Assessing the Need for Enhanced Criminal Law Protection against Child Sexual Exploitation in Travel and Tourism

Associate professor **Nadezhda KRASTEVA**[1]
Chief assistant professor **Vladislav KRASTEV**[2]

Abstract

The subject of analysis in the current theoretical and practical research is an act with a high degree of social danger that exists in objective reality and manifests within the tourism sector – sexual exploitation in the field of travel and tourism. This exploitation is characterised by prerequisites for being carried out in a hidden and unnoticed manner. It is a multidimensional activity with objective and subjective features that affect the diverse rights of victims, primarily children. The primary goal of this study is to illustrate the necessity for adequate criminal law protection for every child worldwide from this form of abuse and to present several specific proposals. This article applies comparative legal research and socio-legal research of legal provisions of different legislation regulating sexual exploitation in travel and tourism. MAXQDA software was used for data analysis.

Keywords: *criminal law protection, children, sexual exploitation, travel, tourism.*

JEL Classification: K14, K33

DOI: 10.62768/TBJ/2024/14/2/02

Please cite this article as:	**Article History**
Krasteva, Nadezhda and Vladislav Krastev, 'Assessing the Need for Enhanced Criminal Law Protection against Child Sexual Exploitation in Travel and Tourism', *Juridical Tribune – Review of Comparative and International Law* 14, no. 2 (June 2024): 196–209.	Received: 19 February 2024 Revised: 15 April 2024 Accepted: 18 May 2024

1. Introduction

In the early 2020s, tourism, as an economic sector, faced serious challenges related to the Covid-19 global pandemic[3]. In 2020, there was a drop in tourist arrivals and tourist revenues worldwide[4]. According to data published by the UN World

[1] Nadezhda Krasteva – South-West University 'Neofit Rilski', Blagoevgrad, Bulgaria, ORCID ID: https://orcid.org/0000-0001-9342-9196, nkrusteva@law.swu.bg.
[2] Vladislav Krastev – South-West University 'Neofit Rilski', Blagoevgrad, Bulgaria, ORCID ID: https://orcid.org/0000-0002-3654-278X, vladislav_swu@law.swu.bg.
[3] Dimitrios Lagos, Panoraia Poulaki, and Penny Lambrou, 'COVID-19 and Its Impact on Tourism Industry,' in *Advances in Experimental Medicine and Biology*, 2021, 815–24, https://doi.org/10.1007/978-3-030-63761-3_45.
[4] Thakshila Kumudumali, « Impact of COVID-19 on Tourism Industry: A Review, » 2020, https://mpra.ub.uni-muenchen.de/102834/.

Tourism Organisation[5] in 2022, international tourism begins to gradually improve its performance in the January-July period. The number of international visits increased from – 64% in January 2022 (compared to 2019) to – 28% in July 2022. However, despite the almost triple increase in the first seven months of 2022, international tourism is still 43% below 2019 levels for the same reporting period. Data from the UN World Tourism Organisation also show that between January and July 2022, approximately 474 million tourists travelled internationally, compared to 175 million in the same months of 2021[6]. Statistics are indicative of the gradual but sustained movement of the tourism sector worldwide.

Europe is a preferred destination not only by residents of other continents but also by European citizens themselves. According to the UN World Tourism Organisation, international tourist visits to Europe for the period January-July 2022 amounted to 309 million, representing as much as 65% of worldwide registered international arrivals. This data indicates an extremely rapid recovery and convergence to pre-pandemic levels, reaching around 80% of 2019 levels in the first seven months of 2022[7].

These statistics demonstrate the positive development of the tourism sector and the gradual return of pre-pandemic levels. It can be said with certainty that while during the pandemic, international travel experienced a significant decline and gradual development only in 2022, domestic tourism (tourism in Europe) recovered much faster.

The development of tourism and the increasing number of trips, both international and local, has its undeniable advantages. However, they are not the subject of this study and will therefore not be analysed. The subject of analysis is a problem that exists and develops in the tourism sector and can remain hidden for a long time – sexual exploitation in the sphere of travel and tourism, carried out in relation to children, as the more frequent victims. The aim of this research is to analyse the nature of this type of exploitation and to prove the necessity of criminal law protection. The achievement of the objective should be accomplished by carrying out the following tasks: disclosing the factors that influence the development of such misconduct; defining the definition of the expression; identifying the specificities of this specific type of criminal activity; studying and analysing the manifest forms of this type of sexual exploitation; examining the special criminal legal framework in force for the protection of individuals from similar forms of abuse in individual countries, etc.

The sexual exploitation of children in the field of travel and tourism is a criminal act that now affects every country in the world in one way or another. It turns out that this kind of sexual exploitation of children is an extremely lucrative business which, according to the OHCHR to the UN, could generate a profit of about $20 billion

[5] "World Tourism Barometer: September 2022", UNWTO. October 28, 2022, accessed October 25, 2023, https://en.unwto-ap.org/news/worldtourismbarometer_september2022/.
[6] 'International Tourism Back to 60% of Pre-Pandemic Levels in January-July 2022,' UNWTO, September 26, 2022, accessed October 25, 2023, https://www.unwto.org/news/international-tourism-back-to-60-of-pre-pandemic-levels-in-january-july-2022.
[7] Ibid.

a year[8].

In recent years, various measures have been taken to combat this criminal activity worldwide. In this regard, it is worth noting that the first International Summit on Child Protection in Travel and Tourism was held in Bogota, Colombia in June 2018[9]. The meeting adopted a Declaration and Call for Action for the Protection of Children in Travel and Tourism[10], with the main purpose of ensuring their protection. For its part, the UN World Tourism Organisation adopted an international Framework Convention on Tourism Ethics[11] on September 11, 2019, which mentions the protection of children from sexual exploitation (Art. 5.3). This draws the international community's attention to the existence of the problem and the need to take effective protective measures.

2. Attempt to define 'sexual exploitation of children in travel and tourism'

Sexual exploitation of children in travel and tourism has no single and clear definition. This, in turn, creates some problems in achieving an effective fight against it. Organisations operating within this field often employ the term in their documents without providing a specific definition, or the provided definition lacks sufficient detail.

The Convention on the Rights of the Child (CRC) is the first international instrument to regulate children's fundamental natural and social rights and to set out the obligations of States Parties in relation to their guarantee and observance. The Convention obliges States Parties to protect the child from all forms of exploitation which affect his or her well-being and proper physical and mental development. This, of course, includes protection from various forms of sexual exploitation and sexual abuse (Articles 34, 35, 36 of the CRC).

The World Tourism Organisation, in its Tourism Training Module for future professionals in the field, defines the sexual exploitation of a child in tourism as the exploitation of a child by a person or persons who perform sexual acts on the child while travelling outside their own country or region. It is also stated that the activity is usually accompanied by some form of payment. It can be money or various items, such as food, clothing, etc.[12] [13]

[8] 'Combating child sex tourism', UNWTO, April 10, 2013, accessed October 25, 2023, https://www.ohchr.org/en/stories/2013/04/combating-child-sex-tourism.

[9] The Ministry of Trade, Industry, and Tourism of Colombia organize the meeting in collaboration with the Tourism Office of the Bogotá Capital District (IDT), the Ministry of Foreign Affairs of Colombia, and the Colombian Institute of Family Welfare (ICBF), and ECPAT Colombia – Fundación Renacer, with the participation of the World Tourism Organization (UNWTO).

[10] 'Declaration and Call for Action for the Protection of Children in Travel and Tourism', ECPAT, June 6–7, 2018, accessed October 25, 2023, https://ecpat.org/wp-content/uploads/2021/08/Declaration_Summit.pdf

[11] 'Framework Convention on Tourism Ethics', UNWTO, 2020, accessed October 25, 2023. https://doi.org/10.18111/9789284421671.

[12] 'Protection of Children from Sexual Exploitation in Tourism,' UNWTO, 2001, accessed October 25, 2023, https://www.e-unwto.org/doi/pdf/10.18111/9789284404988.

[13] The description of the activity has utilized the definition of commercial sexual exploitation of children as stated in point 5 of the Declaration of the World Congress against Commercial Sexual Exploitation of Children, June 1996.

In its report, ECPAT International[14] provides a rather broad definition of child sexual exploitation in travel and tourism, stating that these are acts of sexual exploitation in the context of travel, tourism or both[15].

The act is outlined in a little more detail in another ECPAT International report. It is defined as the sexual exploitation of a child by a person or persons travelling from their hometown, geographical region or country to engage in sexual contact with a child[16].

Although it does not provide a legal definition, the criminal act is also described in Directive 2011/92/EU as 'sexual exploitation of children by one or more persons travelling outside their habitual residence to a place abroad where they have sexual contact with children' (recital 29). Obviously, this does not include cases in which the perpetrator travels within the borders of his/her own country to have sexual contact with a child. A circumstance which is covered by the definition given by ECPAT International.

The above definitions can be combined to derive a common definition. For example, *the sexual exploitation of a child in the field of travel and tourism can be defined as an act carried out by one or more persons who visit another city, geographical region, country in the context of travel, tourism or both in order to engage in sexual contact with a child.*

From the given description of child sexual exploitation in the field of travel and tourism, the following few features can be distinguished:

—perpetrators may be one or more nationals, foreigners or dual nationals;

—perpetrators can be both men and women, with no age limit;

—the victim can be a child[17], regardless of his or her gender;

—this type of exploitation involves the perpetrator leaving the usual place of residence to another city, region or country through travel, tourism or both;

—the trip should be carried out for a special purpose – making sexual contact with a child.

3. Features of child sexual exploitation in travel and tourism

The sexual exploitation of children in travel and tourism is distinguished by its complexity and covertness. This is a multidimensional activity that involves a number of interrelated manifestations, including trafficking for sexual exploitation; sexual exploitation of children for the purpose of prostitution; production of online child abuse

[14] ECPAT International works to end the sexual exploitation of children worldwide.

[15] Angela Hawke and Alison Raphael, 'Global Study Report on Sexual Exploitation of Children in Travel and Tourism,' ECPAT, May 2016, p. 15, accessed October 25, 2023, https://ecpat.org/wp-content/uploads/2021/08/Global-Report-Offenders-on-the-Move.pdf.

[16] 'Global Study on Sexual Exploitation of Children in Travel and Tourism. Regional Report, Europe', ECPAT International, 2016, accessed October 25, 2023, p. 16, https://ecpat.de/wp-content/uploads/2018/08/SECTT_Region-EUROPE.pdf.

[17] In accordance with Article 1 of the Convention on the Rights of the Child, a 'child' is any person under the age of 18, unless, according to applicable law, adulthood is reached earlier for the child.

material[18]; the sale of such materials; early and/or forced marriages[19] and others.

Criminal activity encompasses every country in the world, not just developed countries, as previously assumed. Anneke Koning and Johan van Wilsem, for example, point out that destination countries are characterised by lower economic wealth and are located closer to the equator[20]. This type of exploitation has undoubtedly evolved and changed over the years. There are a number of factors that influence the growth of the exploitation of children in question. More generally, the freer movement of citizens between countries can be mentioned[21]; the migration process; the development of technology; the lack of strict legislative measures, among others. Of course, more specific reasons can also be given for the growth of this negative phenomenon. In recent years, especially after the loosening and abolition of the Covid-19 measures, there has been the emergence and increased demand for more informal tourist services – renting a separate guest house; accommodation in family-type hotels; accommodation in so-called party hostels, which are mostly managed remotely; use of the AirBnB service[22]. The development of this type of service leads to a lack of control by the State, as quite often, the visit is not documented. The measures that used to work towards limiting the sexual exploitation in question, such as registration in hotels and the use of travel agencies or tour operators, seem to be almost impossible to implement anymore. The growth of this type of unregulated tourism (this includes ecotourism, rural tourism, home sharing, etc.) creates the conditions for the covert perpetration of the criminal activity in question.

One of the undisputed factors, which undoubtedly helped the growth of tourism and favoured the increase in the number of different trips in general, is the development of information and communication technologies. Unfortunately, this also has its negative dimensions. For example, the Internet is no longer used only to promote a particular destination, to offer advantageous holiday packages or to buy cheap airline tickets. The Internet is also being used as an effective tool for marketing and commercial sex services[23], live-streaming[24]; contacting children while travelling and exchanging

[18] David Mount et al., 'Triaging Online Child Abuse Material: Testing a Decision Support Tool to Enhance Law Enforcement and Investigative Prioritisation,' Policing 44, no. 4 (March 2, 2021): 628–42, https://doi.org/10.1108/pijpsm-02-2021-0020.

[19] María Barcons Campmajó, 'Forced Marriages in Europe: A Form of Gender-Based Violence and Violation of Human Rights,' *The Age of Human Rights*, no. 14 (June 15, 2020): 1–18, https://doi.org/10.17,561/tahrj.v14.5474.

[20] Anneke Koning and Johan Van Wilsem, 'The Context of Sexual Exploitation of Children by Tourists and Travelers: A Cross-National Comparison of Destination Countries and Non-Destination Countries,' *International Criminal Justice Review*, March 3, 2022, https://doi.org/10.1177/10575677221081875.

[21] Kevin Ireland, 'Sexual Exploitation of Children and International Travel and Tourism,' *Child Abuse Review* 2, no. 4 (December 1, 1993): 263–70, https://doi.org/10.1002/car.2380020408.

[22] Daniel Guttentag, 'Airbnb: Disruptive Innovation and the Rise of an Informal Tourism Accommodation Sector,' *Current Issues in Tourism* 18, no. 12 (September 2, 2013): 1192–1217, https://doi.org/10.1080/13683500.2013.827159.

[23] Thanh Ly, Lisa Murphy, and J. Paul Fedoroff, 'Understanding Online Child Sexual Exploitation Offenses,' *Current Psychiatry Reports* 18, no. 8 (June 21, 2016), https://doi.org/10.1007/s11920-016-0707-0.

[24] Samantha De Vries, 'An Analysis of Law Enforcement Cooperation in Child Sex Tourism Cases

information about places where it is easier to connect with a child – hotels, nightclubs, bars. Disseminate information about where to find taxis to take tourists/passengers/ visitors to places where such sexual services are offered. The Internet is also used to provide organised sex tours with children; to advertise fake fashion agencies that use children to perform sexual services with tourists or travellers, etc.[25]

In practice, often before the perpetrator travels to the same country, region or abroad to actually meet the child himself, he initially makes contact with the child through the use of information and communication technologies (online grooming). Such introductions are initiated chat forums, social networks[26], by sending videos and/or text messages, by participating in children's online games, etc. Often perpetrators continue to harass their victims online after returning home from the trip. Again, technology allows these individuals to record their abusive activities, share these materials with others, sell them, store them, blackmail their victims into sending new videos and/or photos with pornographic content, to participate in pornographic performances. Although less common, blackmail can also be about money.

It should be noted here that the profile of the perpetrator of sexual exploitation has significantly changed in recent years. In practice, two main types of perpetrators are revealed – those who target the abuse of children and those who react according to the possibilities and circumstances. The perpetrators are no longer just middle-aged men. They can be both male and female, and can even be another child. Perpetrators can include both national and international tourists, as well as individuals travelling within their own country. In other words, a perpetrator could be a foreign tourist visiting a new place, or a resident travelling from one city to another within their own country. Perpetrators include teachers, volunteers, humanitarian workers, military personnel, local and international travellers and tourists, visitors to major sporting and cultural events, etc. Criminal activity can also be carried out through intermediaries who do not necessarily participate in sexual exploitation.

As indicated above in the text, the type of child sexual exploitation under consideration often includes accommodation in a hotel, a motel, a guesthouse, a hostel, the use of transport, and the use of other tourist services. These enable the perpetrator to avoid arousing suspicions, to fit into the surroundings and people, and to facilitate contact with the child victim.[27]

The sexual exploitation of a child in travel and tourism constitutes a serious violation of a number of his/her rights. The abuse affects the right to life, health, sexual integrity, proper emotional growth and education of the child victim. The most

---

Involving Thailand and Canada,' *Police Practice and Research*, February 10, 2020, https://doi.org/10.1080/15614263.2020.1724789.

[25] Nc Castillo Murillejo, G. Cárdenas, and H. Rodríguez, 'Online Tourism, Virtual Identity and Sexual Exploitation,' June 10, 2015, https://doi.org/10.4185/rlcs-2015-1051en.

[26] Karin Cadge et al., 'Initiating Sexual Behaviors With Online Dating Partners: Stereotypical Gender Norms, Intimate Personal Data, and Romantic Compatibility,' *Journal of Research in Gender Studies* 9, no. 2 (January 1, 2019): 71, https://doi.org/10.22381/jrgs9220197.

[27] 'Combating Child Sex Tourism: Questions and Answers', ECPAT International, Bangkok, Thailand: 2008, p. 6, accessed October 25, 2023, https://issuu.com/stevebutton/docs/cst_faq_eng.

vulnerable and easy victims are children from ethnic minorities; children of immigrants; children who are victims of domestic violence; children with disabilities; trafficked children; children working in tourism, etc.[28] The victims are both girls and boys. Too often the crime remains hidden because the victims themselves feel guilt and shame about what happened and do not want to share their experiences. They try to cope alone, fall into states of depression, and even resort to suicide attempts[29].

4. Measures of protection

In 1999, the World Tourism Organisation adopted a World Code of Tourism Ethics containing ten basic principles. The principles cover various economic, social, cultural and environmental elements of travel and tourism. Explicitly, Principle 1(5) provides that 'when travelling, tourists and visitors shall not commit any criminal acts, nor acts considered criminal under the laws of the country visited, and shall refrain from behaviour considered offensive or insulting by the local population…'. Following this principle by tourists and visitors leads to a desired, positive behaviour on their part. It consists of respecting a country's laws, observing the established order and rules of conduct, and observing the rights of its citizens.

The fight against child sexual exploitation in travel and tourism must be carried out in all possible ways. Countries around the world use and/or implement different mechanisms and/or measures to protect children from this type of exploitation. Several countries have Codes of Conduct or Ethic Codes in the field of tourism, which in most cases only provide for a commitment to participate in the fight against this type of child exploitation – through training, awareness-raising campaigns, etc. Within the framework of the UN Sustainable Development Goals and CSR 2.0, tourism sectors are expected to actively participate in the fight against global sex trafficking, which can be carried out through the use of tourism networks and facilities. In this sense, Camelia Tepelus points out that many of the world's leading tourism and hospitality brands are already speakers and advocates for the sector's responsibility to address sex trafficking, especially when it affects children and young people[30]. Moreover, Valentini Kalargyrou and Pobert Woods, in their research, point out that tourism companies can gain a competitive advantage by creating a safe and socially sustainable environment for their guests, employees and their community, as well as a good reputation by investing in strategic and long-term positive social responsibility activities related to combating child trafficking and commercial sexual exploitation[31].

---

[28] Martin Guiton, 'From Sexually Abusing Children to Participating in Sex Tours – The Pedophile, » *Semaine Des Hopitaux* 71, no. 11–12 (n.d.) : 371–74.

[29] « Global Study on Sexual Exploitation of Children in Travel and Tourism. Regional Report, Europe', ECPAT International, 2016, accessed October 25, 2023, p. 16, https://ecpat.de/wp-content/uploads/2018/08/SECTT_Region-EUROPE.pdf.

[30] Camelia Tepelus, 'New Frontiers for Sustainability in Travel and Tourism – Corporate Responsibility on Combating Global Human Trafficking', in *CSR, Sustainability, Ethics & Governance*, 2019, https://doi.org/10.1007/978-3-030-15624-4_3.

[31] Valentini Kalargyrou and Robert H. Woods, 'An Exploratory Study of Child Commercial Sexual

In most South American countries, for example, the protection of children from sexual exploitation in travel and tourism is implemented through the Codes of Conduct for the Protection of Children in Travel and Tourism. These codes may be voluntary (Argentina, Brazil, Chile, etc.) or mandatory (Colombia, Nicaragua, Peru, etc.). The Code of Conduct does not provide for criminal liability for persons who commit the prohibited acts therein but only indicates the need for a commitment to protect children from the exploitation in question. In 2020, a Code of Conduct was approved in Chile, requiring all representatives of tourism services to take measures to prevent the sexual exploitation of children in the sector.

In one of his researches, Afrooz Johnson[32] concluded that there are few provisions in the national laws of Southeast Asian countries, which have a reputation as a major destination for child sex tourism worldwide, that specifically address child sex tourism as a separate form of sexual exploitation. The author recommends that national legislation should directly address child sex tourism.

In the study context, it is appropriate to mention the regulation of the problem in the Republic of Bulgaria. So far, there are no official data and information on the widespread prevalence of sexual exploitation of children in travel and tourism in Bulgaria. However, efforts are being made to counter the criminal act. In this regard, in 2015, the leading representatives of Bulgaria's hotel sector signed the Code for the Protection of Children against Sexual Exploitation in Tourism and a Memorandum of Cooperation with ECPAT Bulgaria. The main expectation for the sector is to train its employees how to recognise cases of sexual exploitation of children and how to respond.

Counteracting the type of sexual exploitation under consideration is quite a difficult task. One of the major problems is the lack of self-criminalisation of the act in individual legislation. Therefore, its perpetrators are usually punished for crimes related to child prostitution, child trafficking or child pornography.

The problem of so-called sex tourism with children is also addressed in Directive 2011/92/EU, as noted above in the text. Article 21 of the Directive provides for measures to be taken against the advertising of opportunities for violence and sex tourism with children. Member States should take appropriate measures to prevent or prohibit the dissemination of material that promotes the possibility of committing a lewd offence with a child. The measures should also aim to prohibit the organisation of travel for the purpose of committing such an offence for others whether commercially or not. The Directive does not specify the nature of the measures to be taken by the Member States.

Few EU Member States have taken measures to criminally protect children specifically concerning sexual exploitation in travel and tourism. For example, the Italian penal code introduced a provision on tourism initiatives aimed at exploiting child

Exploitation in the Hospitality Industry in the United States', *Hospitality & Society* 5, no. 1 (March 1, 2015): 43–69, https://doi.org/10.1386/hosp.5.1.43_1.

[32] Afrooz Kaviani Johnson, 'International Child Sex Tourism: Enhancing the Legal Response in South-East Asia,' *The International Journal of Children's Rights* 19, no. 1 (January 1, 2011): 55–79, https://doi.org/ 10.1163/157181810x499367.

prostitution. The provision of Art. 600 quinquina of the Italian Penal Code stipulates a penalty of imprisonment and a fine for whoever organises or advertises foreign trips that promote child prostitution or encourages such activity. Similarly, the Criminal Code of Malta provides for a penalty of imprisonment for anyone who distributes material advertising the possibility of committing a sexual offence. In addition, it is prohibited to participate in the organisation of travel to commit any of the lewd offences listed in the provision. There are also a number of qualifying circumstances, including where the victim is a child[33].

Cases of sexual abuse or exploitation of children in travel and tourism are prosecuted as sexual offences in France. Some cases have ended with convictions, and others are pending[34]. The French Criminal Code provides liability for legal entities such as tour operators, hotels, or travel agencies. The provisions of Articles 227-28-1 and 222-33-1 of the French Criminal Code specifically criminalise the participation of legal entities in crimes of sexual abuse of children. So far, no one has been convicted under this law section.

According to the current legislation, there are no separate criminal offences in the Criminal Code of the Republic of Bulgaria that provide criminal protection not only to children but also to all persons of the type of exploitation in question. However, given the growing tourism sector, as well as the frequent cases of child prostitution in Bulgaria, there is a risk that this type of exploitation of children takes place unnoticed. The sexual exploitation of children in travel and tourism in Bulgaria may be a potential threat, which, however, requires the taking of preventive measures. Such measures may include the criminalisation of certain acts: engaging in sexual behaviour with a child abroad; travelling with the intention of engaging in sexual activity with a child in the country or abroad; advertising or promoting child sex tours; organising or conducting travel for the purpose of engaging in sexual activity with a child, and transporting a person for the same purpose.

In order to achieve the research objective, it is necessary to present the example of the United States in combating the criminal assault under consideration. First of all, it should be noted that the United States Federal Law provides for 'extraterritorial jurisdiction' over sexual offences against children. Extraterritorial jurisdiction is the United States' power to prosecute crimes committed outside its borders[35].

In particular, the United States Code provides criminal protection for persons

[33] Art. 208AB et seq., Subtitle II of Sexual Offences, Title VII of Crimes Affecting the Dignity of Persons, Criminal Code of Malta.

[34] For example, a former French UN official was convicted of raping two underage girls between 1998 and 2004 during his missions in the Central African Republic and the Democratic Republic of the Congo. The defendant was sentenced to 9 years in prison (Source: 'Child Sexual Exploitation in Travel and Tourism: A Guide to Extraterritorial Jurisdiction to Hold Perpetrators Accountable in France,' The Human Trafficking Legal Center, 2022, p. 14). A court in Paris has sentenced a former UN employee for raping young African girls during his missions in the Central African Republic and Congo. Didier Bourget has been sentenced to nine years in prison for committing around 20 rapes of teenagers between 1998 and 2004 while working as a mechanic for the UN in both countries (available at: https://www.nbcnews.com/id/wbna26662112).

[35] § 3042 Extraterritorial Jurisdiction. Chapter 203, Part II, Title 18, United States Code.

from travel and tourism-related crimes. Chapter 117, Part I, Title 18, entitled 'Transportation for Illegal Sexual Activity and Related Crimes' and includes several offences, some of which provide enhanced protection for children from the described criminal violations. For example, § 2423 of Chapter 117, Title 18, United States Code, criminalises the transportation of minors, which includes transporting a person under the age of 18 with the intent to engage in criminal sexual activity[36].

Section 2423(c), United States Code, prohibits United States citizens or legal residents from travelling from the United States to a foreign country and, while there, engaging in sexual acts with a child. It also provides that such persons may be punished under U.S. law even if the act they committed with a child is lawful in that country. The penalty is a fine or imprisonment for up to 30 years or both. Similar to the offence at issue is that governed Section 2423 (a). Here, it must be shown that the offender's intent when he began his journey was to engage in unlawful sexual activity with a child.

Additional offences are also regulated, such as arranging, inducing, procuring or facilitating travel for commercial gain or personal financial gain of a person known to be travelling in order to engage in an illegal sexual activity[37]. Tour operators who facilitate the trip of citizens for the purpose of engaging in an unlawful sexual act with a person under the age of 18 may be held liable under this text.

For clarity regarding the application of these provisions, the meaning of the phrase 'illicit sexual conduct', is explained as a sexual act with a person under the age of 18[38].

There is also a special provision that provides a penalty for anyone who produces child pornography material outside the United States if he imports or intends to import the images into the United States[39].

In view of the foregoing, it can be summarised that the criminal protection of children from crimes committed in the field of travel and tourism, which the United States carries out, encompasses a number of illegal acts. The penalties are severe, corresponding to the high degree of public danger of the acts. In this way, the United States provides children with much-needed protection of the highest order.

In terms of summarising this part of the research, it should be emphasised that the sexual exploitation of children in travel and tourism involves a variety of criminal acts. This circumstance makes the activity challenging to detect and confront effectively. The different forms of occurrence can be synthesised as follows:

—dissemination of materials which advertises the possibility of committing an act of buggery, copulation, sexual intercourse or an act of sexual gratification with a person of the same sex, prostitution, the creation of pornographic material or the participation in or observation of a pornographic performance;

—dissemination of relevant advertising materials using information or

[36] § 2423 (a) Transportation With Intent to Engage in Criminal Sexual Activity; § 2423 (b) Travel With Intent to Engage in Illicit Sexual Conduct; § 2423(c) Engaging in Illicit Sexual Conduct in Foreign Places. Chapter 117, Title 18, United States Code.
[37] § 2423 (d) Ancillary Offenses. Chapter 117, Title 18, United States Code.
[38] § 2423 (f) Definition. Chapter 117, Title 18, United States Code.
[39] § 2251(c) and § 2260 (a) of Chapter 110, Title 18, United States Code.

communication technology;

—arranging, inducing, procuring or facilitating the trip of a person whom the offender knows to be travelling for the purpose of engaging in an act of buggery, copulation, sexual intercourse or an act of sexual gratification with a person of the same sex, prostitution, the creation of pornographic material or the participation in or observation of a pornographic performance;

—transporting a child from his or her habitual place of residence to another place for the purpose of unlawful sexual acts with him or her by the offender or a third person;

—leaving the habitual residence for another place for the purpose of engaging in a lewd act with a child;

—crossing the border of the country of a person for the purpose of engaging in a lewd act, copulation, sexual intercourse or an act of sexual gratification with a person of the same sex, prostitution, for the creation of pornographic material, for participating in or observing a pornographic performance, with a person who is under 18 years of age;

—and others.

Here, of course, one can add more criminal acts involved in the sexual exploitation of children in travel and tourism. The proposals are just one opportunity to improve current legislation in the area of protection, especially of children, from various forms of sexual exploitation. It is already written in the UN Convention on the Rights of the Child that States Parties are obliged to protect the child from all forms of exploitation affecting his or her well-being in any way (Article 36). In this regard, once a new form of child sexual exploitation has emerged and more recently developed, States should fulfil their obligation and take all measures to ensure the well-being of children and protect their best interests. In this context, the authors June Simon, Ann Luetzow and Jon R. Conte conclude that the need for concerted international action to prevent and respond to child sexual abuse and exploitation is 'is as urgent as ever'[40].

5. Results

The following conclusions can be drawn from the theoretical-practical research:

First of all, it should be noted, without any doubt, that the sexual exploitation of children in travel and tourism exists. A number of factors contribute to its development – the free movement of persons; the development of information and communication technologies; the new type of tourist services offered; vacation destinations whose guests do not register, etc. All of these are prerequisites for the covert performance of the exploitation in question.

Secondly, as a concept, 'sexual exploitation of children in the field of travel and tourism' has its own definition, although it is not uniform for the international

[40] June Simon, Ann Luetzow, and Jon R. Conte, 'Thirty Years of the Convention on the Rights of the Child: Developments in Child Sexual Abuse and Exploitation,' *Child Abuse & Neglect* 110 (December 1, 2020): 104,399, https://doi.org/10.1016/j.chiabu.2020.104399.

community.

Next, sexual exploitation in travel and tourism affects various rights of the child – the right to life, the right to bodily and sexual integrity, and the right to proper growth and maturation.

Fourthly, the sexual exploitation of children in travel and tourism has a number of specific features – in terms of the perpetrators, the victims, the means of transport from one place to another, and the particular purpose pursued by the perpetrator. All of these are specific objective and subjective features of the composition of the respective forms of exploitation.

Fifthly, the research found that new and different measures have been taken and continue to be taken in different countries worldwide to confront the exploitation in question – training, administrative, punitive, etc.

6. Conclusion

Child sexual exploitation in travel and tourism is part of the objective reality and requires consistent measures aimed at reducing and eliminating it. Of course, this cannot be achieved by taking separate, stand-alone measures. The problem is complex and requires adequate counterpart responses. The responses must also be joint – achieving good cooperation between the public and private sectors in individual countries and encouraging and implementing close collaboration between the countries themselves, because the act often crosses national borders. It is essential to continue to promote international cooperation, for countries to exchange experiences and to work towards a global system designed to monitor and punish sex offenders[41].

The research has proved that child sexual exploitation in travel and tourism is an act that is characterised by a high degree of public danger. Hence, there is a need for every child in the world to receive the best protection. The criminalisation of the individual forms of this kind of exploitation is a good option for ensuring criminal protection of the life, health, sexual integrity, and emotional maturity of every child from this violation.

Acknowledgment

This research was financially supported by South-West University 'Neofit Rilski', Blagoevgrad, Bulgaria.

Bibliography

1. Cadge, Karin, George Lăzăroiu, Pavol Durana, and Erika Kovalova. 'Initiating Sexual Behaviors With Online Dating Partners: Stereotypical Gender Norms, Intimate Personal Data, and Romantic Compatibility.' *Journal of Research in Gender Studies* 9, no. 2 (January 1, 2019): 71. https://doi.org/10.22381/jrgs9220197.

[41] William J. Newman et al., 'Child Sex Tourism: Extending the Borders of Sexual Offender Legislation,' *International Journal of Law and Psychiatry* 34, no. 2 (March 1, 2011): 116–21, https://doi.org/10.1016/j.ijlp.2011.02.005.

2. Campmajó, María Barcons. 'Forced Marriages in Europe: A Form of Gender-Based Violence and Violation of Human Rights.' *The Age of Human Rights*, no. 14 (June 15, 2020): 1–18. https://doi.org/10.17561/tahrj.v14.5474.
3. De Vries, Samantha. « An Analysis of Law Enforcement Cooperation in Child Sex Tourism Cases Involving Thailand and Canada. » Police Practice and Research, February 10, 2020. https://doi.org/10.1080/15614263.2020.1724789.
4. ECPAT International. 'Combating Child Sex Tourism: Questions and Answers', Bangkok, Thailand, 2008. Accessed October 25, 2023. https://issuu.com/stevebutton/docs/cst_faq_eng.
5. ECPAT. 'Declaration and Call for Action for the Protection of Children in Travel and Tourism', June 6–7, 2018. Accessed October 25, 2023. https://ecpat.org/wp-content/uploads/2021/08/Declaration_Summit.pdf.
6. ECPAT International. 'Global Study on Sexual Exploitation of Children in Travel and Tourism. Regional Report, Europe', 2016. Accessed October 25, 2023. https://ecpat.de/wp-content/uploads/2018/08/SECTT_Region-EUROPE.pdf.
7. Guiton, Martin. 'From sexually abusing children to participating in sex tours – the pedophile.' *Semaine Des Hopitaux* 71, no. 11–12 (n.d.): 371–74.
8. Guttentag, Daniel. 'Airbnb: Disruptive Innovation and the Rise of an Informal Tourism Accommodation Sector.' *Current Issues in Tourism* 18, no. 12 (September 2, 2013): 1192–1217. https://doi.org/10.1080/13683500.2013.827159.
9. Hawke, Angela, and Alison Raphael. 'Global Study Report on Sexual Exploitation of Children in Travel and Tourism.' *ECPAT*. May 2016. Accessed October 25, 2023. https://ecpat.org/wp-content/uploads/2021/08/Global-Report-Offenders-on-the-Move.pdf.
10. Ireland, Kevin. 'Sexual Exploitation of Children and International Travel and Tourism.' *Child Abuse Review* 2, no. 4 (December 1, 1993): 263–70. https://doi.org/10.1002/car.2380020408.
11. Johnson, Afrooz Kaviani. 'International Child Sex Tourism: Enhancing the Legal Response in South-East Asia.' *The International Journal of Children's Rights* 19, no. 1 (January 1, 2011): 55–79. https://doi.org/10.1163/157181810x499367.
12. Kalargyrou, Valentini, and Robert H. Woods. 'An Exploratory Study of Child Commercial Sexual Exploitation in the Hospitality Industry in the United States.' *Hospitality & Society* 5, no. 1 (March 1, 2015): 43–69. https://doi.org/10.1386/hosp.5.1.43_1.
13. Koning, Anneke, and Johan Van Wilsem. 'The Context of Sexual Exploitation of Children by Tourists and Travelers: A Cross-National Comparison of Destination Countries and Non-Destination Countries.' *International Criminal Justice Review*, March 3, 2022, 105,756,772,210,818. https://doi.org/10.1177/10575677221081875.
14. Kumudumali, Thakshila. 'Impact of COVID-19 on Tourism Industry: A Review,' 2020. https://mpra.ub.uni-muenchen.de/102834/.
15. Lagos, Dimitrios, Panoraia Poulaki, and Penny Lambrou. 'COVID-19 and Its Impact on Tourism Industry.' In Advances in Experimental Medicine and Biology, 815–24, 2021. https://doi.org/10.1007/978-3-030-63761-3_45.
16. Ly, Thanh, Lisa Murphy, and J. Paul Fedoroff. 'Understanding Online Child Sexual Exploitation Offenses.' Current Psychiatry Reports 18, no. 8 (June 21, 2016). https://doi.org/10.1007/s11920-016-0707-0.
17. Mount, David, Lorraine Mazerolle, Renee Zahnow, and Leisa James. 'Triaging Online Child Abuse Material: Testing a Decision Support Tool to Enhance Law Enforcement

and Investigative Prioritisation.' Policing 44, no. 4 (March 2, 2021): 628–42. https://doi.org/10.1108/pijpsm-02-2021-0020.

18. Murillejo, Nc Castillo, G. Cárdenas, and H. Rodríguez. 'Online Tourism, Virtual Identity and Sexual Exploitation,' June 10, 2015. https://doi.org/10.4185/rlcs-2015-1051en.
19. Newman, William J., Ben W. Holt, John S. Rabun, Gary Phillips, and Charles L. Scott. 'Child Sex Tourism: Extending the Borders of Sexual Offender Legislation.' *International Journal of Law and Psychiatry* 34, no. 2 (March 1, 2011): 116–21. https://doi.org/10.1016/j.ijlp.2011.02.005.
20. Simon, June, Ann Luetzow, and Jon R. Conte. 'Thirty Years of the Convention on the Rights of the Child: Developments in Child Sexual Abuse and Exploitation.' Child Abuse & Neglect 110 (December 1, 2020): 104,399. https://doi.org/10.1016/j.chiabu.2020.104399.
21. Tepelus, Camelia. 'New Frontiers for Sustainability in Travel and Tourism – Corporate Responsibility on Combating Global Human Trafficking.' In *CSR, Sustainability, Ethics & Governance*, 2019. https://doi.org/10.1007/978-3-030-15624-4_3.
22. UNWTO. 'Combating child sex tourism', April 10, 2013. Accessed October 25, 2023. https://www.ohchr.org/en/stories/2013/04/combating-child-sex-tourism.
23. UNWTO. 'Framework Convention on Tourism Ethics', 2020. Accessed October 25, 2023. https://doi.org/10.18111/9789284421671.
24. UNWTO. 'International Tourism Back to 60% of Pre-Pandemic Levels in January-July 2022.' September 26, 2022. Accessed October 25, 2023. https://www.unwto.org/news/international-tourism-back-to-60-of-pre-pandemic-levels-in-january-july-2022.
25. UNWTO. 'Protection of Children from Sexual Exploitation in Tourism,' 2001, Accessed October 25, 2023. https://www.e-unwto.org/doi/pdf/10.18111/9789284404988
26. UNWTO. 'World Tourism Barometer: September 2022', October 28, 2022. Accessed October 25, 2023. https://en.unwto-ap.org/news/worldtourismbarometer_september2022/.