



**Universiteit
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The Netherlands

Return to sender: a multi-method study of guardianship against transnational sexual exploitation of children

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Citation

Koning, A. (2023, June 22). *Return to sender: a multi-method study of guardianship against transnational sexual exploitation of children*. Retrieved from <https://hdl.handle.net/1887/3594097>

Version: Publisher's Version

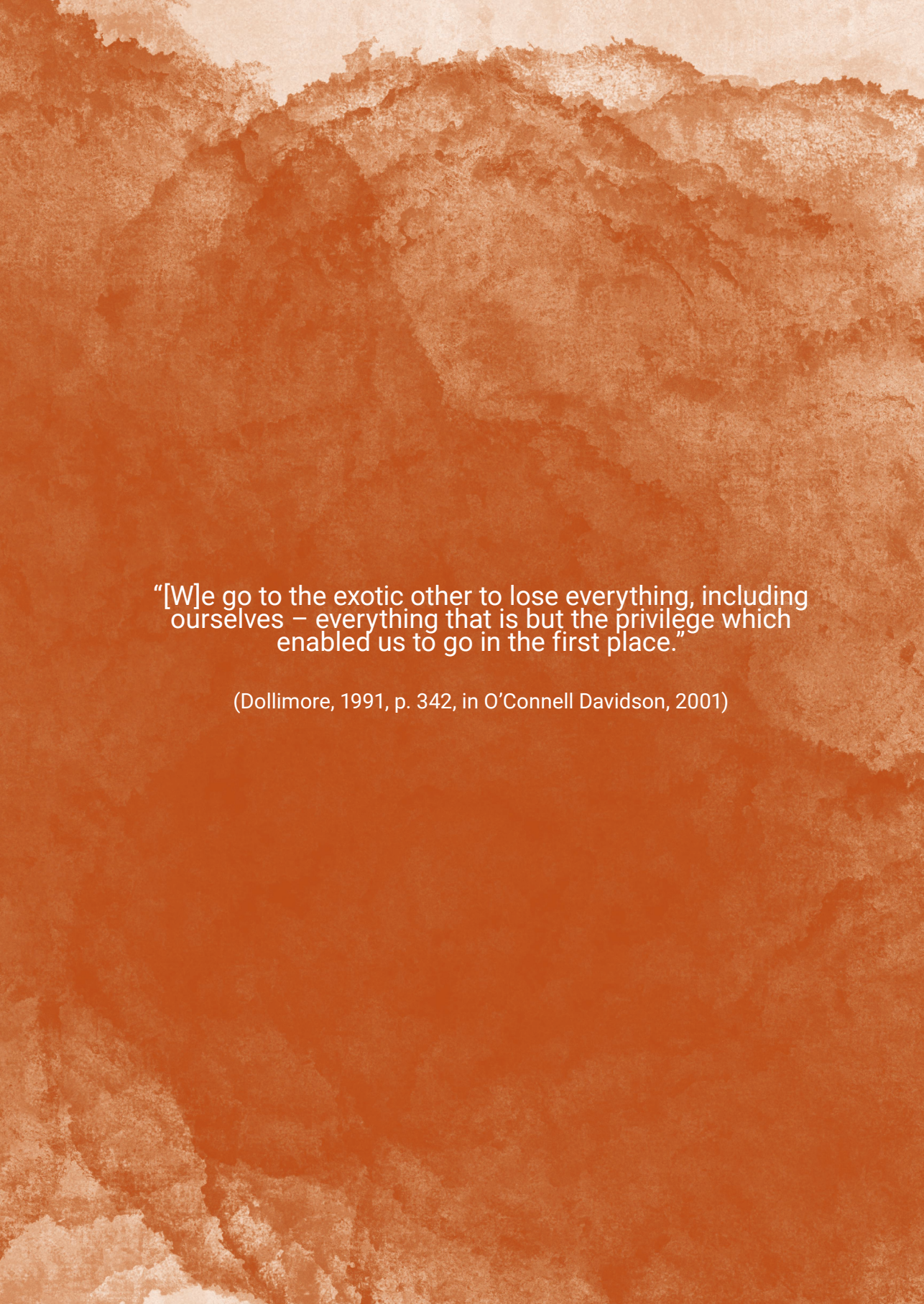
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Chapter 1

Introduction



“[W]e go to the exotic other to lose everything, including ourselves – everything that is but the privilege which enabled us to go in the first place.”

(Dollimore, 1991, p. 342, in O’Connell Davidson, 2001)

1.1. Welcome

Traveling the world has never been easier. Many can recount its plentiful blessings from personal experience. Through travel, we can find pleasure, relaxation and adventure, gain valuable insights, and be connected to people we love. Traveling also has economic benefits: one in eleven people worldwide is employed through travel and tourism (World Travel and Tourism Council, 2022), and it provides necessary funds for struggling economies, as many developing countries depend on international tourism as a key source of economic growth (Jhappan, 2005; World Tourism Organization (UNWTO), 2015).¹

But the opportunities created by globalization and increased mobility are not distributed equally. Privileged countries, industries, companies and individuals have benefited, and continue to benefit, from the growth of the travel industry, while the less fortunate are left behind, excluded, vulnerable or exploited. Globalization has widened the gap between the rich and the poor, both within and between states; put differently, globalization has created “winners” and “losers” (Capistrano, 2015, p. 73; Ishay, 2023). Moreover, in what has been dubbed as ‘glocalization’ (Bauman, 1998), globalizing processes can have all kinds of local, on-the-ground impacts. The expansion of relatively unregulated tourism-based economies has had an array of negative consequences at the local level, such as overcrowded tourist destinations during high seasons, gentrification, and environmental degradation of nature reserves (Dewey & Conover, 2012). In other words, while some are carried on the wind of globalization to enjoy the perks of traveling to exotic destinations, others are seeking shelter from a globalizing storm.

There is perhaps no more tangible example of local vulnerabilities to global forces than sexual exploitation of children by foreign tourists and travelers. The increased ease of travel of recent decades is believed to have shaped opportunities for child sex offenders to exploit children across country borders. All over the world, children have been, and continue to be, sexually exploited by travelers who operate outside of the gaze of authorities in their home country. I refer to this problem, which is more popularly known as ‘child sex tourism’, as *sexual exploitation of children in the context of travel and tourism* (abbreviated as ‘SECTT’); defined here as acts of sexual exploitation of children embedded in a context of travel and/or tourism by offenders who have crossed an international border.² In recent decades, SECTT has increasingly become recognized as “a widespread problem that

1 These numbers have, as one can imagine, changed drastically in the past few years, as the tourism sector was faced with what the WTO described as “the worst crisis in its history” (World Tourism Organization (UNWTO), 2022, p. 4). Prior to the COVID-19 pandemic, travel and tourism (including its direct, indirect and induced impacts) accounted for 1 in 10 of all jobs (333 million), and 10.3% of global GDP (9.6 billion US dollars); employment dropped by 18.6% and contribution to GDP by 50.4% in 2020. In 2021, the travel and tourism sector recovered somewhat, contributing to 6.1% of global GDP and supporting 1 in 11 jobs (World Travel and Tourism Council, 2022).

2 Interested readers will find a more detailed reflection and discussion of my choice of terminology and definitional issues in section 1.6.2.

devastates the lives of far too many children” (Svensson, 2006, p. 644), and even as “a global humanitarian crisis” (Fredette, 2009, p. 1). For victims, the physical, psychological and social consequences of sexual violence in childhood can be far-reaching (see e.g. Chen et al., 2010; de Jong et al., 2015; Maniglio, 2009; Rogstad et al., 2016; Steine et al., 2012; but also Domhardt et al., 2015; Dufour et al., 2000; Rind et al., 1998). Unfortunately, despite growing attention for the phenomenon and an apparent consensus on its harmful nature, reliable statistics are altogether lacking, and it is practically impossible to know the true extent of the problem. Estimates are the best we have, and they suggest that between one and two million children worldwide are victims of some form of sexual exploitation, regardless of the origin of their abusers (J. A. Hall, 2011; International Labour Office, 2012). The absence of data and the phenomenon’s hidden, invisible nature, along with the difficulties of studying transnational offenses more generally (see e.g. Kangaspunta, 2007; van Dijk, 2008),³ and the challenges associated with reporting about emotive, high-profile and complex topics like child sexual victimization (H. Montgomery, 2007; Wortley, 2015), impede academic research into SECTT. Unsurprisingly then, research on SECTT is uncommon, and a significant knowledge gap remains on this important, hidden problem.

Just like most other crime types, child sexual exploitation involves, fundamentally, an offender and a victim. While these individual actors, and offenders in particular, have been the focus of much media attention, some policy responses, and scarce scholarly attention about SECTT, they are not the full story. To emphasize that point, in the past few years, a small but growing body of literature on SECTT has cautioned against an overly simplistic narrative that focuses only on one individual who takes advantage of another individual’s vulnerability (e.g. Cruz et al., 2019; Dewey & Conover, 2012; George & Panko, 2011; Leung, 2003; H. Montgomery, 2008). After all, this form of child sexual exploitation, and other types of crime, “does not take place in a vacuum” (Dewey & Conover, 2012, p. 179), but can be caused, influenced, and prevented by external factors and actors. Based on this idea, the central theme of this book is the role that actors other than the offender and victim could play to stop this global and globalized problem.

To explain when crime does and does not occur, the so-called ‘crime triangle’ prescribes that three elements must coincide in space and time: that is, when (a) a likely offender meets (b) a suitable target (which can be a person, object or place), with (c) no one around to intervene (Clarke & Eck, 2003, 2009). This third element is known as ‘absence of capable guardianship’. A critical part of Cohen and Felson’s (1979; M. Felson

3 Others have put forth more principal, rather than methodological, explanations for why transnational crimes have been overlooked. In contrast to the types of crime observed in the global north, Carrington and colleagues (2016, p. 4) assert that “criminology as a field devotes little attention to (...) harms whose incidence and impacts are greatest in the global South.” Southern criminologists assert that, since so much of western (or ‘metropolitan’) criminology is primarily concerned with the interests of a nation state (Hogg, 2002), the study of borderless and transnational crimes has until recently been relatively neglected (Carrington et al., 2016). With SECTT perceived as primarily impacting children in disadvantaged countries and communities, similar hegemonic patterns as those limiting research into ‘southern’ problems more generally may obstruct research into SECTT.

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& Cohen, 1980) routine activity theory, *guardianship* refers to the role of individuals who may act to discourage crime from taking place. Guardianship can take many different forms: it could be any action that controls the offender, protects the victim, or in some other way regulates conduct at a place.⁴ Furthermore, guardians can be all kinds of actors. From the security guard in your local nightlife, or the police patrolling in your neighborhood – these are called *formal* guardians –, to everyday people and regular citizens who can be *informal* guardians against crime. Routine activity approaches thus celebrate the capable guardian as “the ultimate protector and defender of people and property against criminal violations” (Reynald, 2011). Organizing guardianship, according to these approaches, therefore provides a simple, fundamental, and accessible starting point for the prevention of problems that are perceived as crime problems. Yet despite the promise of studying guardianship to prevent crime, this leg of the crime triangle remains understudied, and generally, “research on guardianship has been marginal compared to that of offenders and victims” (Reynald, 2011).

The relative lack of attention to guardianship, or even the broader societal setting in which a crime occurs, is perhaps especially apparent in research on child sex offenses such as SECTT. Perhaps hampered in part by the theoretical pedigree of situational and environmental frameworks,⁵ or perhaps partly to avoid controversial discussions about moral responsibility (Wortley & Smallbone, 2006), research on child sex crimes has tended to concentrate on individual-level, offender-focused explanations. Responses to child sexual offending predominantly center on offenders’ individual psychopathology, and view child abusers as a distinct type of sexually disordered (‘paraphilic’) and specialized offenders (Rayment-McHugh et al., 2015; Wortley, 2018). This ‘sexual deviance’ model has inspired initiatives which rely primarily on two strategies: educating potential victims, and identifying, catching, and treating high-risk individuals (Finkelhor, 2009). However, the assumptions underlying these responses, namely that child sex offenders are sexually disordered and specialized, have been challenged by empirical

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- 4 Routine activities theorists have more recently expanded the original capable guardians (L. E. Cohen & Felson, 1979) into three types of crime controllers who exert influence over different elements of the crime triangle: guardians, who supervise and protect targets/victims; handlers, who supervise likely offenders (M. Felson, 1995); and place managers, who take control over a place (J. Eck, 2003). Though guardians are only one of three roles in this model, for the sake of simplicity I use the term ‘guardians’ and ‘guardianship’ to refer to all types of crime controllers.
 - 5 Judging by the scholarly and political work on these topics, it appears that situational and environmental theoretical frameworks, of which guardianship is a part, on the one hand, and child sex offending on the other, are not an intuitive match. Those familiar with the background of routine activities theory, or situational crime prevention and environmental criminology more broadly, may not be surprised by the lack of dialogue between these theoretical perspectives and scholarship on child sexual abuse, since these theoretical frameworks were initially – perhaps more intuitively – applied to property crimes. Typical textbook examples of guardianship describe residents as informal guardians whose supervision prevents burglaries, or the effect of police patrols on car theft. These examples of property offenses in public places by offenders who do not know their victim fundamentally differ from child sexual abuse, as an interpersonal crime which typically occurs in private places (Wortley and Smallbone, 2006).

findings (Leclerc et al., 2014; Wortley, 2018).⁶ In contrast to those examining child sex offending through the lens of individual psychopathology, a growing number of recent studies examine the broader context of child sex offenses from a situational or ecological perspective (see Cockbain & Reynald, 2016). Recent studies exploring the utility of guardianship to understand and prevent child sexual abuse suggest that third parties, as actual or potential guardians, can play an important role in preventing (Leclerc et al., 2011), stopping (Wortley et al., 2019), or reducing the severity of child sexual abuse (Leclerc et al., 2015). Nonetheless, McKillop and colleagues (2021) argue, the application of guardianship as a theoretical concept to complex issues like child sex offending requires some fundamental (re)conceptualization of what guardianship could look like in these specific crime contexts.

Through the collection of studies in this book, I explore the opportunities for different forms of guardianship for SECTT. But, one might wonder, how does this framework apply to a globalized, hidden phenomenon like SECTT? To fit the unique circumstances and specific context of SECTT, I suggest that guardianship should be conceptualized not just as individual, but also as institutional. In this book, I explore two levels of guardianship that are particularly relevant for this specific crime type. The first level, which I call *micro-level guardianship*, focuses on the role of *individuals*. This conceptualization builds on the widely accepted notion that guardianship can be enacted by a variety of individuals, in different formal, semi-formal or informal capacities, with varying levels of responsibility: from family and friends, to employees, to strangers and citizens as bystanders (M. Felson, 1995). It includes any action taken by individuals to protect the victim (the original capable guardians, L. E. Cohen & Felson, 1979), control the offender (handlers, M. Felson, 1995), or in some other way regulate behavior at a place (place managers, J. Eck, 2003). The second level, which I call *macro-level guardianship*, is enacted by *institutions*. Various institutions, most notably governments, can act as ‘super controllers’, who regulate the incentives for micro-level guardians to prevent crime (R. Sampson et al., 2010). In most modern societies across the world, governments are asked to ensure the security of their citizens, and tasked with protecting them from problems that are perceived as crime problems (see also Garland, 2001). The idea that governments are expected to protect their citizens can be traced back to Enlightenment-era moral and political philosophers, who proposed that the authority and legitimacy of the state relies on a social contract in which citizens submit to authority in exchange for protection from the state.⁷ Nation-states and governments can therefore be seen

6 Similar misconceptions persist about sex offenders in general, with empirical findings challenging prior beliefs about their level of specialization, risk of reoffending, and amenability to therapeutic interventions (for an overview, see Lussier et al., 2021).

7 One of these ‘social contract’ theorists, Thomas Hobbes, writes that the goal of government (in his words ‘common-wealth’ or *civitas*) is to “be able to *defend them* from the invasion of Forraigners, and the injuries of one another, and thereby to *secure them* in such sort (...)”. Individuals enter into this social contract with a sovereign “voluntarily, on *confidence to be protected* by him against all others.” (Hobbes, 1996 [1651]: XVII, emphasis added). This example

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as a form of formal guardianship organized at a national level; but, depending on the formalization of their responsibilities regarding crime control, macro-level guardianship can also be conceptualized as semi-formal or informal. Table 1.1 shows some examples of actors in each category, and illustrates how these two levels of guardianship relate to the levels of formalization commonly distinguished in literature on guardianship.⁸

Table 1.1. Examples of guardians by level of guardianship and formalization

	Micro-level individuals	Macro-level institutions
Formal	police, security guards	states, governments*
↑	probation officers	law enforcement agencies
Semi-formal	place managers (e.g. hotel staff)	companies (e.g. tour operators)
↓	bystanders*	religious institutions
Informal	residents	NGOs
	informal handlers	media

Note. * indicates a type of guardian studied in this book

This book focuses specifically on the role of two types of guardians in preventing and combating SECTT, namely **governments** on the one hand (macro level), and **members of the general public** as potential bystanders (micro level) on the other. Through the studies included in the four main chapters, *the overarching aim of this book is to provide an illustration of the way that and extent to which governments and members of the public in countries of destination and countries of origin are capable and willing of guarding against transnational child sexual exploitation*. The choice for these specific actors is motivated by their theoretical as well as their societal relevance, as will become clear in the following sections of this chapter.

Before diving into the contributions of this collection of studies, the following sections provide the empirical and theoretical basis for this book. First, I give an overview of the responses that have been taken to combat the problem so far, as an illustration of the way that guardianship against SECTT has been interpreted to date. Next, I further

illustrates the idea that the state is responsible for enacting guardianship over its citizens.

8 It will be commonly understood that *formal guardians* ought to control crime, because it is their job to do so: their mandate has been formalized. *Semi-formal guardians*, on the other hand, only have official supervisory responsibilities in particular contexts or environments. For instance, a hotel receptionist's job description is related to hospitality, not to crime control; but they may still be expected to take some action when illicit practices are taking place in the hotel. Place managers like this typically have some supervisory responsibilities, in the extent to which these have been formalized as part of their professional role or job description (Reynald, 2011). Similarly at the macro level, some institutions have other primary goals, but can, in specific contexts, be in a formal position to enact guardianship to prevent SECTT, such as tour operators, or religious institutions and NGOs who run schools or orphanages. Finally, *informal guardians* include those parties whose presence may discourage crime or provide them with the opportunity to supervise or intervene in a crime event (Reynald, 2011).

explore the theoretical foundations of the process of enacting guardianship. Realizing the importance of perceptions that follows from this theoretical model, I then assess the validity of some common popular beliefs about SECTT, before turning to the aim and outline of this book. In the final section, I reflect on some conceptual issues about SECTT.

1.2. Guardianship in practice: Responses to SECTT

Since the 1990s, when SECTT first became an international concern as a result of awareness-raising campaigns by a number of non-governmental organizations (O’Connell Davidson, 2004; Seabrook, 2000), a variety of responses have been taken to attempt to combat the problem. Examining these responses illustrates how guardianship against SECTT has been applied in practice to date. In this section I describe the most prominent categories of responses against SECTT by (potential) macro- and micro-level guardians in more detail.⁹ Broadly speaking, strategies to prevent or combat SECTT fall into one of three categories, corresponding to the three legs of the crime triangle: (i) child protection through international children’s rights instruments; (ii) legislative efforts aimed at deterrence and offender detection and punishment; and (iii) mobilizing informal guardianship via public education campaigns. Where these measures are taken by institutions, such as governments or NGOs, they exemplify macro-level guardianship. In many cases, such measures can be said to create the conditions for effective prevention or prosecution at the micro level, for instance by implementing legislation and policy, advancing human rights, or taking measures aimed at poverty reduction or development aid. Other measures are taken with the specific aim of advancing micro-level guardianship, for instance by sensitization of the general public.

1.2.1. Protecting victims: Macro-level guardianship through child protection

To see how institutions have sought to protect victims of SECTT, international children’s rights instruments are an obvious starting point. In general, “[t]he principle that child rights must be defended ‘has become one of the commonplaces of our age’” (Lukes, 1997, in O’Connell Davidson, 2011, p. 471). Various international legal documents have codified the principle that children should be protected from sexual violence specifically. In 1989, the United Nations Convention on the Rights of the Child¹⁰ urged states to take all appropriate measures to protect children from sexual exploitation and abuse (see also Berkman, 1996).¹¹ The 2000 Optional Protocol to the Convention

9 For the purpose of this discussion, I have included those measures linked most explicitly and specifically to preventing child sexual exploitation by traveling offenders, but have not, for instance, listed more broad measures aimed at poverty reduction in general. The overview in this section is not exhaustive, and some specific responses are explored in more depth in the chapters of this book.

10 Convention on the Rights of the Child, Resolution 44/25 (20 November 1989).

11 Art. 19: “States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse,

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on the Rights of the Child¹² strengthened the international framework related to ‘child prostitution, the sale of children and child pornography’ and, unlike the more general provisions of the Convention, made specific reference to ‘child sex tourism’. In Article 10, the Optional Protocol calls on states to strengthen international cooperation to prevent, detect, investigate and punish SECTT offenders, and to “address the root causes, such as poverty and underdevelopment” contributing to children’s vulnerability.¹³

The codification of international principles is of course just the beginning; or as Berkman (1996, pp. 147–148) argues, “as a means of fighting the child sex tourism industry on an international level,” (...) “the Convention [of the Rights of the Child] is, from a practical standpoint, inadequate *on its own*” (emphasis added). The provisions of the Convention on the Rights of the Child and its Optional Protocol have informed and influenced regional as well as domestic standard-setting. Indeed, since 1945, the struggle against child sexual abuse and exploitation has warranted the attention of national governments across the globe, and principles of (child) protection from sex crimes have increasingly been designed into national legislation (Frank et al., 2010). Frank, Camp and Boutcher (2010) situate this trend in individualization, as nation-states around the world have, from World War II to 2005, overall expanded laws protecting individual persons from sex crimes, including child sexual abuse, while support for criminal regulations protecting collective entities such as ‘the family’ or ‘the nation’, such as adultery or sodomy, has increasingly eroded. As societies have become more individualized, children’s rights have become more protected in criminal regulations about sex around the world.

Supposedly, these international and national legislative developments have better positioned the ratifying countries to enact guardianship, with the aim of protecting their children more effectively. But although human rights, Lukes (1993, in Ishay, 2023) asserts, are accepted virtually everywhere, they are also violated virtually everywhere. Despite the international and national legal obligations to protect children from sexual exploitation, in practice the protection of children’s rights varies greatly between

neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”

Art. 34: “States Parties take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.”

12 Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, Resolution 54/263 (25 May 2000).

13 Art. 10(1): “States Parties shall take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism.”

Art. 10(3): “States Parties shall promote the strengthening of international cooperation in order to address the root causes, such as poverty and underdevelopment, contributing to the vulnerability of children to the sale of children, child prostitution, child pornography and child sex tourism.”

countries in the world. Although international children's rights frameworks have the potential of mobilizing guardianship to protect children from sexual exploitation, little is known about their implementation and effect on the ground. Even when taking a country's economic situation into account, there is often a considerable gap between states' spoken commitment to international children's rights policies and the local realities of youth (KidsRights Foundation and Erasmus University Rotterdam, 2018).

1.2.2. Deterring and detecting offenders: Macro-level guardianship through legislative efforts

On a national level, various legislative efforts have been taken by both destination and origin countries which seek to guard against SECTT by deterring and detecting transnational child sex offenders. In addition to victim-focused initiatives aimed at child protection more broadly (e.g. Chemin & Mbiekop, 2015; Jullien, 2003), some destination countries have also taken specific offender-focused measures. While a few countries have adopted specific provisions in national legislation against SECTT, more frequently, destination countries have strengthened domestic laws on various forms of child sexual abuse and exploitation more generally (Johnson, 2011; Jullien, 2003; Svensson, 2006; Tanielian, 2013). However, most of the available (socio)legal research on measures to combat SECTT has been conducted on legislative and policy responses by governments of the countries where the offenders travel from. In the past three decades, multiple origin countries have amended their Penal Codes to remove restrictions of double criminality,¹⁴ and to allow the prosecution of nationals for crimes of child sexual abuse committed abroad. This so-called 'extraterritorial' application of the law has been adopted by an increasing number of countries, such as the United States (e.g. Andrews, 2004; Atwell, 2014; Fraley, 2005; Giordanella, 1998), Australia (e.g. Curley & Stanley, 2016; David, 2000; Ireland-Piper, 2011, 2012; McNicol & Schloenhardt, 2012), Canada and Japan (Svensson, 2006). Since the turn of the millennium, many European countries have done the same (e.g. Fredette, 2009; Khan, 2004; Koops et al., 2017; Seabrook, 2000), as numerous resolutions in the European Parliament urged member states to adopt universal extraterritorial provisions and other measures to combat SECTT.¹⁵

The legal requirements, scope, and enforcement of these extraterritorial laws vary from country to country (Jullien, 2003; Svensson, 2006). For example, in the Netherlands, which is the focus of two chapters of this book, SECTT is not explicitly legally defined. In other words, Dutch criminal law contains no offense or clause addressing SECTT specifically. However, having ratified the 2007 Lanzarote Convention,¹⁶ which requires

14 This means that the crime no longer has to be illegal in both the home country and the location of the conduct (Fraley, 2005).

15 e.g. European Parliament resolution on combating child sex tourism (OJ C 378 29.12.2000, p. 80-87); Communication from the Commission on the implementation of measures to combat child sex tourism (COM(1999)0262); Communication from the Commission on combating child sex tourism (COM(1996)0547).

16 Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known as the 'Lanzarote Convention'.

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states to criminalize different forms of sexual exploitation and abuse against children, as well as the 2011 Directive on Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography,¹⁷ which effectively criminalized SECTT in all EU member states, the Dutch Criminal Code does define various offenses that can be used to prosecute cases of SECTT in practice. Depending on the details of a case, offenses such as fornication with a minor, child prostitution or grooming (Art. 244, 245, 247, 248, 249), child pornography (Art. 240b) or human trafficking (Art. 273f) may be applicable. Subsequently, the Criminal Code can be applied to Dutch citizens, as well as those with a permanent place of residence in the Netherlands, who commit(ted) any of these crimes outside of the Netherlands (Art. 7(2)).

While enabling extraterritorial prosecution appears to be the cornerstone of many origin countries' response to SECTT, other legislative and policy initiatives have also been and continue to be developed. Some have targeted the (presumed) business models that sustain child sexual exploitation, for instance by taking measures against advertising abuse opportunities or SECTT.¹⁸ As a preventive approach, measures attempting to restrict the movement of known sex offenders are common in application (McPhee, 2014). Whereas many countries already require convicted sex offenders to report international travel to authorities, some have suggested revoking the passports of (high-risk) known sex offenders to ban them from traveling abroad (e.g. J. A. Hall, 2011; Nationaal Rapporteur Mensenhandel en Seksueel Geweld tegen Kinderen, 2013), a practice now implemented in Australia (Harris & McPhedran, 2018).¹⁹ Similarly, since 2016, the United States marks the passports of certain convicted sex offenders with a specific stamp, which essentially restricts their travel (for critiques, see e.g. Cull, 2018; Genord, 2020; King, 2011; Newburn, 2011; Viera, 2011).²⁰ Many other countries have developed sex offender registration and notification systems which enable authorities to share information about the travel movements of convicted sex offenders with foreign border officials (see McPherson, 2021, for an overview).

Alongside the development of these legal frameworks, destination and origin countries continue to build relationships at the level of law enforcement. Police officers from Western governments have frequently been reported to provide investigative training to law enforcement officials in destination countries, typically in Southeast

17 Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, replacing Council Framework Decision 2004/68/JHA.

18 For instance, the European Directive of 2011 (Art. 21), which reads: "Member States shall take appropriate measures to prevent or prohibit: (a) the dissemination of material advertising the opportunity to commit [child sexual abuse, exploitation, pornography, or solicitation]; and (b) the organisation for others, whether or not for commercial purposes, of travel arrangements with the purpose of committing any of [child sexual abuse, exploitation, or pornography]."

19 Passports Legislation Amendment (Overseas Travel by Child Sex Offenders) Act 2017.

20 Genord (2020, p. 1603) explains that 'International Megan's Law' "prohibits the State Department from issuing passports to individuals convicted of a sex offense against a minor unless those passports are branded" with the phrase: "The bearer was convicted of a sex offense against a minor, and is a covered sex offender pursuant to 22 United States Code Section 212b(c)(1)."

Asia (Curley, 2014; J. A. Hall, 2011; Johnson, 2011; Jullien, 2003; Li, 1995; The Protection Project, 2007). NGOs have also played a prominent role not just in raising awareness and providing aftercare to victims, but also in gathering evidence and assisting prosecutions (Curley, 2014; de Vries, 2021; McPhee, 2014). Econometric models based on Indian data indicate that increasing such international policy coordination between origin and destination countries is the most promising venue for reducing child sexual exploitation (Chemin & Mbiekop, 2015).

As Winterdyk and Jones (2020, p. iv) observed, “Laws are never enough; they are the start. Implementation is key.” When it comes to SECTT, it appears that implementation is as essential as it is problematic. The prevailing impression is that transnational child sex offenders seemingly often get away with their crimes, unnoticed or unpunished by local authorities. Weak enforcement mechanisms, corruption, lack of political will, and instability have been named as explanations why transnational child sex offenders are rarely prosecuted in destination countries (Berkman, 1996; de Vries, 2021; Seabrook, 2000; Svensson, 2006). With regard to countries of origin, they, too, have been described as underusing their legal instruments. Although some cases have been successfully prosecuted based on extraterritorial provisions (see Jullien, 2003; McNicol & Schloenhardt, 2012; The Protection Project, 2007), their use is “exceptionally rare” due to the significant challenges involved in conducting these investigations (McPhee, 2014, p. 103). Extraterritorial SECTT prosecutions typically involve highly complex and labor-intensive investigations, which intense international (often cross-cultural) law enforcement cooperation. Formal processes related to investigating transnational cases, such as lengthy procedures for mutual legal assistance and extradition requests, or obstacles relating to the admissibility of foreign evidence, complicate matters (David, 2000; de Vries, 2021; more generally, see Dandurand, 2011; Obokata, 2017; van Wijk, 2017). Moreover, the crime’s hidden nature, the challenges of law enforcement cooperation and evidence gathering across different jurisdictions, and local contexts in which the practice is condoned or facilitated all complicate the investigation and prosecution of SECTT offenses (Cotter, 2009; David, 2000; de Vries, 2021). As a consequence, extraterritorial investigations are typically only launched when sufficient evidence has already been collected and sufficient police resources are available (Curley, 2014). Furthermore, some have noted that extraterritorial prosecution is seen as the less desirable option, as origin countries have expressed their preference that investigations be carried out by destination countries – meaning, they will only prosecute extraterritorially if local authorities are unable or unwilling to do so (Curley, 2014). As such, convictions in origin countries have been few, raising questions about effectiveness (Fredette, 2009).

In short, whether, to what extent, and how the legislative initiatives and policy measures described previously are put into practice is quite a different matter. Taken together, the interplay between ineffective enforcement and protection by governments in destination countries on the one hand, and the practical difficulties, or even reluctance, related to extraterritorial enforcement by countries of origin on the other, inevitably raises

questions about the willingness and ability of both governments to protect potential victims and stop offenders. We will return to this question later in this book (Chapters 2 and 3).

1.2.3. Mobilizing bystanders: Encouraging micro-level guardianship by third parties

Another group of responses to SECTT targets the third leg of the crime triangle by seeking to mobilize guardianship. Various initiatives have been developed by governments and NGOs (macro-level guardians) to attempt to encourage third-party individuals (micro-level guardians) to engage with SECTT. In responses, particular attention is given to two groups of micro-level actors that are targeted for public education or sensitization: the travel and tourism industry, and members of the public.

Several initiatives focus on increasing guardianship by the travel and tourism industry. For instance, the Lanzarote Convention²¹ emphasizes the responsibility of the “travel and tourism sector” to prevent sexual exploitation and child abuse (Art. 9(2)). Most notably, a ‘Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism’ was initiated in 1998 by ECPAT Sweden and the World Tourism Organization, which aims to “provide awareness, tools and support to the travel and tourism industry” (*The Code*, n.d.). Recognized as one of the leading private sector instruments for the fight against SECTT (Tepelus, 2008), its industry members, such as travel organizations and tour operators, voluntarily commit to responsible and sustainable tourism by fulfilling six principles that aim to protect children from sexual exploitation by travelers. Signatories should establish policies and procedures against sexual exploitation of children, and include a clause in contracts throughout the value chain stating zero tolerance of sexual exploitation of children. They vow to collaborate with, support, and engage key stakeholders (such as law enforcement or NGOs) in the prevention of child sexual exploitation of children. Finally, companies also commit to train employees in children’s rights, the prevention of sexual exploitation, and methods of reporting suspected cases; as well as providing information to their customers, travelers, about these topics (Mekinc & Music, 2015; *The Code*, n.d.). To date, over 400 members from around the world have signed up, including not just travel agencies and tour operators, but also hotels, restaurants, bars and nightclubs, airlines, hotels, and tourism schools (*The Code*, n.d.).

Since the 2000s, tourism operators are increasingly realizing that, aside from the obvious moral reasons, protecting children from sexual exploitation is also in their own interest, since the sight of exploitation of children would scare away genuine tourists (Aston et al., 2022; Beddoe, 2003). But activating the tourism industry to take responsibility for this issue is not just a matter of self-interest, or of sustainable tourism practices and corporate social responsibility: from a ‘crime triangle’ perspective, it is about *mobilizing (semi-formal) guardianship* in those places where SECTT is most likely to take place. Hotel receptionists, travel agents, bartenders at nightclubs, and many

21 *supra* note 16.

others in the travel industry are the ‘eyes and ears’ on the ground, and in an optimal position to exert guardianship. Training tourism personnel as potential guardians could be particularly fruitful, since “tour guides and front office staff are often the most likely to be approached by foreigners seeking young prostitutes, virgins, or children for sex.” Yet, “[o]ften the problem goes unreported or undetected because staff are told to do everything to please the customer and to encourage tourists to come back” (Beddoe, 2003, p. 205). In this way, training and education initiatives, organized by institutions at a macro-level (most notably international organizations), seek to make an on-the-ground impact by mobilizing micro-level guardians.

The second group of actors that the Code seeks to mobilize and educate is travelers. Campaigns catalyzed by the Code are just some of many examples that illustrate the emphasis placed on the role that members of the general public can play in the fight against SECTT. While some campaigns have sought to deter potential offenders who may be among the travelers,²² the majority of public sensitization and education initiatives call upon travelers to be vigilant. Posters, leaflets, stickers, air ticket wallets, baggage labels, labels on sun tan bottles, billboards and in-flight videos, to name just a few, have been produced to raise awareness about SECTT among travelers worldwide (Beddoe, 2003; Defence for Children, 2019; Tepelus, 2008). One notable initiative is the ‘Don’t Look Away’ campaign, a joint initiative of NGOs, law enforcement and government agencies, which aims to encourage travelers to report suspicions of child sexual exploitation when traveling abroad (Defence for Children – ECPAT Netherlands, n.d.).

These initiatives highlight the idea that members of the public could play a role in preventing or helping to deter SECTT. When it comes to sexual exploitation of children abroad, travelers may be in a unique position to perceive valuable information as witnesses or bystanders, as they frequent the same places and touristic setting in which SECTT often, though not exclusively, takes place. Taking into account the numerous challenges involved in detecting offenders, the invisibility of the phenomenon – especially to foreign authorities not familiar in the local context –, and the difficulties of implementing child protection on the ground in destination countries, it is perhaps no surprise that efforts have begun to rely on public engagement to gather intelligence about SECTT. Public engagement appears to primarily be motivated by a desire to gather intelligence about the phenomenon, build a case against offenders, which could ultimately save victims. Conceptually, this represents the enactment of indirect, informal guardianship (Reynald, 2014), but theoretical linkages can also be observed to work on bystander intervention and crime reporting by third parties (e.g. Latané & Darley, 1970;

22 For example, World Vision aimed to dissuade American tourists using the slogan “Abuse a child in this country, go to jail in yours” on airports and in-flight videos in Cambodia, Thailand, Costa Rica, Mexico and Brazil (Tepelus, 2008). In the western Indian state of Goa, a billboard showed a photograph of a young local child’s smiling face, juxtaposed against a sweeping backdrop of sandy beaches, with the slogan: “Enjoy our beautiful beaches, but remember that Goa is not a pedophile’s paradise” (Dewey & Conover, 2012, p. 166).

Piliavin et al., 1969). Whether through their presence, direct or indirect intervention, members of the public are thus mobilized to act as guardians to safeguard children abroad from sexual exploitation.

The responses to combat SECTT illustrate the way that guardianship against SECTT has been interpreted to date, at both the macro-level and the micro-level. To summarize, strategies to prevent or combat SECTT include broader child protection mechanisms, such as through international child rights instruments (*victim protection*); legislative and law enforcement responses to detect offenders in countries of origin and destination (*offender detection*); and education and sensitization of the general public (*mobilizing informal guardianship*). We have seen that scholars have expressed concerns about the implementation of child protection and offender detection measures, although research about the effectiveness of these responses is virtually absent. The effects of public engagement campaigns appear to not be a topic of discussion (or research) at all.

This discussion about the kinds of initiatives taken to combat SECTT raises questions about how ‘guardianship’ comes to be. When is guardianship enacted, and when not? What influences guardians’ decision? In the section that follows, I examine some theoretical foundations for these questions based on literature on micro-level guardianship, present a theoretical model, and explore another central idea to this book; namely, that we should not just examine whether guardians are capable, but also if they are willing.

1.3. Theoretical foundations: What influences micro-level guardianship?

Traditionally, ‘routine activity’ approaches have, as discussed previously, celebrated the capable guardian as “the ultimate protector and defender of people and property against criminal violations” (Reynald, 2011). The wording betrays the focus of these theories: for guardians to enact guardianship, they must be *capable* to do so. The way that ‘capability’ has been conceptualized and measured has varied widely (Hollis-Peel et al., 2011). Early research on guardianship exclusively examined guardianship by estimating the physical potential to supervise or availability of potential guardians (Reynald, 2018). Not only does this conceptualization link back to the core of routine activities theory (since the availability of a guardian depends on their routine activities), it also ties in with the idea that the mere presence of individuals at the scene of a potential crime can be enough to deter against crime (M. Felson, 1995; Hollis-Peel et al., 2011). Others have evaluated guardianship as capable when guardians are not only available, but also actively monitoring or carrying out surveillance behaviors (Hollis-Peel et al., 2012; Reynald, 2009).

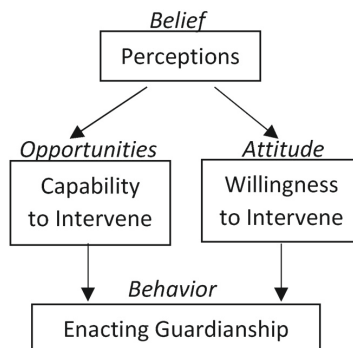
In addition to routine activity theory, theoretical approaches with other lineages have also drawn attention to the potential of third parties, i.e. those who are not the offender or victim, to control crime, but at the neighborhood level. Built on social disorganization

theory (Shaw & McKay, 1942), these approaches assert that crime is reduced in local communities that exert *informal social control* – that is, neighborhoods able to supervise the behavior of residents and socialize residents conventionally (Bursik, Jr., 1988; R. J. Sampson & Groves, 1989; Vélez, 2014). A landmark study by Sampson and colleagues (1997) showed that citizen’s willingness to intervene on behalf of a common good, as an indication of a neighborhood’s collective efficacy, reduced violent crime rates. Some believe that the concept of guardianship is actually subsumed under the umbrella of informal social control (e.g. Reynald, 2014, p. 2482; contrast Hollis et al., 2013). After all, both concepts emphasize the importance of supervision, which is enhanced by social bonds and informed by social norms, and which leads ultimately to crime control. While these neighborhood-level approaches may be less clearly applied to transnational crimes like SECTT, their theoretical foundations can help to get a better idea of what influences guardians to enact guardianship.

Another aspect that these neighborhood-level approaches have in common with routine activity theorists is the idea that guardians must be capable. Sociological theorists have emphasized that, at the neighborhood level, “the ability of individuals to act in defense of their community is shaped in important ways by the *opportunities for action* that are available to them” (Skogan, 1989, p. 437, emphasis added). The extent to which neighborhoods can be successful at exerting informal social control depends on all kinds of economic and social resources. Adverse neighborhood conditions, such as concentrated disadvantage, residential mobility, and ethnic heterogeneity, have consistently been found to impair the ability of neighborhoods to engage in informal social control (see Vélez, 2014). Residents in these neighborhoods find it harder to act for the benefit of the community, and to behave in ways that would reduce crime.

Drawing upon these theoretical approaches, we can see that whether or not a guardian intervenes is dependent on their capability to do so, as illustrated on the left-hand side of Figure 1.1.

Figure 1.1. Theoretical model of guardianship



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Whether or not, and under which circumstances, those with the capability to intervene actually do so is a topic of many theories and studies. Recent work has highlighted that guardians must not just be capable, but also be *willing* to intervene. For instance, Reynald's (2010) work on informal guardianship by residents to prevent burglary revealed that availability in itself was not enough to get residential guardians to supervise or intervene. Consistent with social psychological theories on bystander intervention (e.g. Latané & Darley, 1970), whether and how an available guardian responds once a crime event is noticed was influenced not just by guardians' perceived capability, but also by their perceived responsibility and risk to personal safety. According to Reynald's (2009) Guardianship in Action model, conceptualizations of guardianship should take into account the ability to detect potential offenders as well as the willingness to supervise and to intervene when necessary (see also Hollis-Peel & Welsh, 2014). Theoretically, the importance of willingness to intervene can also be connected to the previously discussed neighborhood-level approaches. Sampson's (1997, p. 919) conceptualization of collective efficacy serves as an apt demonstration, as this concept – essentially a form of informal social control – is measured by mutual trust, social cohesion, and “the willingness to intervene for the common good”. Simply put, as illustrated in Figure 1.1, we have to examine both if guardians *can* and if they *want to* intervene, to understand under which circumstances they *will*.

Both capability and willingness to intervene are, in turn, influenced by a potential guardian's *perceptions* about the problem and situation. Literature on bystander intervention has long drawn attention to the fact that a bystander's ability to notice an incident depends on their knowledge and awareness; as such, potential bystanders' capability and willingness to intervene can be increased with training (e.g. Banyard et al., 2007; Brewster & Tucker, 2015; Burn, 2009; Butler et al., 2022; K. J. Holland & Cipriano, 2019; Labhardt et al., 2017). Felson's (2006, in Reynald, 2010) statement that the capability of a guardian is determined by their knowledge of what to look for during supervision endorses this idea. However, as a wealth of social psychological work on cognition and intergroup relations emphasizes (see Andersen et al., 2008; Brewer, 2008), ‘what to look for’, i.e. knowledge about what is ‘suspicious’ and what is ‘normal’ behavior, may often be based on evaluations of who is an insider or outsider, which is in turn influenced by stereotypes, stigma, and biases, rather than ‘objective’ cues or behavioral patterns. Incorrect beliefs could therefore jeopardize a guardian's capability to exert guardianship.

The role of perceptions may be even more pronounced in predicting the willingness to intervene. While capability to intervene is reflective of the opportunities available to a potential guardian, willingness to intervene reflects an attitude which, like other attitudes, can be influenced by a wide array of perceptions, beliefs, experiences, and emotions. To highlight just a few, perceptions about the seriousness of a crime can influence the likeliness that people report it to authorities (e.g. R. B. Felson et al., 1999; Galvin & Safer-Lichtenstein, 2018; Skogan, 1976) or intervene in an emergency (Arluke, 2012; Fischer et

al., 2011; Nicksa, 2014); perceptions about the familiarity and attachment to those around us and to potential victims (also called social distance) influence citizens' willingness to intervene (e.g. M. Felson, 1995; Freudenburg, 1986; Reynald, 2010); a perceived sense of responsibility predicts guarding behavior (Reynald, 2010; Reynald & Moir, 2019), while disgust and perceived effort have been found to deter bystanders from intervening in emergencies (Piliavin et al., 1969). Although these insights originate from studies with different theoretical and disciplinary ancestries, they paint a complementary picture: that whether and how guardians act is based on their perceptions of a problem and a situation. The final part of the model (Figure 1.1) reflects this.

This is not just true for micro-level or informal guardians, but also for macro-level guardians, whose ability and willingness to enact guardianship can be expected to be influenced by their perceptions of a problem. When it comes to policy makers' or governments' ability to guard, their representation of a problem influences the action they take to combat it. Policies based on stereotypical characterizations of a problem may not adequately or accurately address the problem as it actually exists (Tyldum & Brunovskis, 2005). For a response to be effective, it is crucial that it is based on a comprehensive understanding of the phenomenon and well-adjusted to the actual problem.

Put simply, whether and how we act is based on our perception of a problem. If our image of a problem is narrow, incomplete, or stereotypical, the way we respond to the problem is unlikely to be effective in the real world. With this in mind, the next section examines some common beliefs about SECTT that might influence guardians' decision to enact guardianship, before turning to the aims and outline of this book.

1.4. SECTT: Addressing common perceptions

For the field of sexual abuse research to advance, Wortley (2015; in Cockbain & Reynald, 2016, p. 2) contends, "researchers must not only commit to 'dispassionate objectivity' in their inquiries but find the 'courage to challenge some sacred cows.'" Research on sex offending is shrouded in "myths, false beliefs, and erroneous conclusions" (Lussier et al., 2021, p. 15). When it comes to an issue that is as emotive and controversial as the sexual victimization of children, correcting incorrect perceptions, and instead acting on or collecting objective evidence, is a fundamental challenge (Wortley, 2015). Child sexual abuse is after all virtually unparalleled in its ability to generate outrage, disgust and confusion (Cockbain & Reynald, 2016), with pedophiles perceived as one of "the key hate figures of our time" (Jervis, 2015, p. 166; Klein, 2017; Schiavone & Jeglic, 2009; Stafford & Vandiver, 2017). As Cockbain and Reynald (2016, p. 2) note, "moral panic based on untested -or outright erroneous- popular wisdom" impedes the scientific evidence-base on child sexual abuse and effective counter-measures. In other words, as illustrated in the theoretical model of the previous section, mistaken perceptions about child sex crimes impact the ability to effectively exert guardianship to prevent these crimes.

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Unfortunately, SECTT is not an exception to this fundamental challenge, and perceptions about SECTT are not always accurate. The scanty available literature suggests that the reality of SECTT is more nuanced than the stereotypical characterizations I have frequently encountered in my time of writing this book. Before diving into this book, some ‘myth-busting’ is therefore in order. Hawke and Raphael (2016, p. 23) neatly summarize the image of “the typical travelling sex offender” as “a middle-aged, white, male paedophile from a wealthy (often Western) country, travelling thousands of miles across the world to a much poorer (often Southeast Asian) country, to abuse a child (often female).” I unpack this image in four elements here and reflect on the state of the evidence about these.

1.4.1. Location

“That happens in Thailand, right?” This response, by far the most frequent in conversations I have had about the topic of this book, betrays the first common preconception about the place where SECTT occurs. In the literature on SECTT, a distinction is made between so-called *destination countries*, where the sexual exploitation takes place, and *sending countries* or *countries of origin*, where the offender originates from. The typical image is that of an offender traveling from a wealthy, ‘Western’ country to a poorer country of destination. And indeed, if one had drawn up a map of where in the world international child sex offenders were traveling two decades ago, countries like Thailand and the Philippines would have been marked in red. These countries have so frequently been associated with SECTT that they can be viewed as “traditional destinations” (ECPAT International, 2008; Hawke & Raphael, 2016, p. 14); an idea that is also present among certain individuals with a sexual interest in children, as evidenced by posts on Darkweb fora such as *“Can Thailand still be considered a good pedo destination?”* (van der Bruggen & Blokland, 2020, p. 16). The focus on Southeast Asia in particular can be attributed to the flourishing commercial sex sector in the region. In 1998, a report commissioned by the International Labor Organization estimated that between 2 and 14 percent of the GDP of Thailand, the Philippines, Malaysia and Indonesia derives from the sex sector (Lim, 1998). For some countries, such as the Philippines, reports of children being exploited in prostitution trace back to as early as the 1970s.²³

But despite the popular belief that SECTT is a Southeast Asian phenomenon, NGOs and experts have, in recent years, emphasized that child sexual exploitation occurs all over the world (e.g. Hawke & Raphael, 2016; M’jid, 2012). Cases of traveling child sex offenders have been reported across the globe, indicating that no country is immune to be or become a country of destination for SECTT. Moreover, NGOs have argued that

23 For instance, in 1995 UNICEF stated that there is a “clear and definite relationship between the inflow of tourists and the sexual exploitation of Filipino children,” based on documented cases of ‘child prostitution’ in various cities in the Philippines (1995, p. 64; in Lim, 1998). In one such case, a Philippine village became so well known for its “pedophile visitors” in the late 1970s and early 1980s that it attracted boys from neighboring poverty-stricken areas in search of employment (ECPAT, 1995; in Lim, 1998).

the distinction between destination countries and origin countries may not be as black-and-white as previously assumed, since countries can be both a destination as well as a sending country at the same time (Hawke & Raphael, 2016). Overall, experts call for a less narrow perspective about destination countries; meaning, in essence, that we must accept that SECTT can happen anywhere in the world. On the other hand, we must acknowledge that particular hot spots in the world remain – even though establishing what they are is no easy task in light of the absence of reliable and comparable data or official statistics on SECTT (George & Panko, 2011).

Mistaken or outdated perceptions about the kinds of locations where SECTT takes place could jeopardize the effectiveness of guardianship. After all, guardians can only prevent crime if they are present or intervene in the right places. Wrongful perceptions about the location of SECTT could lead to blind spots, which perpetuate the invisibility that offenders profit from. For a concrete example, consider the following comment by someone employed in the tourism industry in Russia, who explained: *“In my opinion, [SECTT] is not a problem for St. Petersburg (...) I can imagine it exists in Thailand, but not in Europe, not in Russian cities”* (Stellit, 2015; in Hawke & Raphael, 2016, p. 61). Perceptions about where in the world SECTT occurs, and where it does not, can therefore be expected to influence all matters of elements of guardianship, like guardians’ presence, monitoring behavior, and willingness to intervene.

1.4.2. Middle-aged, pedophile offenders

A second frequently encountered stereotype is that traveling child sex offenders are middle-aged, white, male tourists (ECPAT International, 2008; Hawke & Raphael, 2016; M’jid, 2012; Nationaal Rapporteur Mensenhandel en Seksueel Geweld tegen Kinderen, 2013). Once again, perceptions about offenders could shape the effectiveness of responses to combat SECTT. Guardians, at both the micro- and macro-level, may turn toward these perceived characteristics of offenders to determine who is ‘suspicious’ in a place. If their image of the problem is too narrow, governments and members of the public may be less capable or willing to intervene when a child is sexually exploited by someone who does not meet their perceptions of what a typical SECTT offender looks like.

While more empirical research on demographic and other characteristics of SECTT offenders is urgently needed, experts assert that this group appears to be a lot more varied than one may assume. Data from NGOs indicates that offenders can be young and old, and of all ethnic backgrounds (e.g. Bijnsdorp & Montgomery, 2003; ECPAT, 2009; Hawke & Raphael, 2016; Segundo et al., 2012). With regard to their country of origin, offenders are typically described to travel from countries in the global north, such as the United States, Australia, Western Europe, Canada or Japan. Nonetheless, experts believe offenders also travel within the same region or locally (Hawke & Raphael, 2016; M’jid, 2012). And while the overwhelming majority of offenders are men, there have also been reports of female SECTT offenders (Hawke & Raphael, 2016; O’Connell Davidson & Sanchez Taylor, 1996c) – believed to be around five percent (M’jid, 2012). Strikingly, and unlike their male counterparts, the narrative on female sex tourists has

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centered around the assumption that they act out of a search for romance (I. L. Bauer, 2014; Berg et al., 2020; Chege, 2017; Herold et al., 2001; Jeffreys, 2003; Sanchez Taylor, 2006; Sánchez Taylor, 2001; Spencer & Bean, 2017; Weichselbaumer, 2012). Another assumption about transnational child sex abusers, as is evident from the still frequently used label ‘child sex tourists’,²⁴ is that they are, in fact, *tourists*. But SECTT doesn’t always happen in a touristic setting, and SECTT offenders are not just holiday-makers. They are also business travelers, expats, migratory workers, fishermen, or cross-border truck drivers. Some have relocated to a different country indefinitely, or volunteer at a school, orphanage or charity. In other words, their purpose for travel, or length of stay, can vary (Koning & Rijkssen-van Dijke, 2017).

Another common misconception is that all transnational child sex abusers are pedophiles. This is not the case. To understand why, it is crucial to differentiate between *pedosexuality*, i.e. the act of engaging in sexual activity with a child, and *pedophilia*, the sexual interest or preference for children.²⁵ Put bluntly, pedophilia can increase the risk for sexual offending against children, but not all pedophiles are child sex offenders, and not all child sex offenders are pedophiles. Pedophilic sexual interests are consistently found as an important risk factor increasing the likelihood that someone will sexually abuse a child, as well as other factors such as antisocial behavior, hypersexuality, and previous victimization of sexual abuse (R. K. Hanson & Morton-Bourgon, 2005; Jespersen et al., 2009; Mann et al., 2010; Turner et al., 2016). However, it is difficult to say whether these risk factors for child sex abuse also apply to the specific group of traveling SECTT offenders. Since so little is known about the (psychological) characteristics of SECTT perpetrators specifically, we don’t know how and to what extent transnational child sex offenders might differ from other types of child sex abusers. One German study on this question found that SECTT offenders in their community sample self-reported a higher likelihood of reoffending, a higher rate of abuse victimization, as well as more thoughts about seeking professional help than other child sex offenders, which suggests that SECTT offenders may be a particularly high-risk group among child sexual abusers (Koops et al., 2017). The transnational child sex offenders in their sample did not exhibit more or less pedophilic sexual interests than other, non-transnational child sex abusers.

For now, the prevailing consensus in the literature appears to be that *a part of* the SECTT offender population can be classified as pedophile. Academic research, NGO reports and

24 See section 1.6.1 for a discussion of the problems with this terminology.

25 Although the term ‘pedophile’ is often used as an umbrella term to describe anyone who is sexually attracted to minors, from a clinical perspective, this description is not entirely complete. The dominant psychiatric handbook, the *Diagnostic and Statistical Manual of Mental Disorder* (DSM-V), refers to pedophilia as a type of paraphilic disorder, indicating a divergent sexual desire. The term is reserved for those with a sexual preference for prepubescent children. In contrast, adults with a sexual preference for minors between roughly 11 and 14 years old are referred to as ‘hebephile’, and between 15 and 18 years old as ‘ephebophile’ (Blanchard et al., 2009; R. C. W. Hall, 2009). For the sake of simplicity, this book uses the term ‘pedophilia’ more broadly to describe sexual attraction to minors of all ages.

policy papers consistently distinguish between two types of SECTT offenders: preferential offenders and situational (Koning & Rijksen-van Dijke, 2017). Preferential offenders have a specific (sexual) preference for minors, and travel with the aim of engaging in sexual relations with them. Situational offenders, on the other hand, are opportunistic and influenced by specific factors about the situation. They may have been looking for (transactional) sex in general, and either don't care or don't know about the age of their sexual partner. Or they may not have been looking for sex at all, but didn't refuse when they were approached with an offer. Once again though, while this offender typology has been theorized and asserted persistently in the past decades (e.g. Barnitz, 1998; ECPAT, 2009; Fredette, 2009; Hawke & Raphael, 2016; Klain, 1999; Newman et al., 2011; O'Connell Davidson & Sanchez Taylor, 1996b; Thomas & Mathews, 2006), its applicability to SECTT offenders specifically has not sufficiently, if at all, been put to the scientific test (Koning & Rijksen-van Dijke, 2017).

1.4.3. Pedophile rings and package holidays

In an age where conspiracy theories about pedophile rings are rampant (e.g. Bloom & Moskalenko, 2021), the question about the organized nature of SECTT may be especially timely. To what extent, or whether at all, SECTT can or should be viewed as 'organized crime' is debated, with law enforcement agencies, child protection experts, advocacy groups, and scholars taking differing positions.²⁶ The evidence to answer this question is often anecdotal. As with the adult sex sector, we can recognize both organized and unorganized elements in the child sex trade (Lim, 1998, p. 179). In Southeast Asia, the organized sector has linkages to well-connected underground syndicates, and may also be involved in other forms of sexual exploitation, such as trafficking or production of pornography (Lim, 1998). In this organized sector, children (typically girls) are exploited in sex establishments or the wider entertainment sector, such as brothels, bars, nightclubs or massage parlors, which are also located near touristic hotspots. A few decades ago, reports of 'organized sex tours' and 'package holidays' complete with the sexual 'services' of children were prolific (Boonchalakci & Guest, 1998; Nuttavuthisit, 2007; The Protection Project, 2007). Some have asserted that these practices have gone underground as law enforcement awareness and involvement has increased (Hawke & Raphael, 2016). Others question the claims about these 'package holidays' and conclude that the evidence for their existence is very weak (O'Connell Davidson, 2005). O'Connell Davidson (1996, p. 5; in Lim, 1998) points out that "although some children are prostituted by and/or specifically for paedophiles, the vast majority of child prostitutes are integrated into the mainstream sex industry which serves all those who wish to purchase commercial sex," including tourists and travelers, "rather than working in some isolated 'market niche' which caters solely to the desires of paedophiles and preferential abusers."

²⁶ Similar and parallel debates exist over the characterization of other forms of child sexual exploitation as (not) 'organized crime'; see e.g. van der Bruggen & Blokland (2021) on the organization of Darkweb child sexual exploitation fora.

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Intermediaries ('pimps'), brokers, or other facilitators, can be involved in the sexual exploitation of minors. In some cases, parents or other caregivers have been known to put up their own children for economic survival of the family (Spurrier & Alpaslan, 2017; Terre des Hommes, 2013a). Since SECTT takes place abroad, in environments where offenders may not be familiar, brokers could also take on a role as local guide: think of the rickshaw, tuk-tuk or taxi drivers who drive 'clients' to the right neighborhoods for the service they are looking for, or hotel owners who look away (Atwell, 2014; Moerenhout, 2013).

But SECTT can also be unorganized, and intermediaries may be superfluous. Their irrelevance may be most evident for offenders who relocate to the country of destination for a longer period of time, such as long-term volunteers, pensioners, or expat employees, whose length of stay provides opportunities to gain direct access to and 'groom' children directly (Jonas, 2016; Koning & Rijksen-van Dijke, 2017). Cases where transnational sex offenders have gained access to victims by founding a school or orphanage abroad illustrate that SECTT can take place outside of the sex sector. The utility of intermediaries may also be on the decline for the group of offenders who stays in their destination for a shorter time (Koning & Rijksen-van Dijke, 2017). After all, child sexual exploitation is no exception to the technological innovations which, especially in recent decades, have increased the ease of bringing supply and demand together in a wide variety of sectors. Transnational child sex offenders may make or maintain direct contact with a child through online marketplace environments, dating apps, messaging platforms and online chatrooms (Hawke & Raphael, 2016; Jonas & Guadamuz, 2016). Alternatively, they could be approached by street children on the beach working in the informal sex sector. Due to those already existing and recently increasing opportunities for offenders to get in touch with victims directly, the role of intermediaries, or indeed organized crime syndicates, may not be as large as would popularly be assumed.

If there is any academic consensus, it would be that the level or organization, or the degree of involvement of networks, varies per context and time period. Overall, it is believed that organized sex tours, to the extent they still exist, would represent only a minor fraction of SECTT cases, and that most SECTT offenders travel alone (McPhee, 2014; H. Montgomery, 2008; Seabrook, 2000). Seabrook (2000, p. 124) suggests that, rather than 'pedophile rings', "the reality is probably loose associations or friendships between paedophiles, who communicate informally, by word of mouth, about where to go find children and about which countries are believed to be more 'relaxed' and which more vigilant." Indeed, SECTT offenders have been found to use online environments to get in touch with like-minded individuals, exchange information about potential locations, and to share reviews (Beech et al., 2008; Hawke & Raphael, 2016; van der Bruggen & Blokland, 2020, p. 16). Perhaps most brokers and offenders operate in a loosely-connected group that can best be characterized as associations of freelancers, rather than as an organized crime network.

1.4.4. Powerless victims

A fourth oversimplification concerns victims of SECTT. Victims of SECTT are, by definition, children.²⁷ In modern times, young people are often described as “a passive and unknowing dependant” (Jenks, 1996, p. 124), as vulnerable, unable to protect themselves, naïve, innocent (O’Connell Davidson, 2011; Orchard, 2007); or put by Christensen (2000, p. 42), “as weakness itself”. These views may be revealed especially clearly in our ideas about child victims of sexual exploitation, such as SECTT. In what has been dubbed as the ‘innocent victim’ frame, victims of child sex trafficking are portrayed in mainstream discourse as “innocent and gullible” (Cruz et al., 2019, p. 211; for an overview, see Gregoriou & Ras, 2018). True crime shows and documentaries, news storms, and movies frequently portray cases involving a child who is very young, brutally forced, or kidnapped. The problem of SECTT is surrounded by “supposition, speculation and sensationalism, based on very few, often extreme, cases” (H. Montgomery, 2008, p. 905). The dominance of this particular victim image is explained by Christie’s (1986) framework, which explains that those who fit the idealized, stereotypical image of an ‘ideal victim’, for instance by being perceived as weak, blameless, and virtuous, can count on the most sympathy.

However, qualitative research on the lived experiences and perceptions of some of these young people contests their representation as powerless, pure, and innocent victims of exploitation. Reality, once again, is more nuanced. Many young people who were underage when they sold sex to foreigners don’t see themselves as victims. For example, Montgomery (2008, p. 909) noticed that the boys and girls in a slum at the edge of a tourist resort in Thailand, aged between six and fourteen, “refused to use the word ‘prostitution’ and constructed a view of the world where their customers were guests, boyfriends or simply friends.” In the children’s view, sex with these foreign ‘friends’ was primarily about fulfilling what they understood to be duties to the family. Prostitution was perceived as a safer, more profitable, and altogether better option to earn money for the family, rather than for instance begging or working in sweatshops (H. Montgomery, 2008). Similar sentiments have been expressed by other children, some of whom indicate choosing prostitution over alternative options available to them, which were seen as poorer, more dangerous, or more exploitative (Dewey & Conover, 2012; H. Montgomery, 2001; O’Connell Davidson, 2005, 2011; Orchard, 2007; Soderlund, 2005).

In arguing that these children, at least in their own accounts, have some level of agency, we must also acknowledge that the choices and opportunities available to them are limited. In fact, the qualitative studies on this topic frequently point to the impact of systemic factors on children’s opportunities. Child protection advocacy groups may emphasize a slew of factors that make children more vulnerable to sexual exploitation, such as loss of parental support, homelessness, discrimination, blocked access to education, and gender-specific norms (e.g. Davy, 2017); in sum, “powerlessness and

²⁷ For a more detailed discussion on what is defined as a ‘child’ and a reflection on the term ‘victim’, see section 1.6.

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poverty” abound (Hawke & Raphael, 2016, p. 49). Children interviewed in Thailand (H. Montgomery, 2007, 2008), surveyed in Dhaka, Bangladesh (Kamruzzaman & Hakim, 2016), as well as former underage sex workers who had foreign clients in Jamaica (Cruz et al., 2019) and South Africa (Spurrier & Alpaslan, 2017) were not lured away from a happy childhood, but subjected to social marginalization, discrimination, and poverty. “They therefore turned to sex work as a means of survival” (Cruz et al., 2019, p. 309; Spurrier & Alpaslan, 2017). The uncomfortable truth is that prostitution is, by some children, seen as their best option to escape an unsafe or poor environment.

Still other times, rather than seeing themselves as victims, children identify as hustlers. The *beach boy* phenomenon, which has been documented in numerous coastal countries, is a recognizable illustration of this point. Jonas (2016, p. 17) describes the example of a Dutch tourist in Sri Lanka who came into contact with a boy of about fourteen years old on the beach; the boy sold him cigarettes, dived to bring up a shell for him, and performed oral sex on him for money. The beach boys’ ‘business model’ thus includes a wide range of informal livelihood strategies, from selling commodities such as souvenirs and trinkets, shells, fish, cigarettes, or drugs, to arranging guided tours and befriending tourists, to offering sexual services (N. Brown, 1992; Cruz et al., 2019; Jonas, 2016; Miller, 2011).²⁸ Over three decades ago, Brown (1992) asserted that the beach boys in The Gambia are essentially entrepreneurial economic adaptations to the rapid social and economic changes resulting from tourism development. The youth interviewed by her were “fiercely proud” about their activities, “defining it as work and describing themselves as professional guides or tour operators” (N. Brown, 1992, p. 363). Similarly, the child sex workers interviewed by Dewey and Conover (2012, p. 170) in Goa (India) are “extremely adamant” that they are, in fact, the ones manipulating the tourists. Rather than being forced or manipulated into sex work by predatory outsiders, these children emphasize that they are successfully earning a livelihood as in the informal tourist industry.

Knowing the emotive nature of the topic, there will be readers of this book who will experience confusion, cognitive dissonance, or even outrage. At the root of this discomfort is the fact that dominant visions of ‘childhood’ clash with children’s freedom to choose, in particular regarding issues around sex and sexuality.²⁹ There is, simply

28 Note that the beach boy phenomenon is not at all limited to underage youth, but primarily includes adults, with beach boys typically aged in their later teens or early twenties. The studies cited in the main text included minors in their samples. A wealth of other research has highlighted the experiences of ‘beach boys’ older than 18 in coastal and island locations, for instance in Kenya (Chege, 2017; Hope, Sr., 2013; Kibicho, 2005; Omondi & Ryan, 2015), Zanzibar (Despres, 2017, 2021), The Gambia (N. Brown, 1992; Nyanzi et al., 2005), Sri Lanka (Bozicevic et al., 2020; Ranasinghe, 2017; Samarathunga, 2018), Indonesia (Dahles & Bras, 1999), South India (Green et al., 2017), Dominican Republic (Herold et al., 2001), Barbados (Phillips, 2008), and Peru (I. Bauer, 2008).

29 For instance, Gooren (2016) and Witting (2020) argue that social conceptualizations about ‘the asexual child’ have guided criminal law responses to control teenagers’ sexual behavior. Horii

put, not exactly a sex-positive view around those who are underage.³⁰ How we view 'childhood' is attached to all kinds of conceptualizations about agency, innocence and blame – an idea that has been emphasized by childhood sociologists, influenced by social constructionism, since the 1980s (see e.g. Cunningham, 1998, 2006; P. Holland, 2004; James et al., 1998; Jenks, 2005; Leonard, 2016; Prout & Campling, 2000). Childhood is predominantly conceptualized as “a precious quality” which needs to be protected (P. Holland, 2004, p. 205; see also Horii, 2020b; Tobin, 2015). As a result, “the idea that children in prostitution are necessarily vulnerable and non-agential is widely accepted” (O’Connell Davidson, 2011, p. 464). After all, people who are viewed as pure, innocent, and powerless, *cannot also* be sexual, responsible, or powerful. Children in prostitution, embodying both powerless minors and sexual agents, therefore represent a *contradictio in terminis*.

Presuming that we intend to take seriously what children themselves have to say about the matter, these studies fundamentally question the assumption that children in prostitution lack agency. Instead, their findings call for an acknowledgement of victim agency in a constrained context. I should emphasize, echoing the words of Dewey and Conover (2012, p. 171), that “these findings are not meant to justify child prostitution”; instead, I seek “to illustrate that children see themselves as having some control, while adults portray them as victims.” Denying that, and sticking to the dominant discourse, is problematic. Seeing all children as passive victims conceivably does not respect children’s agency, free will, or resilience. This also impacts those children who do not consider themselves to fit in this frame, as they are less likely to self-identify and reach out for help. As Christie’s model (1986) predicted, children that do not conform to the stereotypical image of the ideal victim are frequently denied the care and protection they need. They may be “reclassified as not ‘really’ children at all” (Jervis, 2015, p. 170); as is the case for the children in Goa, some as young as eight years old, who made “less-than-subtle sexualized offers” to “old white men” on the beach, but who locals often described as “cunning miniadults unworthy of sympathy” (Dewey & Conover, 2012, p. 182). Even worse, examples are abundant where these children have been reframed as being part of the problem, and may in fact be punished rather than protected (Dewey & Conover, 2012; Miller, 2011; O’Connell Davidson, 2011). This illustrates that governments and members of the public may be less capable or willing to intervene when they encounter a situation that looks different from their perceptions of what a typical SECTT victim looks like. Ultimately, if guardians’ image of victims is too narrow, or if macro-level guardians

(2020a) argues that the lack of acknowledgement of children’s agency about sexuality is also reflected in human rights discourse about ‘child marriage’. Her work illuminates a contradiction: while international human rights institutions on the one hand celebrate children’s decision *not* to marry, they simultaneously fail to recognize a child’s agency to make a different choice, and identify child marriage as synonymous to being forced. This puzzle shows that recognition of agency or autonomy is often conditional upon whether children make decisions in line with what the institutions have determined to be the ‘right’ choice (see also K. Hanson, 2016; Merry, 2009).

30 This is true in particular in contemporary Western constructions of childhood; see Kehily and Montgomery (2009) for a historical and cross-cultural perspective.

cannot accurately recognize or identify who is a (potential) victim, we cannot design evidence-based responses to combat the problem effectively. If we only look at SECTT as the result of actions of individual evildoers who exploit pure and innocent victims, then we are missing out on opportunities to enact guardianship that acknowledges the experiences, circumstances and context of potential victims. The studies in this section show how these children’s lives are impacted by much larger issues, such as poverty, inequality, marginalization, and exploitative labor conditions generated by global capitalist systems (Broad & Turnbull, 2018; Gulati, 2011). Simplified perceptions justify a narrow set of policy instruments that focus only on those offenders, rather than being broadened to also tackle those systemic inequalities and root causes that limit the options of victims and pimps.

1.5. Aims and outline

This book examines the third leg of the crime triangle: guardianship. In doing so, I aim to expand our understanding of SECTT beyond descriptions of individual victims as suitable targets due to poverty, or the likely offenders who are now able to reach these vulnerable victims through the increased ease of travel of the past decades. It is built on the belief that mapping out the broader SECTT ecosystem, outside of the offender and the victim, can illuminate opportunities for a more effective enactment of guardianship, as well as being the first step to tease out root causes. This not only responds to the knowledge gaps described previously, but ultimately hopes to inspire more effective policy to combat SECTT. After all, understanding how to better enact guardianship is the key to designing effective policy responses.

The overarching objective of this book is to give insight into the way and extent that various actors, at both the macro level and the micro level, are able and willing to guard against transnational child sexual exploitation. Specifically, I focus on the role of two types of actors: governments as macro-level guardians, and at members of the public as micro-level guardians. The overarching research question this book aims to answer is: “In what way and to what extent are governments and members of the public in countries of origin and destination able and willing of enacting micro- and macro-level guardianship against transnational child sexual exploitation?” Through the studies included in the four empirical chapters of this book (displayed in Table 1.2), I explore the opportunities and obstacles for different forms of guardianship for SECTT.

Table 1.2. The chapters of this dissertation by location and level of guardianship

	Macro-level guardianship by governments	Micro-level guardianship by members of the public
Destination country	Destination countries (Chapter 2)	European travelers (Chapter 5)
Origin country	Dutch government (Chapter 3)	Dutch members of the public (Chapter 4)

Macro-level and micro-level guardianship

As described previously, for the specific crime context of SECTT, I reconceptualize guardianship to include potential guardians as individuals (*micro-level guardianship*) as well as institutions (*macro-level guardianship*). The first part of this book turns to macro-level guardianship by governments. I focus on governments as formal, macro-level actors, because they are recognized as carrying primary responsibility to control crime and thus enact macro-level guardianship (Garland, 2001). As illustrated in section 1.2, governments have various instruments at their disposal to exert this guardianship, such as drafting legislation (e.g. criminalizing child sex exploitation), assigning and protecting rights (e.g. child rights), and implementing policies. To what extent and how governments use these instruments varies greatly between countries and historical contexts (e.g. Frank et al., 2010; KidsRights Foundation, 2018). Studying macro-level guardianship therefore has both societal and theoretical relevance.

The second part of the book focuses on members of the public as potential bystanders exerting micro-level guardianship. This adds not just to previous literature on the potential of regular citizens as capable guardians against a range of crimes (e.g. Cismaru et al., 2010; Hoefnagels & Zwikker, 2001; Latané & Darley, 1970; McKillop et al., 2021; Reynald, 2014; Shotland & Goodstein, 1984), but also has particular societal relevance since, as described in section 1.2.3, a specific role has been designed for members of the public in various policy initiatives to combat SECTT. The potential of these bystanders to prevent SECTT has, to my knowledge, not been studied to date. Another reason to study public perceptions is that, in modern democracies, the public also shapes and influences the responses by its government. Decisions from policy makers and criminal justice actors are, in various ways, informed and influenced by public opinion (Richards, 2019; Ryberg & Roberts, 2014; Sample & Kadleck, 2008). Understanding which factors shape public opinion about child sex crimes can inform policy debates, legal responses, and more effective prevention strategies (Mears et al., 2008; Pickett et al., 2013; Richards, 2019).

Destination and origin

Another noteworthy aspect of this book is its focus on both destination countries (where the child is exploited) as well as origin countries (where the offender travels from). This choice not only allows an exploration of guardianship by different actors, but also takes into account the respective gaps in social scientific research about both locations.

When it comes to destination countries, the scarce research on SECTT has typically been case studies of countries (e.g., Chemin & Mbiekop, 2015; Miller, 2011; Montgomery, 2008) or, at best, comparisons of a few countries (e.g., Blackburn et al., 2010; Huynh et al., 2010; Tanielian, 2013). This strand of empirical scholarship studying the phenomenon in destination countries typically concerns small-scale and qualitative fieldwork, such as ethnographic methods or interviews with sex workers, potential victims, and/or potential offenders (e.g. N. Brown, 1992; Cruz et al., 2019; Miller, 2011; H. Montgomery, 2008; Niron et al., 2001; O'Connell Davidson & Sanchez Taylor, 1996b, 1996a, 1996c,

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1996d, 1996e, 1996f; Spurrier & Alpaslan, 2017). These studies, sometimes inspired by a critical or feminist perspective, focus on a specific, detailed and targeted analysis of the problem at a local level (Brantingham & Brantingham, 1991; Rayment-McHugh et al., 2015). While their findings are to some extent bound to the local context in which they were conducted, their value is undeniable: these are the scarce empirical breadcrumbs that teach us more about this elusive phenomenon.

This strand of scholarship frequently acknowledges the importance of looking beyond the individual offender and victim to broader social, economic, and cultural issues (e.g. Dewey & Conover, 2012; H. Montgomery, 2008). For instance, in their theoretical model of the SECTT ‘ecosystem’, George and Panko (2011) mention social, cultural, political, economic, legal and technological factors as being important, in addition to individual-level biological, psychological and situational factors to predict offending. Cruz et al.’s (2019) empirical research highlights the impact of Jamaica’s economic, social, legal and political context – being decades of international debt, colonial-era criminalization of homosexuality and sex work – on the island’s sex workers, some of whom started to trade sex as children. However, the appeal for attention for factors wider than the offender and the victim has, in the studies, not explicitly been connected to guardianship. While the importance of looking beyond offenders and victims is carried quite widely in this strand of SECTT scholarship, little attention has been paid to the role of guardianship. All in all, these studies have focused more attention on describing the phenomenon in a local context, rather than studying or seeking to inform responses.

By contrast, scholarship on countries of origin has focused almost exclusively on the (legislative) responses to combat SECTT (see section 1.2.1 and 1.2.2), but hardly any of these studies are empirical. Instead, these normative legal studies give insight into what different countries, most frequently origin countries, are doing or have done in response to SECTT. They rarely analyze empirical data outside of legal or political texts, nor do they evaluate the effectiveness of responses in practice. Social scientific research on the role of countries of origin is thus very scarce. With that in mind, I am particularly interested in returning the spotlight to sending countries in this book, to see if and how they, too, could be instrumental actors in combating the problem.³¹

Part of this book (Chapters 3 and 4) focuses in particular on the national context of the Netherlands. In the past two decades, some grey literature, such as reports commissioned by Dutch government agencies or NGOs, has reported on Dutch SECTT offenders (e.g. ECPAT, 2009; Jonas, 2016; Koning & Rijkssen-van Dijke, 2016; Moerenhout,

31 The decision to focus on sending countries not only addresses a knowledge gap, but also aligns best with my personal background (being a white Dutch national who has lived in four European countries). To quote Tanielian (2013, p. 101): “Western academic authors often posit commentary from outside of regions most seriously affected by [SECTT], or pen articles following brief visits to those places,” while “locally-based or long-term resident foreign academic authors in [Southeast Asian countries] have not been represented in literature on the subject” (p. 102). In light of this observation, I believe research on destination countries is best carried out by locally embedded researchers, and I decided early in the project that I did not want to contribute to the existing imbalance.

2013; Stöpler, 2007; Vogelvang et al., 2002) or discussed Dutch measures taken against SECTT (e.g. Defence for Children - ECPAT the Netherlands, 2019; Nationaal Rapporteur Mensenhandel en Seksueel Geweld tegen Kinderen, 2013; Terre des Hommes, 2013a; Wolsink et al., 2021). Commonly perceived as an origin country for SECTT, as has been acknowledged in reports commissioned by Dutch law enforcement and government agencies (e.g. Koning & Rijkssen-van Dijke, 2017; Moerenhout, 2013; Vogelvang et al., 2002), as well as international sources (e.g. Altamura, 2016; US State Department, 2018), the Netherlands is a particularly interesting case study given that the majority of previous research on responses by origin countries of SECTT has focused on the United States and Australia. The focus on the Dutch national context in two of the chapters can therefore inspire policy recommendations specifically in the Netherlands, and can potentially also inform lessons for other origin countries.

Overview

The first two empirical chapters of this book examine aspects of on macro-level guardianship by governments. Chapter 2 starts from the observation that many assumptions have been made about where in the world SECTT occurs. We test some prevalent assumptions from the perspective of the crime triangle. Are countries more likely to be SECTT destinations if they are visited by many tourists (influx of likely offenders), or if there are many vulnerable potential victims (suitable targets)? What is the role of quality of government (capable guardianship), and of economic factors? Answering these questions tells us more about the context in which SECTT takes place and the role of macro-level guardianship within that context.

Chapter 3 turns to macro-level guardianship by origin countries, focusing specifically on the Netherlands. We want to know not just how a country of origin says they are enacting guardianship, but also examine what the chosen responses say about the way that SECTT is perceived. In doing so, this chapter connects different steps in the central theoretical model: the responses, or way that guardianship is enacted, by an origin country, and the perceptions about the phenomenon in the political and policy discourse.

The third and fourth empirical chapters in turn examine aspects of micro-level guardianship by ordinary citizens. Chapter 4 studies perceptions, the first part of the theoretical model, among members of the public in a country of origin. Knowing that public perceptions of (child) sex crimes are determined by various aspects of the crime, this chapter specifically studies the impact of the crime location on public perceptions. Do members of the public care equally about child sexual exploitation when it happens far away? Studying these predictors for public perceptions is an important first step if we are to understand how this group may be mobilized as potential guardians to prevent SECTT.

Having gained more insight into the perceptions by members of the public in an origin country in general, Chapter 5 focuses on those citizens who may have had an opportunity to enact informal guardianship against SECTT: those who have traveled

abroad. Given that public engagement campaigns have sought to mobilize informal guardianship specifically by calling on these travelers to reports of suspicions of SECTT, it is particularly relevant to study which barriers European travelers experience that would withhold them from intervening. Which perceptions, lack of resources, or attitudes hinder their intent to report? And which implications does this have for encouraging this group to act as informal, micro-level guardians?

Finally, Chapter 6 summarizes the findings from the empirical chapters, concludes, and reflects on its implications. An overview of the different studies, the more specific research questions they answer, and the empirical data collected is depicted in Table 1.3.

Table 1.3. Outline of research questions per chapter

Chapter	Focus	Research question(s)	Method
2	Macro-level guardianship <i>Destination countries</i>	Which macro-level factors account for the variation in SECTT occurrence?	Quantitative analysis of global data sources on 190 countries
3	Macro-level guardianship <i>Dutch politicians and policy makers</i>	How is the problem of SECTT represented (or 'framed') in policy discourse in the Netherlands?	Discourse analysis of 241 Dutch political and policy documents from 1995 to 2020
4	Micro-level guardianship <i>Dutch members of the public</i>	To what extent do spatial and social distance to the crime location influence public perceptions about SECTT?	Vignette experiment among a representative sample of the Dutch public (N = 949)
5	Micro-level guardianship <i>European travelers</i>	Which barriers are associated with travelers' intent to report signals of SECTT abroad?	Survey among travelers from five European countries (N = 728)

Note. At time of writing, Chapters 2 and 4 have been published as articles in peer-reviewed journals, with the author of this book as first or sole author. Chapters 3 and 5 are currently under review in a peer-reviewed journal. Notes at the beginning of the individual chapters provide more details about these publications.

Methodological objective

As a secondary goal, this book aims to demonstrate how the methodological toolbox of researchers aspiring to investigate SECTT could be expanded. This aim is founded on the observation that, broadly speaking, prior empirical research can be divided into three types based on the methodologies that have been employed. The first two types, fieldwork studies about the phenomenon in destination countries, legal scholarship about responses against SECTT, have been described above. Thirdly, more than other criminological issues, research on SECTT is characterized by literature based on expert perceptions. The use of expert judgements as a research methodology is not per se uncommon in the study of criminological phenomena that are hidden or difficult to measure. When applied with methodological rigor, expert judgements have been convincingly used to compose a variety of useful indices, such as the Global Organized Crime Index, Corruption Perception Index, the World Bank's Governance Indicators, or the

Kids Rights Index. Most notably, the 2016 'Global Study on sexual exploitation of children in travel and tourism', coordinated by ECPAT International, displays an unprecedented effort to "narrow the knowledge gap on this crime" by drawing upon expert papers, stakeholder consultations, desk reviews and country studies conducted by national NGO branches (Hawke & Raphael, 2016, p. 21). But there is also cause for caution, especially when it comes to the expert opinions presented in grey literature on this topic. In the last three decades, the instrumental role that NGOs have had in putting SECTT on the international political agenda – and as such, in disseminating knowledge about it – explains the remarkable prevalence of grey literature on this topic. While a reasonable number of documents and reports have been produced on the topic, and NGOs can articulate valuable insights about SECTT on-the-ground, I have previously identified several methodological problems with this grey literature (Koning & Rijkse van Dijke, 2017): the greater part of grey literature lacks any form of empirical data collection or scientific justification; there is often no sign of a systematic approach, an explanation of applied methods, or empirical underpinnings of findings; and the scant information available is reused strikingly often, with a high risk of unreliable findings being 'parroted' from one report to another. There is a real danger that 'urban legends' evolve, disseminating stereotypical, possibly untrue perspectives.

In this context, I welcome the challenge to expand the methodological toolbox of studying SECTT beyond the types of methods that have been predominantly applied previously. Choices about the research design and theoretical frameworks of each constituent chapter are motivated by the underlying belief that methodological innovation and diversification is required to bridge the existing knowledge ravine about SECTT. Instead of conducting, respectively, qualitative case studies in destination countries, legal analyses, or expert interviews, the studies in this book use four different research methods to compile four unique data sets: 1) a cross-national, quantitative analysis of global data sources on 190 countries, combined with a systematic codification of the Trafficking in Persons Reports; 2) a critical discourse analysis of over 25 years of political and policy documents; 3) an online, randomized vignette experiment among a representative household sample; and 4) a survey among travelers from five European countries. In doing so, this book aims to innovate and make methodological progress in a research field where untested expert opinions and NGO reports with questionable methodological rigor have shaped most of what we know so far.

Some may wish to start their exploration now in the following empirical chapter; others may want to dive deeper into issues concerning the terminology and definition of SECTT, which the final section of this chapter reflects upon.

1.6. Conceptual issues

Over the years, SECTT has been defined in quite different ways, and described under many different terms. To prevent confusion, we must venture – albeit briefly – into the world of terminology to describe this phenomenon, and the land of competing definitions.

1.6.1. A note on terminology

Since words carry meaning, discussions about appropriate and correct terminology reflect deeper debates about the nature of an issue. The phenomenon at the center of this book will most likely be known to you as ‘child sex tourism’. This has been the most common term to describe the phenomenon of this book for decades. However, terminology has evolved in the past decade, in particular in Europe. You may have heard of alternative terms, such as ‘sexual exploitation of children in the context of travel and tourism’, ‘traveling child sex offending’ or ‘transnational child sex abuse’. Objections to the term ‘child sex tourism’ and the call for a different word can be summarized into two main arguments: one substantive and one moral reason (Koning & van Meeteren, 2021).

The substantive argument states that the term ‘child sex tourism’ represents an incorrect image of what the phenomenon looks like in practice. It suggests that offenders are tourists: holiday-goers or visitors who stay in the country for a short time. However, the (slim) body of international research on perpetrators of transnational child sex offenses suggests that there is no single unequivocal offender type, profile or modus operandi (Koning & Rijksen-van Dijke, 2017). The discursive frame presented by the term ‘child sex tourism’ is therefore too narrow, and excludes other types of offenders, such as business travelers, expats, volunteers, founders of orphanages, and transnational workers.

The moral argument claims that the term ‘child sex tourism’ normalizes child sexual exploitation and should therefore be avoided. Combining a legal phenomenon ((sex) tourism) with ‘child’ as a prefix carries out the message that this is an accepted or legitimate subtype of said phenomenon. Following this argument, comparable objections have been raised against terms such as ‘child pornography’; as if it is just another type of ‘pornography’ on the long menu of options imaginable for every conceivable sexual preference or fetish.

These objections led to the introduction of terminology guidelines in June 2016, when an international working group consisting of experts from different child protection and law enforcement organizations reflected on often-used terms around child sexual exploitation and abuse (ECPAT Luxembourg, 2016).³² According to the working group, the lack of a common language around child sexual exploitation undermines efforts

32 It is worth noting that in Latin America, the term was already avoided a decade earlier, as evidenced, for instance, by the choice of words ‘*sexual exploitation in travel and tourism*’ (part A, art. 6) in the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, the outcome document of the Third World Congress against Sexual Exploitation of Children and Adolescents (25-28 November 2008).

to combat it and protect victims; an idea reflected in Benson's (1975) writings on 'ideological consensus'. To amend this problem, the working group proposed new, shared terminology which prioritizes the child's wellbeing. On the topic of this book, the working group advises to avoid the term 'child sex tourism' and instead use 'sexual exploitation of children in the context of travel and tourism' (SECTT). The term SECTT responds to both the substantive and moral objections: it counters normalization by making explicit that the child is sexually *exploited*, and broadens the focus to beyond the tourism sector (ECPAT Luxembourg, 2016, p. 56). While the adoption of these guidelines by Western governments has been slow, with variants of 'child sex tourism' still being the most prevalent on government websites and communication oriented at the public up to 2020 (Koning & van Meeteren, 2021), there has been some progress to translate the terminology guidelines into different languages in recent years (e.g. ECPAT International, 2022).

In this book, in line with these international guidelines, I will use the term 'sexual exploitation of children in travel and tourism' (or SECTT in short), instead of 'child sex tourism'. To indicate my focus on exploitation where the offender has crossed a border, terms like 'traveling sex offenders' or 'transnational sexual abuse' may be used interchangeably.

Another element inviting clarification concerns the term 'victim', which is used throughout this book. More generally, the term has in recent years been criticized for being too reductive, leading to increased use of alternative terms such as 'survivor' which are intended to convey resilience and strength (ECPAT Luxembourg, 2016). Furthermore, given the fact that that not all people who started to trade sex when they were younger than 18 would identify themselves as a 'victim' or describe their experiences as 'victimization' (see e.g. Cruz et al., 2019), seemingly straight-forward terms can in fact be contentious. This discussion, once again, reflects and is informed by wider debates about the nature of sex work and notions of childhood, agency and consent, discussed in section 1.4.

Despite these complexities, I will use the term 'victim' in this book to indicate those who have been subjected to the studied phenomenon (SECTT), because this term aligns with prevailing disciplinary conventions, and recognizably, clearly, and accessibly conveys meaning. In line with international guidelines, I seek to employ the term "in an objective manner to state the fact that the child has been subjected to or has experienced a harmful/criminal act, and not [...] to label the person as weak and/or helpless" (ECPAT Luxembourg, 2016, p. 78). I believe the harm of the word 'victim' lies not in the word itself, but in its incorrect use and application to those whom it does not apply. As such, when describing other scholars' work, I will mimic their description of respondents.

1.6.2. Definitional issues

Just as terminology on SECTT has evolved in recent years, a similar trend can be observed in the literature on defining SECTT, where generally, the definition of SECTT has been broadened. As I have illustrated previously, the traditional, some may say stereotypical, image of offenders traveling from rich, developed countries to poor third-world countries to abuse children there is increasingly being nuanced in literature. With Hawke and Raphael's 'Global Study' (2016) as a milestone example, recent literature, and specifically (those informed by) NGO reports, stresses that what is labeled as 'the traditional' image of SECTT is outdated and that reality is more complex, nuanced, and varied.

In this book, *sexual exploitation of children in the context of travel and tourism* is defined as **sexual exploitation of children in the context of travel and tourism by offenders who have crossed an international border**. In this context, the offender's home country – or the country they travel from – is called the *country of origin* or *sending country*, while the country where the abuse takes place and where the offender travels to is called the *destination country*. Note that the victim's national background or travel movements are considered irrelevant for the definition of SECTT.³³

To refer to victims, the term 'child', 'minor' and 'underaged' are used interchangeably throughout the book to refer to someone under the age of consent.

Defining what constitutes a *child* poses a conceptual difficulty that challenges researchers and practitioners on child sexual abuse across the world. Most commonly, following the UN Convention on the Rights of the Child (Article 1), a child is considered as younger than 18 years of age.³⁴ However, the legal age of consent for sexual activity varies widely in countries across the world, ranging from as low as 11 to as high as 21 (Smallbone et al., 2008; World Population Review, 2022). About a dozen countries haven't specified an age of consent at all, opting instead to outlaw premarital sex. Note that these observations sometimes only apply to heterosexual sex, since same-sex activity, regardless of age, remains criminalized in over 65 countries worldwide (Ramón Mendos et al., 2020).

Attentive readers will notice that my definition of SECTT examines it as a transnational crime, and excludes sex offenders who travel domestically. This delimitation, admittedly, is not uncontroversial. A divide can be observed in the literature between definitions which stress the transnational nature of the phenomenon on the one hand,³⁵ and on the

33 In this regard, SECTT can be seen as a mirror of child trafficking (and trafficking in human beings more generally). While SECTT centers around a traveling *offender*, the primary focus from the viewpoint of child trafficking is on the movement of the *victim*. Relatedly, certain origin countries for SECTT are believed to be destination countries for cross-border child sex trafficking, and vice versa (Kragten-Heerdink et al., 2016, p. 2).

34 Art. 1: "A child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."

35 For example, the United States Department of Justice defines what they call 'extraterritorial sexual exploitation of children' as "the act of traveling to a foreign country and engaging in sexual

other, definitions that include the act of traveling regardless of whether the offender crosses an international border.³⁶ The most important reason for this delimitation is the ability of research to inform policy. Stopping domestic child sex offenders, child sex abusers, or ‘clients’ of children exploited in prostitution requires different measures than stopping those who travel abroad. A second concerns the theoretical consideration that actors’ willingness to intervene or ability to enact guardianship may very well be different in cases of domestic versus foreign child sex offending (see in particular Chapter 4 on this topic). A third reason considers scientific relevance: as has been established, research examining SECTT specifically is especially scarce, and there is “very little documented evidence about the nature or extent of the problem” (H. Montgomery, 2008, p. 905). Even in comparison to child sexual abuse and domestic child sex trafficking – two topics that are also indubitably and infamously difficult to gather data about –, evidence-based research about transnational child sex offending is absent to such a degree that the field has been characterized as “embryonic” (McPhee, 2014, p. 106). It was this knowledge gap that this book seeks to address most urgently.

Worth noting is also that this definition of SECTT does not address child sexual abuse online, even though live-streaming of child sexual abuse has, by some, been included under the framework of SECTT as ‘webcam child sex tourism’ (e.g. Salinari, 2018; Terre des Hommes, 2013b). This new form of technology-facilitated child exploitation “takes place when adults pay or offer other rewards in order to direct and view live streaming video footage of children in another country performing sexual acts in front of a webcam” (Terre des Hommes, 2013b), and is increasingly recognized as “an emerging threat” (United Nations Human Rights Council, 2014, p. 11). The rise of child abuse through new technological platforms highlights the rapid development and transformation of commercial sexual child exploitation, and poses new challenges to law enforcement and prevention (Açar, 2017; R. Brown et al., 2020; Dushi, 2020; Internet Watch Foundation, 2018). Considering that the legal framework and police tactics aimed at combating live-streaming more closely interlink with cyber-crime and digital forensics (see Schermer et al., 2016), these questions fall outside of the scope of the current study.

Lastly, sexual abuse by military personnel or peacekeepers falls outside of the scope of this book. While this is a serious problem, with many historical and recent examples (see e.g. Burke, 2014; Curley, 2014; Higate, 2007; Kehoe, 2019), this group was excluded

activity with a child in that country” (U.S. Department of Justice, n.d.). The European Directive on Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography defines child sex tourism as “the sexual exploitation of children by a person or persons who travel from their usual environment to a destination abroad where they have sexual contact with children” (Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, replacing Council Framework Decision 2004/68/JHA, Recital 29).

36 For instance, the UN Special Rapporteur on the sale of children, child prostitution and child pornography defines SECTT as “the exploitation of children for sexual purposes by people who travel locally or internationally to engage in sexual activities with children” (M’jid, 2012, p. 5).

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from the current study due to the expected differences in offender population and driving forces. Future research is needed to study the potential overlap.

Sexual exploitation of children in the context of travel and tourism is commonly considered as a specific form of (commercial) sexual exploitation of children (CSEC) (M'jid, 2012). SECTT can intersect with other forms of CSEC, such as exploitation through prostitution, sexual abuse images ('child pornography'), sex trafficking, and child marriage, as well as child sexual abuse generally. Think, for example, of traveling sex offenders who marry their child victims to cover up their crimes, or who record the abuse: this means that child marriage can, in specific instances, be a modus operandi for SECTT, and that SECTT can drive the production of child sexual abuse images (see O'Donnell & Milner, 2007). In practice, SECTT therefore overlaps with, is influenced by, and feeds into these other phenomena, as well as activities considered legal in parts of the world, such as prostitution and sex tourism. Tepelus (2008, p. 108) even remarks that the conversation about SECTT has been "burdened by the confusion [...] with other related themes, including smuggling, illegal immigration, illegal labor, [and] adult prostitution."

The overlap with other forms of child sexual exploitation may prompt questions about the legitimacy and utility of examining and addressing SECTT as a separate phenomenon. One can argue that from the child victims' point of view, it does not make any difference what passport their abuser holds. Consequently, researchers and actors in the field must continue to view SECTT as part of a broader problem of sexual exploitation of minors. On the other hand, there is added value in the specific focus on SECTT as a category on its own. Anticipated differences between transnational child sex offenses and other forms of child sexual abuse, including differences in the offender population, different methods, and the implications of these differences for prevention and investigative policy, mean that transnational child sex offenses warrant investigation as a separate priority.

