's operator, headquartered in Guangdong, shut down 20 million prostitution-related accounts in 2014 as part of a crackdown targeting online prostitution. Among WeChat's 600 million users, a considerable amount can be expected to be minors.²⁰²

Similarly, China's version of Grindr, called Blued, is gaining popularity among the gay community in Beijing, Shanghai and Guangzhou (15 million users as of 2014) by helping them locate other gay individuals and meet up.²⁰³ As has been the case with Grindr,²⁰⁴ it appears likely that this application might be used to gain access to minors. Therefore, further research is needed in order to prevent these sites from becoming a tool for potentially facilitating sexual exploitation of underage boys.

TRAVELLING CHILD SEX OFFENDERS ABROAD

Today nearly one in ten tourists in the world is Chinese. With the country consolidating itself as the fastest-growing tourism source market over the past decade, Chinese travellers have become the biggest spenders globally since 2012, according to the United Nations World Tourism Organization (UNWTO).²⁰⁵ In 2014, the China Tourism Academy (CTA), expects 116 million Chinese to travel abroad for leisure²⁰⁶ at a time when still only 5% of the population owns a passport.²⁰⁷ All forecasts suggest that the trend will only keep increasing over the next few years and "will surely continue to change the map of world tourism", in the words of the UNWTO Secretary-General, Taleb Rifai.²⁰⁸

According to CTA statistics, more than half of Chinese tourists travelling abroad are between 25 and 34 years old.²⁰⁹ Neighbouring countries and regions are expected to remain as the main destinations for Chinese tourists in the coming years, with Hong Kong, Macau, South Korea, Thailand and Taiwan leading the way at present.²¹⁰ Meanwhile, the US is still the only long-haul destination among the top ten choices by Chinese tourists in 2014.²¹¹ And this comes on the back of an

197. Spencer, Richard, "Beijing Olympics 2008: China's government clamps down on entertainment", *Telegraph*, 18 June 2008, accessed 6 January 2015, <http://www.telegraph.co.uk/news/worldnews/asia/china/2150657/Beijing-Olympics-2008-China-government-clamps-down-on-entertainment.html>.

198. Moore, Malcolm, "Hilton hotel closed by Chinese police over prostitution charges", *Telegraph*, 21 June 2010, accessed 6 January 2015, <http://www.telegraph.co.uk/finance/china-business/7844335/Hilton-hotel-closed-by-Chinese-police-over-prostitution-charges.html>.

199. Baijie, An, "A dry spell", *Global Times*, 8 September 2010, accessed 6 January 2015, <http://www.globaltimes.cn/content/571143.shtml>.

200. "3,033 captured in China's prostitution crackdown".

201. "China breaks underage prostitution ring behind chat rooms", *Xinhua*, 30 August 2014, accessed 3 December 2014, http://news.xinhuanet.com/english/china/2014-08/30/c_133606859.htm.

202. "WeChat shuts 20 million prostitution-related accounts", *Xinhua*, 11 June 2014, accessed 17 December 2014, http://news.xinhuanet.com/english/china/2014-06/11/c_133400375.htm.

203. Lytton, Charlotte, "China's Gay Hook-Up App Is a Cash Cow", *Daily Beast*, 11 June 2014, accessed 17 December 2014, <http://www.thedailybeast.com/articles/2014/11/06/china-s-gay-hook-up-app-is-a-cash-cow.html>.

204. See the Expert Report submission to the Global Study by Dr. Kai J. Jonas of the University of Amsterdam, Netherlands and Dr. Thomas E. Guadamuz of Mahidol University, Thailand, www.globalstudysect.org.

205. UNWTO, "International tourism shows continued strength".

206. Roberts, Dexter, "China's Legions of Tourists Will Spend \$155 Billion Abroad This Year", *Businessweek*, 24 September 2014, accessed 2 December 2014, <http://www.businessweek.com/articles/2014-09-24/chinas-legions-of-tourists-will-spend-155-billion-abroad-this-year>.

207. Yueh, Linda, "The world's biggest spenders", *BBC*, 8 June 2014, accessed 13 December 2014, <http://www.bbc.com/news/business-27756464>.

208. UNWTO, "China - the new number one".

209. Huang, Jinjing, "More and more Chinese travel abroad while numbers of overseas visitors to China decline", *Global Times*, 5 November 2014, accessed 3 December 2014, <http://www.globaltimes.cn/content/890245.shtml>.

210. Grant, "Top 25 Most Popular Destinations".

211. *Ibid.*

exponential growth in the number of Chinese citizens travelling abroad for business, academic or work purposes as China's economy continues reaching new milestones. In light of these developments, the Chinese government released a "Guidebook for Civilized Tourism" in September 2013. However, this set of recommendations did not include any reference to sexual exploitation of children in travel and tourism.²¹²

With almost half of China's population online in 2014, more Chinese citizens turn to the internet to search for information when planning their holidays.²¹³ Destinations and businesses aiming to tap into the Chinese tourism market have realised that being noticed online is increasingly important.²¹⁴ The coincidence of this rapid growth in China's tourism market and easier internet access begets new challenges for the fight against sexual exploitation of children in travel and tourism. As a result, the need for further research and concerted action by law enforcement agencies becomes even more pressing. The following section aims to shed new light on sexual exploitation of children in travel and tourism involving Chinese citizens abroad to prompt effective action by governments and key stakeholders within the tourism industry.

Research in the Greater Mekong Sub-Region²¹⁵ has found that Asian sex tourists outnumber their Western counterparts significantly. Although data is scarce in this field, the UNODC estimated in 2013 that half of male visitors to the region hail from East Asia, namely China, Japan, Malaysia, Republic of Korea and Singapore. As a result, it appears that several sex work hubs in the region cater especially to Asian men.²¹⁶ For instance, in Cambodia, evidence shows that Chinese clients appear to have a preference for ethnic Vietnamese girls due to their brighter skin compared to Khmer girls.²¹⁷

According to international organisations, local media and NGOs, Cambodia seems to be a preferred destination by East Asian offenders seeking to have sexual encounters with minors. Along with domestic perpetrators, travellers and businessmen from China, Japan, South Korea and Taiwan are reportedly driving the development of Cambodia's sex tourism industry, and especially the trade in virgins.²¹⁸ This preference for teenage girls, and especially virgins, appears to be consistent among East Asian tourists and travellers in the region. Meanwhile, there is allegedly a "separate market" for paedophiles seeking to engage in sex with pre-pubescent children that is reportedly dominated by Western men.²¹⁹

The president of Cambodia's human rights organisation Licadho, Chhiv Kek Pung, estimates that "many thousands" of girls between 13 and 18 years of age are sold every year. Structural factors contributing towards the trade in virgins appear to be, on one end, poverty in the girls' communities of origin and, on the other, a belief among Asian men that having sex with virgins will rejuvenate and protect them from future illness as virgins are assumed to be HIV free.²²⁰ Against the background of relative impunity for the perpetrators, and despite significant achievements in this field in recent years, the demand seems to keep growing.²²¹

British anthropologist and director of Options UK, Eleanor Brown, conducted a survey among 203 women and girls working in the sex industry in Cambodia in 2007. The study revealed that the girls selling their virginity were on average between 16 and 17 years old. Cambodian men represented 49% of the demand for virgins while Asian men accounted for 42% of total clients and Westerners for the remaining 9%. Besides Cambodians, Chinese men were the largest group of Asian clients fuelling 17% of the trade in virgins.²²²

212. Willett, Megan, "China Now Has A Lengthy Rulebook Telling Its Citizens How To Behave When They Travel Abroad", Business Insider, 15 October 2013, accessed 4 December 2014, <http://www.businessinsider.com/guidelines-on-chinese-tourists-behavior-2013-10>.

213. "China's online population rises to 632 mln", Xinhua, 21 July 2014, accessed 2 December 2014, http://news.xinhuanet.com/english/china/2014-07/21/c_133499910.htm.

214. "Coming to a beach near you: How the growing Chinese middle class is changing the global tourism industry", Economist, 19 April 2014, accessed 2 December 2014, <http://www.economist.com/news/international/21601028-how-growing-chinese-middle-class-changing-global-tourism-industry-coming>.

215. The Greater Mekong Sub-Region includes Cambodia, the People's Republic of China (namely Yunnan Province and Guangxi Zhuang Autonomous Region), Lao People's Democratic Republic, Myanmar, Thailand, and Vietnam.

216. UNODC (2013), "Transnational Organized Crime in East Asia and the Pacific: A Threat Assessment", April 2013, p. 18, accessed 24 December 2015, http://www.unodc.org/documents/data-and-analysis/Studies/TOCTA_EAP_web.pdf.

217. Brown, Eleanor (2007), "The Ties That Bind: Migration and Trafficking of Women and Girls for Sexual Exploitation in Cambodia", IOM and the Bureau of Population, Refugees and Migration, US Department of State, August 2007, p. 57, accessed 26 November 2014, http://humantrafficking.org/uploads/publications/IOM_trafficking_report_Aug07.pdf.

218. Haworth, Abigail, "Virginity for sale: inside Cambodia's shocking trade", Guardian, 6 July 2014, accessed 24 November 2014, <http://www.theguardian.com/society/2014/jul/06/virginity-for-sale-cambodia-sex-trade>.

219. Peters, Heather A. (2007), "Sex, Sun and Heritage: Tourism Threats and Opportunities in South East Asia", A Report on best "practices" on tourism and trafficking for UNIAP and World Vision, p. 19, accessed 26 November 2014, [http://www.worldvision.org/resources.nsf/main/sun_sex_heritage.pdf/\\$file/sun_sex_heritage.pdf](http://www.worldvision.org/resources.nsf/main/sun_sex_heritage.pdf/$file/sun_sex_heritage.pdf).

220. Haworth, "Virginity for sale".

221. Ibid.

222. Brown, "The Ties That Bind", 10, 57.

Chinese sex offenders in Cambodia are mostly business travellers, i.e. garment factory owners, who live in Cambodia for months or years, rather than tourists travelling in groups.²²³ However, there is also evidence that Chinese and South Korean males who travel on package tours to South East Asia seek sex encounters with adults and children during their holidays, even when they travel accompanied by their spouses.²²⁴ In addition, it has been reported that Chinese sex offenders tend to look for sex with virgins in casinos or other entertainment venues of Chinese ownership. Beer gardens are likewise popular for men to have a drink after work and look for virgins. Brokers approach men to offer virgins to them and arrange encounters in hotel rooms or other “discreet locations”.²²⁵

While the range of karaoke bars, beer gardens, clubs or restaurants on offer keeps growing, Asian sex offenders appear to consistently resort to networks dedicated to providing them with virgins. In contrast, Cambodian men seem to negotiate their encounters with teenage girls in a wider variety of locations.²²⁶ For the most part, sexual exploitation of minors takes place away from brothels, although there are accounts of East Asian and domestic sex offenders relying on brothels in some instances.²²⁷ Virgins are frequently introduced to potential clients as *neak ja ta kok* or ‘ice picker’, referring to their job as filling client’s glasses with ice in bars or restaurants. It is also common that mummies²²⁸ negotiate the sale of virgins through networks that provide girls to foreign clients. In the words of a Cambodian girl: “The mummy knows many people from abroad and who to contact to sell sex to, my mother kept contacting the mummy and she said that if my mother wants to sell me for sex then she will contact a Taiwanese man for us”.²²⁹

The involvement of family members and brokers operating underground in the sale of virgins make it difficult to track the number of cases of those being dragged into this ominous trade. However, some patterns have been identified regarding the steps followed by foreign perpetrators. Eric Meldrum, former police detective from the UK with experience as an

anti-exploitation consultant in Phnom Penh, indicates that child sex tourists “travel here on business and have everything prearranged by brokers: a five-star hotel, a few rounds of golf and a night or two with a virgin”.²³⁰

Concurring with Meldrum’s analysis, Associate Professor of Tourism Economics at the University of Paris 1 Pantheon-Sorbonne Frédéric Thomas shows that Chinese and Japanese travellers tend to use a delivery system in Cambodia whereby they request girls just by using their mobile phones. Upon receiving such requests, the middlemen then contact brothel owners to find a girl that is directly taken to the sex offenders’ hotels.²³¹ The perpetrators pay amounts ranging from \$300 to \$500 for their sexual encounters with virgins. However, the price gradually declines as the girls become more experienced.²³² It is common for girls to be required to undergo a medical check to confirm their virginity and take an HIV test before meeting potential customers.²³³

American socio-cultural expert Heather Peters has interestingly discussed the existence of border and regional tourism in the Southeast Asia region. In both cases, evidence suggests that Chinese men are allegedly the largest group of travellers and tourists buying sex with adults and minors, followed by Thai citizens. With respect to border tourism, the hotspots of child sexual exploitation seem located in the border areas between China’s Yunnan province and Myanmar, Yunnan and Lao PDR, Yunnan and Vietnam, as well as Thailand and Cambodia, and Cambodia and Vietnam. In relation to Chinese offenders, their encounters with children and adult women are usually negotiated in resorts and casinos that Chinese corporations have been building in neighbouring countries over recent decades.²³⁴

Reports indicate that Siem Reap, a tourist destination in the north western part of Cambodia and popular because of its proximity to Angkor Wat, is increasingly catering to Chinese tourists and travellers by training tour guides and hotel staff in Chinese language and opening up more

223. Ibid., 56.

224. Peters, “Tourism Threats and Opportunities in South East Asia”, 19.

225. Brown, “The Ties That Bind”, 55-60.

226. Ibid., 55-60.

227. Peters, “Tourism Threats and Opportunities in South East Asia”, 19.

228. Mummies are women who manage entertainment establishments where sex services are provided. They often also act as brokers facilitating the sale of virgins to sex offenders.

229. Brown, “The Ties That Bind”, 63.

230. Haworth, “Virginity for sale”.

231. Thomas, Frédéric (2005), “Impact of Closing Svay Pak: Study of Police and International NGOs Assisted Interventions in Svay Pak, Kingdom of Cambodia”, January 2015, p. 16, accessed 2 April 2015, http://www.no-trafficking.org/content/pdf/impact_svay_pak%20final.pdf.

232. Ibid., 9.

233. Haworth, Abigail. “Virginity for sale”.

234. Peters, “Tourism Threats and Opportunities in South East Asia”, 16-18.

Chinese restaurants. An increase in Japanese and Korean investment in the area has been equally accompanied by a growing market catering to the night entertainment preferences of these groups of tourists.²³⁵

Moreover, the opening up of Myanmar and the increasing number of tourists arriving to the country poses greater risks for children in Myanmar, as a number of activists and NGOs have pointed out. In 2013, Myanmar agreed on exemption of border visa fees for Thai and Chinese travellers.²³⁶ Over the previous year, two-thirds of Myanmar's visitors were Asian, with Chinese and Thais leading the way.²³⁷ The growth of the tourism sector is taking place against the backdrop of a long term trend of Myanmar women and girls being trafficked into Thailand's sex industry. The Myanmar project coordinator for the U.N. Inter-Agency Project on Human Trafficking (UNIAP), Ohnmar Ei Ei Chaw, explains that "the parents and the girls themselves, and even the community, has kind of accepted that it is happening, and that's how you can support your parents".²³⁸ In the aftermath of Cyclone Nargis in 2008, media reports exposed an increase of orphans and women entering the sex trade in the country.²³⁹

Andrea Valentin, founder and director of NGO Tourism Transparency, which advocates responsible and sustainable tourism in Myanmar, denounces the existence of websites in Japanese, Korean and Russian that advertise Myanmar as a sex tourism destination. The websites reportedly include information on how to arrange sex encounters with women via local hotels.²⁴⁰ A middleman interviewed by local media pointed out that some of the women entering the sex industry are as young as 16. He added that Japanese and Korean men are an important component of the demand for Myanmar's booming sex industry whilst Europeans and Americans are "very rare" in comparison to Asians.²⁴¹

UNIAP's Ohnmar Ei Ei Chaw explains that these encounters are negotiated and take place "backdoor".²⁴² It is thus difficult to get evidence of what is happening at the new karaoke bars and massage parlours of

Myanmar. In 2012, the government estimated that there were 60,000 sex workers in the country but no information was available regarding their ages.²⁴³ However, Population Services International (PSI), which provides health care to prostitutes across the country through their Targeted Outreach Programme, estimates that the total number of sex workers might be closer to 80,000. Anne Lancelot, director of PSI's Targeted Outreach Programme, indicates that "Myanmar has no red light districts, other than in some border towns such as Muse. Overall it's very scattered and the sex worker population is highly mobile",²⁴⁴ which makes it even more difficult to fight the sexual exploitation of vulnerable children.

In the Golden Triangle Special Economic Zone, on Laos territory bordering with Thailand, the Chinese King Romans Group registered in Hong Kong is in a building spree including casinos, hotels, golf courses, shopping malls, bars and even an international airport. And it is not a coincidence that Thai neighbours know Kapok, the main town in the Gold Triangle, as "sin city".

When checking in, hotels in Kapok appear to commonly ask male guests whether they would require the company of young women. All hotel room instructions are provided in Mandarin as it is the official language in the area, while the Chinese currency, the yuan, is also widely used. Media reports note that televisions in hotel rooms show only Chinese programmes, including hardcore porn. Calling cards are regularly delivered to guests' rooms.²⁴⁵ Although no cases have been reported regarding the alleged involvement of minors in sex work in the Golden Triangle, one can infer that Chinese travellers are likely to follow similar behaviour patterns in this area to those documented in Cambodia, where comparatively more field research has been conducted.

In the Philippines, local media reports show that businessmen and tourists from mainland China (particularly from main southern cities), Hong Kong, Macau and Taiwan engage in what they call

235. Ibid., 19.

236. "Eleven Media Group: Myanmar needs to prevent child sex tourism: UNICEF", BurmaNet News, 3 February 2014, accessed 25 November 2015, <http://www.burmanet.org/news/2014/02/03/eleven-media-group-myanmar-needs-to-prevent-child-sex-tourism-unicef/>.

237. McDonald, Mark, "Burmese Are Wary of Tourism's Dark Side", New York Times, 10 April 2012, accessed 13 November 2014, <http://rendezvous.blogs.nytimes.com/2012/04/10/burmese-are-wary-of-tourisms-dark-side/>.

238. Bergman, Justin, "Can Burma Avoid the Curse of Sex Tourism?", Time, 12 April 2013, accessed 25 November 2014, <http://world.time.com/2013/04/12/can-burma-avoid-the-curse-of-sex-tourism/>.

239. Yan, Moe, "Nargis Victims Forced Into Sex Trade", Irrawaddy, 3 May 2010, accessed 25 November 2015, http://www2.irrawaddy.org/print_article.php?art_id=18369.

240. Valentin, Adrea, e-mail communication to author, 30 November 2014.

241. Muddit, Jessica, "High risk and no reward for the 'in-betweens' of Burma's sex industry", DVB, 11 January 2014, accessed 25 November 2014, <https://www.dvb.no/news/high-risk-and-no-reward-for-the-in-betweens-of-burmas-sex-industry-burma-myanmar/35936>.

242. Bergman, "Can Burma Avoid the Curse of Sex Tourism?".

243. Muddit, "High risk and no reward".

244. Ibid.

245. Loxton, Edward, "Chinese take a gamble on the pleasures of sin city", Independent, 12 July 2011, accessed 8 December 2014, <http://www.independent.co.uk/news/world/asia/chinese-take-a-gamble-on-the-pleasures-of-sin-city-2312139.html?origin=internalSearch>.

“sexploitation” of young Philippine women.²⁴⁶ Following the flows of European sex tourists, North Asian males seem to be leading the way at present. Some towns such as Aplaya, southeast of Manila, are well known among tourists for their younger recruits, most of them ranging between 16 and 20 years of age. For many of these girls the expectation of marrying a foreigner acts as an appealing factor to engage in commercial sex despite the lack of evidence supporting this assumption.²⁴⁷

Trafficking of women and girls into China for alleged marriages is another problem that can potentially result in sexual exploitation of minors. Through “marriage brokerages”, girls are promised to be introduced to rich Chinese men in big cities. However, the reality that awaits them is often being sold as brides to men living in China’s rural areas, sometimes being physically abused or even forced into prostitution in underground venues in coastal or border areas of China.²⁴⁸ Chinese women, and allegedly minors, also fall victims of these trafficking networks that sell them to gangs in foreign countries. A number of cases have been reported in relation to the involvement of Chinese crime rings in human trafficking, kidnapping and forced prostitution into Africa,²⁴⁹ even dating back to the early 2000s.²⁵⁰

Nowadays, no account of Chinese activities abroad can be complete without looking at the African continent, and this holds true in relation to research about sexual exploitation of children in travel and tourism. Since China became Africa’s largest trade partner in 2009, investments in infrastructure, mining and telecommunications translated into nearly a million Chinese citizens working in African countries as of 2014.²⁵¹ Chinese workers in Zambia, Angola, South Africa or Ghana often find themselves being perceived “as the only ones with money to spend” in communities where teenage girls tend to have

few choices to support their families.²⁵² In 2012, four Chinese mining technicians were detained under accusations of having paid for sex with girls under 16 years of age in Zambia. The four men, with ages ranging between 36 and 51 years old, were detained while working for the China Non-Ferrous Metals Mining Group in Luyansha, a poor town in Zambia’s Copperbelt province.²⁵³

A number of reports indicate that this is not an isolated case in the region, with suggestions of sexual exploitation of minors being “routinely ignored” by local authorities.²⁵⁴ Mines are usually located away from urban centres and their workforce is overwhelmingly male. With few entertainment options in remote areas and poor local girls faced by limited livelihood options, the presence of such push factors seem to indicate that commercial sexual exploitation of minors involving both local and foreigners might be a recurrent problem. In this specific instance, the four Chinese men were freed on the grounds of the local police’s mishandling of the investigation. This result caused outrage and was followed by unconfirmed accusations of alleged bribes received by local authorities to drop the case. However, no evidence was brought forward to support such accusations.²⁵⁵

There are a number of destinations where the presence of Chinese sex tourists is confirmed while it is still difficult to find evidence of sexual abuse of children taking place. The 2014 Trafficking in Persons Report indicates that Chinese women and girls are “subjected to forced prostitution throughout the world” in areas “with high concentrations of Chinese migrant workers”, including “major cities, construction sites, remote mining and logging camps”.²⁵⁶ In addition, hundreds of thousands of wealthy Chinese tourists appear to travel to Vladivostok every summer to enjoy its casinos

246. Bondoc, Jarius, “Forsaken Amerasians increasing; also Japinos, Kopinos, Chipinos”, *Philippine Star*, 17 November 2014, accessed 24 November 2014, <http://www.philstar.com/opinion/2014/11/17/1392633/forsaken-amerians-increasing-also-japinos-kopinos-chipinos>.

247. Wiss, Rosemary (2011), “‘No Minors Allowed’: Outsider Bar-girls and Trafficking in a Philippines Sex Tourism Industry”, in *Online proceedings of the symposium ‘Young Lives, Changing Times: perspectives on social reproduction’*, ed. Eickelkamp, Ute, Sydney: University of Sydney, 8–9 June 2011, p. 12, 18, accessed 26 February 2015, <http://youngliveschangingtimes.wordpress.com/>.

248. Yan, Zhang, “Websites touting foreign brides”.

249. Brumfield, Ben, “Dozens of Chinese crime suspects deported from Angola”, *CNN*, 27 August 2012, accessed 3 December 2014, <http://edition.cnn.com/2012/08/26/world/africa/angola-chinese-deported/>.

250. Sylvester, Elliott, “S Africa at centre of child sex trade”, *Guardian*, 19 February 2003, accessed 13 November 2014, <http://www.theguardian.com/world/2003/feb/19/childprotection.uk>.

251. Hall, Henry (2013), “Are Chinese immigrants undermining African progress?”, *The Christian Science Monitor*, 26 February 2013, accessed 13 December 2014, <http://www.csmonitor.com/World/Africa/Africa-Monitor/2013/0226/Are-Chinese-immigrants-undermining-African-progress>.

252. Mwanangombe, Lewis, “Zambia: Chinese Underage Sex Scandal Sparks Emotive Debate”, *Inter Press Service*, 31 January 2012, accessed 3 December 2014, <http://www.ipsnews.net/2012/01/zambia-chinese-underage-sex-scandal-sparks-emotive-debate/>.

253. Ibid.

254. Van Staden, Cobus, “China’s Zambian Sex Scandal”, *China in Africa Project*, 21 February 2012, accessed 3 December 2014, <http://www.chinaafricaproject.com/china-zambia-sex-scandal/>.

255. Van Staden, “China’s Zambian Sex Scandal”.

256. U. S. Department of State (2014), “Country Narratives: China”, 132.

and also allegedly for sex. Sergei A. Pysin, former chairman of the regional tourism authority, explained that the local tourist industry gradually upgraded its facilities to meet the Chinese tourists' demands for high-end hotels and tourist guides.²⁵⁷ There are no official accounts of minors being sexually exploited in the area but it would seem unreasonable to rule out this possibility in light of the findings that research in similar environments has provided.

Likewise, Taiwan's sex business operators have launched advertising campaigns online targeted at middle-aged Chinese male tourists since the Beijing government allowed direct travel across the Taiwan

Strait in 2008. Websites in Chinese promote "Ecstasy Taiwan solo trips" by introducing potential travellers to hostess clubs in Taipei, which are open both day and night.²⁵⁸ Chinese women (middle aged and older) are also reportedly travelling to Taiwan to buy sex from younger men. This appears to have become a common trend within China over recent years as well.²⁵⁹ The women use agencies to contact male prostitutes, who are called "secretaries" and accompany them throughout their stay in the island.²⁶⁰ Further research is much needed to verify whether children in these and other locations with no reported cases to date are actually subject to commercial sexual exploitation in travel and tourism.

CHAPTER 4

WHAT HAS BEEN THE RESPONSE?

GOVERNMENT RESPONSES

As of early 2015 no responses appear to be in place specifically devoted to ending sexual exploitation of children in travel and tourism in China. Nonetheless, a number of initiatives to better protect the most vulnerable Chinese children have been launched by the government and, to a lesser extent, by civil society organisations given that they have a much limited space to operate in the public policy arena. Consequently, this chapter will present an overview not only of responses to sexual exploitation of children in travel and tourism but also, more generally, to child sexual abuse and child rights protection. Quite importantly, the latter have the potential to bring about responses specifically addressing the problem in the tourism context.

China is gradually building a comprehensive child welfare system with the aim to provide universal welfare protection to children.²⁶¹ This system categorises children into four groups depending on their living circumstances and offers different standards of welfare services accordingly.²⁶² Over recent months, efforts to better protect children have been mainly centred on tackling trafficking of women and children, followed by protecting children against poverty, and providing livelihood to orphans and the so-called "left behind children".²⁶³ In response to the growing number of trafficking cases detected across China's borders and involving Chinese victims abroad, the State Council issued an Action Plan for Fighting Human Trafficking (2013-2020).²⁶⁴ As a result, the Chinese government is enhancing its international cooperation efforts in this area, especially with neighbouring countries.²⁶⁵

257. Brooke, James, "Vladivostok Finds Its Worldliness Again", New York Times, 15 February 2004, accessed 13 November 2014, <http://www.nytimes.com/2004/02/15/travel/travel-advisory-correspondent-s-report-vladivostok-finds-its-worldliness-again.html>.

258. Yeh, Sam, "Taiwan's sex trade 'targets Chinese tourists'", AFP News, 28 July 2011, accessed 24 November 2014, <https://sg.news.yahoo.com/taiwans-sex-trade-targets-chinese-tourists-143508389.html>.

259. These young men are colloquially known as 鸭子 (yazi) or gigolo.

260. "They love young men and keep on coming back for more": Rich Chinese women accused of travelling abroad to buy sex from toyboys", Daily Mail, 16 May 2014, accessed 6 April 2015, <http://www.dailymail.co.uk/news/article-2630361/They-love-young-men-coming-Rich-Chinese-women-accused-travelling-abroad-buy-sex-toyboys.html>.

261. Wu, Ni and Shi, Yingying, "Ministry drafts child welfare system", China Daily, 1 July 2013, accessed 15 January 2015, http://usa.chinadaily.com.cn/china/2013-07/01/content_16692575.htm.

262. Children are identified as orphans; in plight (referring to those who are homeless, disabled or have serious illness); from underprivileged families (those whose parents are poverty-stricken, seriously disabled or ill, serving long prison sentences, are in compulsory drug rehabilitation, or single parents unable to raise the child alone); or from ordinary families. Wu and Shi, "Ministry drafts child welfare system".

263. Branigan, Tania, "China struggles with mental health problems of 'left-behind' children", BBC, 30 August 2014, accessed 10 February 2014, <http://www.theguardian.com/world/2014/aug/30/china-left-behind-children-mental-health>.

264. Wu, Amanda, "The Action Plan for Fighting Human Trafficking", Women of China, 29 March 2013, accessed 20 April 2016, <http://www.womenofchina.cn/womenofchina/html1/source/14/9734-1.htm>.

265. Liu, Yunting "China, Myanmar Step up Fight Against Human Trafficking", Women of China, 20 May 2013, accessed 30 January 2014, <http://www.womenofchina.cn/womenofchina/html1/news/china/15/5035-1.htm>.

Responses to child sexual exploitation to date have been framed within the fight to end human trafficking and a slowly emerging welfare state. Yet only limited effective provision is presently available to those at the margins of China's impressive economic performance since the 1980s.²⁶⁶ Key Chinese government bodies concerned with children's wellbeing include the Ministry of Civil Affairs, the National Working Committee on Children and Women (NWCCW), the State Council leading Group Office of Poverty Alleviation and Development, and the Office for Preventing and Combating Crimes of Trafficking in Women and Children.²⁶⁷ China's first national Social Insurance Law was adopted in 2010 and the 12th Five-Year Plan for National Economic and Social Development (2011-2015) includes the protection of children's rights to survival and development as one of the country's priorities.²⁶⁸

The main beneficiaries of social services for children today are orphans, abandoned and disabled minors.²⁶⁹ New initiatives in this field are articulated in policies such as the National Programme of Action for Child Development in China (2011-2020), which is the second of its kind after the government formulated the National Programme of Action for Child Development (2001-2010).²⁷⁰ In addition, campaigns such as the 'Child Welfare Week', launched by the Ministry of Civil Affairs in cooperation with UNICEF China in 2010 on a yearly basis or the 'Growing Up Safe' campaign, sponsored by the All China Women's Federation in 2009, address a wide variety of problems facing vulnerable children, ranging from child labour to sexual abuse and exploitation.²⁷¹

Notwithstanding these campaigns, a comprehensive child protection service that effectively safeguards

children from abuse and exploitation is absent in China today.²⁷² Evidence shows significant differences across China's provinces in terms of implementation of national initiatives seeking to improve children's wellbeing. It must be noted that the provision of social service benefits has traditionally fallen within the responsibilities of local governments. Differences in resources available to each local government result in similar disparities in the assistance provided to those in need across China's regions. For instance, working committees for children and women at provincial, district and county levels are in charge of developing and supervising local programmes of action for child development despite their respective budgets varying significantly.²⁷³ Local offices of the All-China Women's Federation have also set up children's homes to provide "life care, homework guidance and mental comfort".²⁷⁴

Moreover, direct assistance to the most disadvantaged social groups started to be provided by professional social workers only over recent years.²⁷⁵ Social work was formally recognised as a profession by the Ministry of Labour just in 2005 and by the Ministry of Civil Affairs in 2007.²⁷⁶ The government is implementing a plan for developing a national social work system (2011-2020) that should increase the current 200,000 qualified social workers in the country to up to 1.45 million by 2020.²⁷⁷ This would include training for community members and employees of public institutions already doing social work without the formal certification.²⁷⁸

Child rights advocates often raise criticisms over the lack of coordination among government agencies involved in child protection in China. The absence of clear and active responsibilities for each government department to respond to cases of exploited children undermines the effectiveness of national policies in

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266. High, Anna J. (2013), "China's Orphan Welfare System: Laws, Policies And Filled Gaps", *University of Pennsylvania East Asia Law Review* 8, no. 2 (Spring 2013): 126-176, accessed 13 January 2014, <http://scholarship.law.upenn.edu/earl/vol8/iss2/2>.
267. UNICEF, "Child Sensitive Social Protection System", accessed 13 January 2014, <http://www.unicef.cn/en/index.php?m=content&c=index&a=lists&catid=136>.
268. Government of the People's Republic of China, "Twelfth Five Year Plan (2011- 2015) - Full English Version (中国十二五计划)", ch. 36, sec. 3, accessed 30 January 2014, <http://www.britishchamber.cn/sites/default/files/full-translation-5-yr-plan-2011-2015.doc>.
269. Ringen, Stein and Ngok, Kinglun (2013), "What Kind of Welfare State is Emerging in China?", UNRISD Working Paper 2013-2, September 2013, p. 12, accessed 15 January 2015, [http://www.unrisd.org/80256B3C005BCCF9/\(httpAuxPages\)/28BCE0F59BDD3738C1257BE30053EBAC/\\$file/Ringen%20and%20Ngok.pdf](http://www.unrisd.org/80256B3C005BCCF9/(httpAuxPages)/28BCE0F59BDD3738C1257BE30053EBAC/$file/Ringen%20and%20Ngok.pdf).
270. NWCCW, "China National Program for Child Development", 14 June 2012, accessed 21 April 2016, <http://www.nwccw.gov.cn/html/51/n-162251.html>.
271. UNIAP, "Counter-Trafficking Action Being Taken in China", accessed 6 February 2015, http://www.no-trafficking.org/china_action.html.
272. West, Andy (2005), "Hubs and Centres for Developing Children's Participation and Child Protection in China", *Save the Children China*, p. 13, December 2005, accessed 12 January 2015, <http://www.savethechildren.org.uk/resources/online-library/hubs-and-centres-for-developing-childrens-participation-and-child-protection-in-china>.
273. Karlsson, David and Xin, He (2014), "Child Rights and Corporate Social Responsibility in China", *Center for Child Rights and Corporate Social Responsibility (CCR CSR)*, p. 9, accessed 6 February 2015, http://www.ccrsr.com/sites/default/files/Child%20Rights%20and%20Corporate%20Social%20Responsibility%20in%20China_April%202014.pdf.
274. Wu, Amanda, "NPC Deputy Urges More Care for Left-behind Children", *Women of China*, 12 March 2014, accessed 5 February 2015, <http://www.womenofchina.cn/html/womenofchina/report/171175-1.htm>.
275. Ringen and Ngok, "What Kind of Welfare State", 15.
276. "Social Policy and Social work in Contemporary China: Interview with Xu Yongxiang", *China Watch* 2050, 5 March 2011, accessed 8 January 2015, <http://www.chinawatch2050.com/social-policy-and-social-work-in-contemporary-china-interview-with-xu-yongxiang>.
277. "China to amass 1.45m social workers", *China Daily*, 9 May 2012, accessed 5 February 2015, http://usa.chinadaily.com.cn/business/2012-05/09/content_15249251.htm.
278. "Social Policy and Social work in Contemporary China".

this area.²⁷⁹ In addition, while laws focused on child protection issues are in effect, their implementation appears to be lagging behind.²⁸⁰

Among government-sponsored centres, the Street Children Protection Centres, run by municipal and provincial governments, were first established in 2002. Still only available in a dozen of Chinese cities, these centres offer temporary shelter, referral services, vocational training, community-based residential care and outreach programmes, among other services.²⁸¹ Other initiatives tackling some of the push factors leading to sexual exploitation of children include a pilot programme launched by the Ministry of Civil Affairs and UNICEF China in 2010. Currently running in 120 villages in Sichuan, Henan, Xinjiang, Yunnan and Shanxi provinces, the programme involves setting up Child Welfare Activity Centres where children can receive livelihood training and monitoring mechanisms to make sure that children at risk have access to basic social services.²⁸²

Furthermore, the National Programme of Action for Child Development in China (2011-2020) prioritises the provision of social welfare for children in poverty. This is in line with China's broad approach to promote "the healthy growth of children in all aspects".²⁸³ By doing so, it can be argued that the plan tackles the root problems that expose children to exploitation and abuse. Among the objectives of the plan somewhat related to the fight against child sexual exploitation, the most relevant are arguably the creation of "a public service network on child psychological health" and "a capable body of social workers specialising in work concerning children". Equally crucial are improvements in the "legal system of child protection"; enhancing knowledge of these laws –among children, families, schools and relevant stakeholders, which ideally should include tourism operators–; strengthening law enforcement supervision; and improving legal assistance for children.²⁸⁴

Notwithstanding the value of declaring such policy goals,

necessary budget allocations, clear responsibilities and effective coordination mechanisms among government agencies still appear to be lacking. Without them such goals cannot be realised. In fairness, it can be argued that such reforms would take time to flesh out as is usually the case with social policies in such a populous and large country as China. It is also worth pointing out that the welfare system in China was based until recently on the work unit or *danwei*.²⁸⁵ Consequently, the country appears to have a long way to go to build the necessary infrastructure to turn the National Programme of Action into a reality.

SPACE FOR CIVIL SOCIETY TO WORK ON SEXUAL EXPLOITATION OF CHILDREN IN TRAVEL AND TOURISM AND NGO RESPONSES

Following the introduction of the market reforms in the late 1970s, a myriad of social problems have gradually arisen, some of the most pressing ones affecting children. As a result, the government has come to realise the value of social services provided by NGOs to better "serve the people" albeit under tight control.²⁸⁶

The promotion of the "socialisation of welfare" is opening up new avenues of operation for non-state actors, namely service delivery NGOs focused on welfare and poverty issues.²⁸⁷ A Charity Promotion Law has been in the making for nearly 10 years but the draft is still under review. Meanwhile, the Chinese state's management of the civil society sector remains restrictive in accordance with the Regulations on the Registration and Management of Social Organisations (1998).²⁸⁸ However, some Chinese scholars such as Professor and Director of the Centre for Chinese Government Innovations at Beijing University, Yu Keping, argue that NGOs have in practice more room to work than "the institutional space allowed by formal laws and regulations".²⁸⁹

279. West, "Children's Participation and Child Protection in China", 13.

280. Ibid., 12.

281. UNICEF, "In-depth: A renewed effort on street children", 2 September 2011, accessed 30 January 2015, <http://www.unicef.cn/en/index.php?m=content&c=index&a=show&catid=53&id=108&page=2>.

282. UNICEF, "Child Sensitive Social Protection System".

283. Government of the People's Republic of China (2012), "China National Program for Child Development (2011-2020)", 14 June 2012, accessed 2 February 2015, <http://www.nwccw.gov.cn/?action-viewnews-itemid-162251>.

284. Ibid.

285. "Social Policy and Social work in Contemporary China".

286. Shieh, Shawn (2016), "NGO Law Monitor: China", The International Center for Not for Profit Law, 25 January 2016, accessed 19 January 2015, <http://www.icnpl.org/research/monitor/china.html>.

287. West, "Children's Participation and Child Protection in China", 45.

288. China's State Council (1998), "Regulations on the Registration and Management of Social Organizations (CECC Full Translation)", 25 October 1998, accessed 3 February 2015, <http://www.cecc.gov/resources/legal-provisions/regulations-on-the-registration-and-management-of-social-organizations>.

289. Shieh, Shawn (2014). "NGO Law Monitor: China".

Civil society organisations are subject to a dual management system in China. This means that all organisations must first find a government sponsor or “professional supervising unit” in order to register with the Ministry of Civil Affairs and operate legally. The government sponsor – either at the national, provincial or local level- is responsible for monitoring the activities of social organisations (社会团体), private non-enterprise units (民办非企业) and foundations (基金会). These are the three NGO categories that are legally recognised in China. For foreign NGOs there are no laws clearly stating how these organisations should be treated. As a result, some of them choose to partner with local organisations or register as a representative office of foreign commercial enterprises.²⁹⁰

In addition, current regulations for domestic NGOs include non-competition, anti-branching and anti-networking provisions stipulating that only one NGO can work on a particular field in each administrative region –local, provincial or national. Furthermore, the legal representative of a social organisation cannot act as such for another NGO. As a result of the difficulties to find a government sponsor, over 90% of NGOs work unregistered or registered as commercial enterprises.²⁹¹

Unregistered organisations can face not only civil but also criminal punishment.²⁹² In contrast, some organisations are not required to register at all. These are organisations that participate in political consultative meetings or the so-called Government-Operated NGOs, or GONGOs, such as the All-China Women's Federation or the Red Cross Society of China.²⁹³ These barriers to entry, operation and access to resources have raised interesting debates in the literature over how to define Chinese civil society ranging from Michael Frolic's “state-led civil society”, to Yu Keping's “government-led civil society” or a more widely used corporatist state-society relationship.²⁹⁴

Probably in response to growing pressing needs among vulnerable social groups, the 12th Five Year Plan for

National Economic and Social Development (2011-2015) includes “social management innovation” (社会管理创新) among the government's policy directions.²⁹⁵ The goal is to improve how the state manages and coordinates with service delivery NGOs to tackle common social concerns. More recently, the 2013 Decision of the Central Committee of the Communist Party of China on Some Major Issues Concerning Comprehensively Deepening the Reform (中共中央关于全面深化改革若干重大问题的决定) replaces management by the term “social governance” for the first time.²⁹⁶ This more cooperative tone is one of the most relevant changes over recent years for the NGO sector.²⁹⁷ It has led to clear improvements in terms of the institutional space to operate for those organisations cooperating with the government in the provision of social welfare. However, a more positive interaction between the government and social organisations does not appear to be necessarily the norm for those NGOs working on the promotion of children's rights, let alone human rights.

RESPONSE OF REGIONAL ENTITIES

At the regional level, China is increasingly playing a key role in advancing children's rights protection in Asia. The country hosted the High Level Meeting for South-South Cooperation for Child Rights in the Asia Pacific Region in November 2010. The meeting, which managed to bring together 28 countries, addressed the development of child protection and welfare mechanisms.²⁹⁸ Furthermore, international crime groups involved in human trafficking are also a key concern among Asian neighbours. Consequently, China has signed the Mekong River Sub-regional Cooperation Anti-trafficking Memo with Thailand, Myanmar, Laos, and Cambodia and launched a senior-official meeting mechanism to fight trafficking gangs. Chinese police regularly cooperates with their counterparts in Russia, the United Kingdom, Australia and Malaysia in intelligence exchange and investigation as these are reportedly prominent destinations for trafficked Chinese children.²⁹⁹

290. Ashley, Jillian S. and He, Pengyu (2008), “Opening One Eye and Closing Another, The Legal and Regulatory Environment for ‘Grassroots’ NGOs in China Today”, *Boston University International Law Journal* 26, no. 29 (2008): 29-96, accessed 3 February 2015, <https://www.bu.edu/law/central/jd/organizations/journals/international/volume26n1/documents/29-96.pdf>.

291. Ashley and He, “Opening One Eye and Closing Another”, 44, 54.

292. China's State Council, “Registration and Management of Social Organizations”, art. 35.

293. Ibid., art 3.

294. For an in-depth discussion on this academic debate, please see Howell, Jude (2012), “Civil society, corporatism and capitalism in China”, *The Journal of Comparative Asian Development* 11, no. 2 (2012): 271-297.

295. People's Republic of China, “Twelfth Five Year Plan (2011- 2015)”, ch. 37.

296. Government of the People's Republic of China (2013), “Decision of the Central Committee of the Communist Party of China on Some Major Issues Concerning Comprehensively Deepening the Reform”, 16 January 2014, accessed 3 February 2015, http://www.china.org.cn/china/third_plenary_session/2014-01/16/content_31212602.htm.

297. Shieh, Shawn (2014). “NGO Law Monitor: China”.

298. Government of the People's Republic of China (2010), “The Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region”, accessed 5 February 2015, www.unicef.org/eapro/Beijing_Declaration.docx.

299. Zhang, Yan and He, Dan, “Trafficking of Chinese women on the rise”, *China Daily*, 24 January 2011, accessed 17 December 2014, http://www.chinadaily.com.cn/china/2011-01/24/content_11902610.htm.

Many of the regional responses already in place focus on anti-human trafficking efforts. With this goal, China has established eight liaison offices with Myanmar, Vietnam and Laos.³⁰⁰ Some experts also warn of new risks faced by children in the region. For instance, a regional representative of UNODC, Jeremy Douglas, advocates setting up a database of child sex offenders “to alert immigration officials and stop criminals from crossing borders”³⁰¹ as the ASEAN Economic Community (AEC) is reducing restrictions on travel between member countries.³⁰²

More interestingly, China is one of the six countries that set up the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) in 2004.³⁰³ The COMMIT Process is being developed along with complementary initiatives such as the “Worst Offenders Project”, aimed at enhancing the number and quality of prosecutions of those profiting from this crime. These capacity building and training projects also benefit from UNIAP’s Strategic Information Response Network (SIREN), devoted to providing much needed data and analysis about trafficking in persons in the region.³⁰⁴

RECOVERY AND REINTEGRATION OF VICTIMS AND MULTI-SECTORAL RESPONSES

In terms of recovery and reintegration of victims, the limited literature available shows that most efforts to date have been focused on assistance to trafficked victims. In addition, there appears to be a low level of awareness of judicial procedures and ways to report being a victim both of trafficking and sexual exploitation. There are a variety of factors that explain this situation. Firstly, as has been discussed, local officials appear to be involved in some instances in turning a blind eye to let sex work venues operate freely in exchange for material benefits. This can result in a lack of trust

by victims of sexual exploitation to denounce such experience. Secondly, especially when those involved are illegal migrants, victims are concerned about potential fines or charges due to their illegal entry into the country. Thirdly, the shame attached to sex work might make some minors reluctant to report it in order to avoid stigmatisation and rejection.

A study conducted by UNIAP and NEXUS Institute with 252 trafficked minors and adults in the Greater Mekong Sub-Region shows that in a number of cases victims went unassisted. Some of the key reasons explaining this situation are the lack of services available, being unidentified, not referred or even unaware of available support. In addition, the lack of assistance seems to be an even more serious problem among boys and male adults because in China they have not been perceived as trafficking victims until recently. For a long time, the assumption was that only females were falling victims of international gangs.³⁰⁵

As discussed, some NGOs fill in the gaps left by state assistance in areas of Yunnan and Guangxi, which is a gate to the coast and Cantonese area and, thus, drives substantial activity by trafficking networks. It appears that most commonly this assistance for recovery and reintegration does not specifically cater for minors but rather that children are assisted and live in shelters alongside adults.³⁰⁶

Furthermore, international organisations such as UNICEF have been working with the Chinese government by providing technical support to China’s Supreme Court on international legislative and best practices pertaining to child sex offences. Among other initiatives, China Centres for Disease Control have conducted a study, with the support of UNICEF, on the prevalence of child abuse, as well as gaps in the policies aimed at preventing and responding to this phenomenon.³⁰⁷

300. Liu, “China, Myanmar Step up Fight Against Human Trafficking”.

301. Ashayagachat, Achara, “Child sex tourists ‘mostly Asian’”, Bangkok Post, 11 October 2014, accessed 20 November 2014, <http://www.bangkokpost.com/news/crime/437006/child-sex-tourists-mostly-asian>.

302. Barron, Laignee, “With AEC, risks abound”, Phnom Penh Post, 22 October 2014, accessed 20 November 2014, <http://www.phnompenhpost.com/national/aec-risks-abound>.

303. UNIAP, “COMMIT: The Coordinated Mekong Ministerial Initiative Against Trafficking”, accessed 5 February 2015, <http://www.no-trafficking.org/commit.html>.

304. SIREN, “Strategic Information Response Network”, accessed 5 February 2015, <http://www.no-trafficking.org/siren.html>.

305. Surtees, Rebecca (2013), “After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-Region”, *United Nations Inter-Agency Project on Human Trafficking* (UNIAP), October 2013, accessed 15 January 2015, [http://www.nexusinstitute.net/publications/pdfs/After%20trafficking_Experiences%20and%20challenges%20in%20\(Re\)integration%20in%20the%20GMS.pdf](http://www.nexusinstitute.net/publications/pdfs/After%20trafficking_Experiences%20and%20challenges%20in%20(Re)integration%20in%20the%20GMS.pdf).

306. Ibid.

307. UNICEF, “Atlas on Children in China”.

CORPORATE RESPONSES

When looking at the corporate responses, no initiatives targeted specifically at fighting sexual exploitation of children in travel and tourism have been identified. Probably one of the most prominent advancements in this area is the endorsement by 19 Chinese tourism enterprises of the UNWTO Global Code of Ethics for Tourism in 2013 and 2014.³⁰⁸ Despite the fact that the code is not legally binding, it includes important provisions related to the fight against sexual exploitation of children in travel and tourism.

In particular, article 2 states that “tourism activities should respect (...) the individual rights of the most vulnerable groups, notably children”. Furthermore, article 3 claims that the sexual exploitation of children “conflicts with the fundamental aims of tourism and is the negation of tourism; as such, in accordance with international law, it should be energetically combated”.³⁰⁹ It can be argued that this is a symbolic step that can play to the benefit of raising the profile of this problem in China’s public policy.

More broadly, the Chinese government, in cooperation with international organisations, has designed a number of social corporate responsibility frameworks that can also benefit the fight against sexual exploitation of children in travel and tourism by raising awareness over child rights protection. For example, China formed the UN led Global Compact Local China Network in 2009 to encourage the abolition of child labour. Ending the sexual exploitation of children in travel and tourism would be crucial step in this direction.

Additionally, private corporations occasionally get involved in projects aimed at improving the wellbeing of the most disadvantaged children in China.³¹⁰ Such initiatives could have a greater impact if coordinated and based on reliable data about the current and emerging problems facing children in the country today. One of them is sexual exploitation in travel and tourism and more concerted efforts are clearly needed to tackle this issue, as the global economic importance of the tourism sector keeps growing.

CHAPTER 5

HOW CAN WE END SECTT?

This chapter will discuss recommendations for action directed at the state, civil society organisations and the corporate sector in order to better understand and fight the phenomenon of sexual exploitation of children in travel and tourism. China has taken steps in the right direction to better meet the needs of the most vulnerable children with new regulations, social policies and a number of national plans. However, the lack of information on how many children are being affected by this appalling business and the support available for their recovery and reintegration is a crucial challenge for effectively ending sexual exploitation of children in travel and tourism in China. Solutions to this information challenge must come from official institutions. However, they should also involve the civil society sector, which, despite its small size in China,

can still provide an insightful perspective on what the situation is on the ground, both at the communities of origin of exploited children and in the tourist locations where such exploitation is taking place.

THE STATE

Address the issue of corruption and impunity in Macau (89, UN Committee)

The Ministry of Civil Affairs and the National Bureau of Statistics should conduct research regularly and make information available on who are the children being affected, the conditions they face prior and during the time they are subject to sexual exploitation and the

308. UNWTO (2011), “Global Code of Ethics: Private Sector Signatories of the Commitment in China”, accessed 6 April 2015, http://ethics.unwto.org/private-sector-signatories-of-the-commitment?field_signatories_region_value_many_to_one=All&field_signatories_country_value_many_to_one=China.

309. UNWTO (2001), “Global Code of Ethics for Tourism”, 21 December 2001, accessed 6 February 2015, <http://dtxqtq4w60xqpww.cloudfront.net/sites/all/files/docpdf/gcetbrochureglobalcodeen.pdf>.

310. Yin, Peter, “Sony China Assists Chinese Children in Safety Education”, Women of China, 30 October 2014, accessed 6 February 2015, <http://www.womenofchina.cn/womenofchina/html1/news/charity/1410/1750-1.htm>.

resources available for their recovery and reintegration. Only on the basis of such evidence, can all stakeholders better tackle this issue. The National Programme of Action for Child Development in China (2001-2010) already described a “task force for statistics and monitoring, composed of relevant departments, with the National Bureau of Statistics taking the lead”.³¹¹ However, crucial statistics disaggregated by age, sex, geographic location, ethnicity and socioeconomic background are yet to be made available.³¹²

Better coordination and allocation of clear responsibilities among government agencies working on child sexual exploitation cases is greatly needed and could have a positive impact on the effectiveness of the National Programme of Action for Child Development. In addition, the continued efforts of the Chinese government to expand the welfare state will also play to the benefit of vulnerable children.

Regarding judicial matters, substantial improvements are needed in a number of areas. Child rights’ experts in China often complain about insufficient legal coverage and inconsistency as well as problems related to enforcement and implementation. Furthermore, the concluding observations to China’s last periodic report on progress on the UN Committee on the Rights of the Child pointed out a number of issues. Firstly, the “low rate of prosecution” for sexual exploitation of children, where extrajudicial settlements are common, leads to “impunity for perpetrators”.³¹³ Secondly, the lack of awareness among children about “ways to respond to and report” sexual abuse and exploitation also requires new government efforts to raise awareness about this issue. Thirdly, the lack of information about the limited resources available undermines even more the victims’ access to justice, shelter, medical services, psychological counselling and compensation for child victims of sexual exploitation”.³¹⁴

A senior researcher with the National Institute of Education Sciences, Chu Zhaohui, points out that many cases of sexual exploitation of children go “unreported, concealed or trivialised”.³¹⁵ Therefore, training of law enforcement professionals and social workers providing direct assistance to child victims should be enhanced.

In particular, it is crucial that social workers are capable of monitoring vulnerable children’s wellbeing and refer to a carefully developed plan of action to respond to cases of sexual exploitation. Some of these problems are partly addressed by national policies but often not fully implemented through specific action programmes.

In addition, there are significant gaps in the current child protection legislation. The Criminal Law needs to be amended to completely remove any reference to underage prostitution and replace it with child rape to avoid further stigmatisation of children who have been subject to sexual exploitation. Moreover, claiming to have a “consented” relationship with a girl under 14 cannot be regarded as a mitigating factor reducing punishment for offenders. Specific provisions in this law should address how law enforcement agencies should deal with cases of sexual exploitation of boys under 18 or girls between 14 and 18 years of age.

The China National Tourism Administration (CNTA), which is responsible for developing, promoting and regulating China tourism industry, should raise the profile of the problem of sexual exploitation of children in travel and tourism among key stakeholders within the industry. The CNTA could bring together key corporations to discuss what they can do to fight this growing phenomenon.

More efforts and resources need to be devoted to recovery and reintegration specifically tailored to children. In addition, awareness-raising campaigns in the remote rural villages where some of the exploited girls come from can help prevent families from trusting potential traffickers. Making sure that children from rural areas have livelihood options to support their families beyond sex work is equally important. This would involve educational programmes such as vocational training or other schemes that would enable rural youth to access better employment opportunities.

Lower registration barriers for NGOs should be introduced so that these organisations can become more involved in providing assistance to abused children, from immediate counselling needs to vocational training.

311. Government of the People’s Republic of China (2010), “National Program of Action for Child Development in China (2001-2010)”, 17 September 2010, accessed 9 February 2015 <http://www.womenofchina.cn/womenofchina/html1/source/0/514-1.htm>.

312. UN Committee on the Rights of the Child, “Concluding observations”, para. 18.

313. UN Committee on the Rights of the Child, “Concluding observations”, para. 45(b).

314. Ibid, para. 45(c), (e).

315. “China orders severe penalties for child abuse”, Xinhua, 24 October 2013, accessed 9 February 2015, http://news.xinhuanet.com/english/china/2013-10/24/c_132828042.htm.

CIVIL SOCIETY ORGANISATIONS

The civil society sector could play a much more active role on advocacy and research on the particular features of sexual exploitation of children in travel and tourism if allowed more institutional space to operate. NGOs could support awareness-raising campaigns on the issue launched by government agencies. In addition, civil society actors could contribute to better understand this phenomenon by providing more evidence on how sexual exploitation of children in travel and tourism is manifesting in China.

More drop-in centres and outreach programmes must be provided to vulnerable children and in touristic areas

where children are exploited. Civil society organisations should be able to provide input and feedback on state initiatives in this regard.

THE CORPORATE SECTOR

The corporate sector needs to get involved in the prevention efforts against sexual exploitation of children in travel and tourism. Ideally, a framework for the corporate sector specifying what are their reporting obligations, how they work, who are obliged to notify the authorities of cases of child sexual exploitation would be extremely helpful. Moreover, hotel staff should be trained on how to respond to these cases.

CHAPTER 6

RECOMMENDATIONS & CONCLUSION

This report has identified the recent trends in SECTT in China, actions by stakeholders and gaps in legal framework, the lack of data and information on victims and offenders, the involvement of non-state actors and its increasing role in awareness raising and capacity building in combating SECTT in China. As China's economy is developing at a rapid pace and travel and tourism sector growing exponentially, it is of vital importance to strengthen government's efforts in prosecution, protection and prevention of child sex exploitation in travel and tourism. Every effort should be made to get reliable data of the current sexual exploitation victims in the travel and tourism industry.

Prosecution Efforts

According to Chinese culture, sex work is considered as a form of immoral behaviour that violates traditional moral values. This might be one of the reasons why the government has not set up a legal framework to ensure better treatment of child sex victims. Although China's Criminal Law addresses prostitution of girls under age of 14 as a serious crime, it does not include boys and girls between ages 14 and 18. Also, the Criminal Law does not make any reference to the victims of trafficking and forced prostitution. Therefore, to enhance prosecution of offenders and to ensure protection of child victims, Chinese government is advised:

- To adopt a comprehensive legal framework by clearly defining forced prostitution and the age of children (both girls and boys) that are considered victims and protected by the Criminal Law in terms of sexual exploitation and forced prostitution,
- To improve legal coverage and consistency of children that are victims of forced sexual exploitation,
- To replace "underage prostitution" with "child rape" in the Criminal Law to avoid the stigma of children who have been subject to sexual exploitation,
- To clearly define the crimes of SECTT in Tourism Law, including the provisions on punishment of child sex offenders and protection of victims and an effective monitoring system,
- To strengthen the prosecution of child sex offenders and to reduce the amount of extrajudicial settlements,
- To institute formal procedures to identify victims of child exploitation, including victim protection services and support such as legal assistance, medical care, psychological counselling, rehabilitation assistance, financial compensation and reintegration in society,
- To include provisions on legal assistance and legal process for foreign victims in China as well

as Chinese victims abroad, and the process of returning them to their respective home countries,

- To strengthen the relationship and coordination with different state actors, namely the non-profit sector (NGOs and charity organizations), corporate sector and travel and tourist industry, by setting comprehensive guidelines on reporting SECTT,
- To ensure better transparency in the legal process and criminal investigation as well as in prosecution efforts by setting up an effective and efficient monitoring system to evaluate work of police, social workers, NGOs and other actors involved in combating child sex exploitation,
- To support the role of the Ministry of Civil Affairs and the National Bureau of Statistics to conduct thorough research on children victims, criminal investigation and cases identified in SECTT regularly and to make information available to the general public,
- To train law enforcement professionals, particularly judges, police and social workers on children rights and the ways of identifying and reporting child sex exploitation,
- To develop a plan of action for cases of child sex exploitation and SECTT for social workers to follow when providing assistance to victims,
- To lower registration barriers for NGOs to enable them to get more involved in helping the victims of sexual exploitation,
- To continue to cooperate with other countries in the region as well as with International organizations, in terms of criminal investigation and sharing of information.

Protection Efforts

- To ensure that victims have access to justice, shelter and medical assistance, and are informed of the legal process, recovery and reintegration services provided by the state,
- To establish and make public aware of national and local hotlines to receive information on suspicious cases and to advise victims,

- To address the failure to recognize children involved in CSEC and SECTT as victims instead of treating them as offenders for acts they were forced to commit,
- To establish a monetary compensation fund for recovery and reintegration of victims in cooperation with civil society organizations,
- To establish drop-in centres and outreach programmes to child victims in touristic areas.

Prevention Efforts

- To raise awareness and provide sufficient information on the dangers of sex exploitation to the general public, and to reinforce mandatory sex education in schools, with a particular focus on minority groups and children in rural areas that are more vulnerable to become targets of traffickers,
- To give children in rural areas more opportunities to support their families such as vocational training or other educational programs that would give them access to better employment,
- To support NGOs in setting up awareness raising campaigns in cooperation with government agencies,
- To raise awareness of SECTT within the travel and tourist industry by cooperating closely with the China National Tourism Authority and key stakeholders,
- To establish a framework of responsibilities, obligations and training to the authorities in travel and tourism industry explaining how to report suspicious cases in SECTT,
- To encourage more open discussion and to publicly denounce offenders committing sexual crimes in China and abroad,
- To continue with the work of the COMMIT Process to enhance the number and quality of prosecutions of traffickers,
- To work closely with SIREN to receive data and analysis about trafficking in persons in China and in the region.

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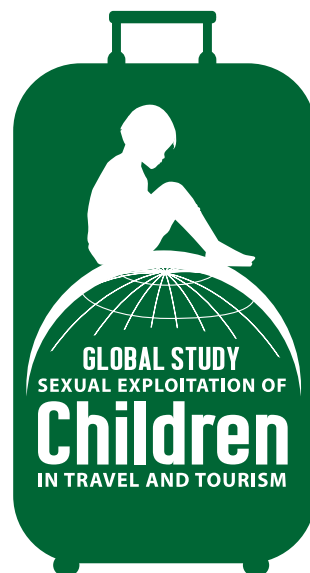
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