

## **ECPAT'S SUBMISSION**

### **Call for input: addressing the exploitation and sexual abuse of children in the context of travel and tourism; a closer look at the phenomenon of voluntourism**

*21 April 2023*

#### **Introduction**

This submission by [ECPAT International](#)<sup>1</sup> is in response to the call issued by the office of the Special Rapporteur on the sale and sexual exploitation of children to inform the forthcoming thematic report to the 78<sup>th</sup> session of the UN General Assembly in October 2023. This submission incorporates contributions made by several members of the ECPAT Network for the purpose of this call.<sup>2</sup>

#### **1. What are the main causes and drivers of voluntourism? How have promotional materials and advertisements been marketed to aspiring volunteers?**

Professional and regulated volunteering should be distinguished from voluntourism which evolves around products offered through travel market usually for unskilled volunteers that pay companies, or other entities to travel and work in distant communities, as an attractive alternative to mass tourism. Although volunteers may have good intentions, such trips may negatively affect the wellbeing of children, with certain forms of voluntourism posing additional risks to their safety by providing avenues for offenders to groom, access and sexually exploit children.

Factors such as poverty, structural disadvantages, and a colonial legacy drive voluntourism activities, which can be intensified in times of crisis and emergencies. For example, the [research](#) commissioned by the Dutch Ministry of Foreign Affairs into the scope of voluntourism trips from the Netherlands to residential care institutions abroad concluded that in low and middle-income countries the establishment and continued existence of such facilities result from a complex interplay between the supply and demand. In the Netherlands, private initiatives are by far the biggest category of providers of volunteer travel opportunities to residential care facilities for children in low and middle-income countries. It is estimated that between 1,430 and 1,730 organisations in the Netherlands send volunteers on such trips. However, it is impossible to determine the exact number of volunteers, partly because there is very little scrutiny of these initiatives, and the numbers of volunteers can fluctuate from year to year.

Voluntourism offers are advertised on companies' websites across countries and regions, including teaching placements, childcare activities, visits or placements in host families/communities or

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<sup>1</sup> ECPAT International is a global network of civil society organisations working to eradicate all forms of sexual exploitation of children. Over the past 30 years, ECPAT has become the forefront international NGO network dedicated to end this severe form of violence against children, advocating for State accountability and more robust measures across sectors to enhance the protection of victims. ECPAT currently has 124 member organizations operating in 104 countries around the world.

<sup>2</sup> [APLE Cambodia](#), [Association Meilleur Avenir pour Nos Enfants \(AMANE\)](#), [Ain o Salish Kendra \(ASK\)](#), [Association Burkinabe pour la Survie de l'Enfant](#), [ChildSafeNet](#), [Child's Destiny and Development Organization \(CHIDDO\)](#), [C-SEMA](#), [Defence for Children – ECPAT Netherlands](#), [ECPAT Albania](#), [ECPAT Germany](#), [ECPAT Indonesia](#), [ECPAT Norway](#), [ECPAT South Korea \(Tacteen Naeil\)](#), [ECPAT-USA](#), [Emmanuel Development Association](#), [Empowering Children Foundation](#), [Equitable Tourism Options \(EQUATIONS\)](#), [Fundacion Quito Raymi](#), [Rede da Crianca](#), [PEaCE/ECPAT Sri Lanka](#), [SAWA All Together](#), [SOS Violences Sexuelles](#), [Sustain Cameroon](#), [Uganda Youth Development Link \(UYDEL\)](#).

residential care facilities, also including orphanages, or other activities with or for children. In South Korea, there are communities for jobseekers on the local website Naver, where also voluntourism opportunities by both public and private sectors are promoted, targeting young people in or just out of college. In Germany, before the COVID-19 pandemic the number of voluntourists was estimated to be between 15,000 to 25,000. In Peru, voluntourism placements revolve around childcare activities, including with children with disabilities and children in street situations, English teaching, and sport activities. Volunteering in residential childcare centres, including orphanage placements, is also popular in Uganda. In Indonesia, there are several travel and tour companies which provide packages including voluntourism activities, such as visits to orphanages and shelters or volunteering in educational institutions, with no regulations or background checks in place.

## **2. How extensive is the vetting process for aspiring volunteers? What are the eligibility requirements in terms of experience and background checks, if any?**

The country analysis conducted by ECPAT using its [24-points legal checklist on key legal interventions to protect children from sexual exploitation in travel and tourism](#), developed based on the recommendations of the first [Global Study](#) on the topic, indicates that only in two out of 44 countries analysed<sup>3</sup> the national legislation does, to a different extent, regulate the use of volunteers.

In the Netherlands, there are no eligibility requirements from the government, and most private initiatives do not prepare volunteers appropriately, nor ask for background checks but only for a certificate of conduct. In Germany, there are mandatory legal provisions for criminal background checks and a prohibition to work for convicted sex offenders, but only for people working in public child welfare. While these provisions include volunteers, there are no legal provisions regulating background checks for short-term and commercial offers (such as child- and youth travel, animation programmes in hotels or childcare in fitness studios). The private sector is not required to conduct background checks and are free to set up their own criteria. In South Korea, as part of regulated volunteering, the International Cooperation Agency explicitly requires aspiring volunteers to screen criminal records. To prevent sexual misconduct the agency provides mandatory training for travellers/voluntourists on gender sensitivity and sexual violence. Although some private companies also have similar standards, it is uncertain whether these are applied in practice. Nepal's Children's Act prevents individuals convicted of offences against children from working with children for up to ten years, but most entities operating in Nepal do not perform background checks. In Cambodia, voluntourism products also include an opportunity to teach in Buddhist pagodas, where children often spend time unaccompanied. In 2018, the Ministry of Cults and Religion launched a policy to regulate pagodas and adopt a child safeguarding policy and a reporting framework to guide referrals of sexual exploitation and abuse. In Morocco, the legislation does not regulate the use of international volunteers working in direct contact with children, nor does it explicitly prohibit convicted offenders from engaging in occupations that may bring them into contact with children.

Governments should regulate and monitor the use of volunteers in settings and activities that involve direct contact with children by establishing minimum legal standards for entities working with such volunteers that include criminal background checks and prohibits visits to orphanage/residential care setting as tourism activities. National legislation should also prohibit convicted sex offenders to hold positions involving or facilitating contact with children.

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<sup>3</sup> Colombia and Peru. See [Regional Overviews](#).

**3. Do receiving organisations and countries request a fee from aspiring volunteers or other stakeholders to facilitate trips? Does a portion of payment or donations go to host communities and children? Is there a transparency policy in place? What are the procedural safeguards and measures in place to ensure that profit made within the voluntourism economy is checked and addressed?**

Voluntourism products tend to be advertised by using poverty related marketing strategies and a narrative around the opportunity to “make a difference”. In most cases, volunteer tour operators stress the benefits of their packages, advertising the contribution of the volunteers towards building on childhood development globally. However, while voluntourists pay for packages, there is little transparency towards the repartition of profits in the host countries, and the travel and tourism industry increases their margin of benefit

A [study](#) commissioned by the Ministry of Foreign Affairs of the Netherlands found that only a small amount (5% to 15%) of the money directly benefits the projects, while the fee paid by volunteers to travel organisations and specialised providers for a four-week stay is around €1,000 (not including the travel costs). In Germany, there are clear standards on percentages of fees going to communities only for government-run programmes.

**4. How has voluntourism facilitated the sale and sexual exploitation of children?**

While tourism itself does not cause the sexual exploitation of children, some forms of tourism, such as voluntourism, offer an avenue for offenders to access children, and unregulated circumstances under which situational offenders may commit a crime. The placements lead to direct engagement with children in vulnerable settings, where child safeguarding standards and a minimum threshold for qualification, skills, and experience for any work with or for children, are not a standard for the companies offering voluntourism products.

Open-source data on the Dutch nationals convicted of child abuse abroad, indicate that orphanages or children's homes have been misused to contact children to sexually abuse them. A survey of law enforcement authorities across eleven Asian countries revealed that almost all had identified cases of child sexual abuse by volunteers. Better Care Network in cooperation with Griffith University and APLE Cambodia, conducted an analysis of cases of trafficking and sexual exploitation of children in orphanages and residential care centres, with 440 victims identified in connection with cases documented over 2000-2021.

Another popular voluntourism placement are schools, sport facilities and religious sites. Volunteers in such placements are often left unsupervised and while offending would mostly take place off-site, lack of supervision allows offenders to establish relationships and contact methods with children for later abuse. In all voluntourism contexts where vulnerable children are present, there are challenges in investigation and reporting due to imbalance of power, and the fact that some children in residential care have already experienced trauma, violence, abuse and/or neglect. A revolving door of short-term volunteers can exacerbate attachment issues associated with these complex backgrounds. Non-existent safeguarding policies and practices, and unvetted visitors with unsupervised access to children add up to factors that result in high-risk environments.

**5. In which sectors are the sale and sexual exploitation of children taking place in the context of voluntourism?**

Travel companies specialised in voluntourism offer a wide range of packages that combine short and long-term activities, as well as customised placements in which volunteers – that can be foreign, local or long-term residents - can combine different types of volunteering products during their stay in one or several countries. This can include volunteering placements as a minor part of the tour, with activities engaging local communities including teaching in schools or taking care of children. Also, hospitality and transportation sector offer and organise participation in voluntourism products in destinations. Once in the country, travellers can spontaneously join voluntourism projects via their accommodation and transportation services.

In Cambodia, India, Nepal and Thailand, voluntourism products are also offered in monasteries or temple schools, with activities focused largely on teaching English to novice Buddhist monks. Certain forms of tourism in rural and remote areas involve local communities that are invited to share their practices and customs while tourists carry out voluntourism activities such as maintenance of schools, houses, or educational activities. For example, in Cambodia itineraries are set up by travel operators combining community project work, such as improving infrastructure at local schools and refurbishing community buildings, with a trek through the jungle. Some forms of community voluntourism involve direct interaction with children with no safeguarding procedures, including homestays.

**6. What positive measures are taken by States at the local, national, regional and international level to prevent the sale and sexual exploitation of children in the context of voluntourism?**

The [Global Study on Sexual Exploitation of Children in Travel and Tourism](#) and the [Call for Action](#) resulting from the first [International Summit on Child Protection in Travel and Tourism](#) significantly raised awareness of sexual exploitation of children in travel and tourism including by recognising unregulated voluntourism as a travel product that placed children at risk of sexual exploitation. However, progress in ensuring child protection standards for the tourism industry are in place has been limited. Out of the 44 analysed countries by ECPAT, only nine<sup>4</sup> established obligatory government-regulated child protection standards for the tourism industry. Another nine out of 44 analysed countries provide non-binding requirements as part of national codes, thus limiting their enforcement with no specific measures addressing voluntourism.<sup>5</sup> Latin America is the leading region where tourism authorities aim to prevent and respond to the sexual exploitation of children through national codes for the travel and tourism industry, sometimes in cooperation with [The Code](#). For example, the [Action Protocol Model](#), calls upon tour guides to discourage travellers and tourists from engaging in volunteer activities with unregulated and unsupervised access to children and/or visits to institutions that offer residential care.

In Morocco, one of the goals of Integrated Public Policy for Child Protection 2015-2025 is to have the tourism sector adopt a Code for the Protection of Children from Sexual Exploitation as part of the

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<sup>4</sup> Colombia, Mexico, Nicaragua, Peru, Uruguay, Philippines, Bhutan, The Gambia and the Philippines, See [Regional Overviews](#).

<sup>5</sup> Argentina, Brazil, Chile, Costa Rica, Dominican Republic, Guatemala, Honduras, Madagascar, and India. See [Regional Overviews](#).

involvement of the private sector in preventive policies.<sup>6</sup> The government of the Philippines has created the National Volunteer Services Coordinating Agency and maintains a centralised registry of the identity of all domestic volunteers and is mandated to work with government institutions and other stake-holders under the National Volunteer Service Programme.<sup>7</sup> In the Netherlands, the travel advice website of the Ministry of Foreign Affairs, discourages travellers from engaging in orphanage tourism, and the government is also looking into introducing an obligatory certificate of good conduct. German government set quality standards for volunteering as part of their funded programmes, even though regarding safeguarding there are still gaps. While some progress has been made, as described in the examples above, governments, as well as business and organisations in both sending and receiving countries should ensure that child protection measures, especially against sexual exploitation, are implemented in all voluntourism products.

### **7. What positive measures are implemented by businesses, civil society organisations or other non-governmental stakeholders in preventing, protecting and promoting the rights of child victims and survivors of sale and sexual exploitation?**

ECPAT network engaged with governments to regulate voluntourism in destinations, and with companies and organisations offering voluntourism products to ensure that risks to child protection are assessed, and that the structures and activities of the host organisations in the destination countries include adequate safeguarding measures. To support this process, ECPAT International developed [The Code Voluntourism policy](#), and guidance on ways of regulating [voluntourism](#) that provides an actionable framework for concerted action, including a [communication campaign](#).

In terms of national-level activities, in the Netherlands, several campaigns were developed to raise awareness of young people on responsible volunteering.<sup>8</sup> In Poland, the Empowering Children Foundation has been working with the hotel industry for several years, promoting the implementation of The Code by business in implementing procedures to protect children from sexual exploitation and abuse. In Germany, there are companies such as [Freiwilligenarbeit](#) who take a clear stand and raise awareness on child rights aspects.

### **8. What are remaining gaps and challenges – in law and practice - in tackling voluntourism?**

Governments should regulate and monitor voluntourism through legal and policy frameworks and ensure that companies limit child-related voluntourism to only supervised activities that have clear policies and procedures. All companies need to implement child safeguarding standards and a minimum threshold for qualification, skills, and experience required for any work with or for children. Companies need to stop offering visits to orphanages and residential care centres as part of travel packages and redirect tourists to solutions that meaningfully help children. In practice, there is a need to further raise awareness on the risks related to volunteering directly or indirectly with children to the travellers prior to their departure. Governments should also actively promote compliance with the

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<sup>6</sup> Kingdom of Morocco. (2015). [Politique Publique Intégrée de Protection de l'Enfance au Maroc](#). 35.

<sup>7</sup> ECPAT International. (2022). [How voluntourism may facilitate the sexual exploitation of children](#) .ECPAT International.

<sup>8</sup> [www.stopweeshuistoerisme.nl](#) towards young volunteers; [www.stopweeshuistoerisme.nl/stage](#) in relation to internship programmes; [www.weeswijs.nu](#). a campaign targeting faith-based volunteers.

UN Guidelines for the Alternative Care for Children, and work towards de-institutionalisation, family-based care and solutions. Further, there is a need for civil society engagement through grassroots movements, to monitor, train, report and raise awareness about the issue and offer alternatives that are safe and beneficial for children. ECPAT's [Issues Paper on voluntourism](#) identified a comprehensive analysis of remaining gaps and challenges to tackle the issue of unregulated voluntourism.

**9. What implications and considerations should Governments take into account with regards to their extraterritorial human rights?**

The governments should establish and enforce extraterritoriality provisions for all crimes related to the sexual exploitation of children, including those occurring in online environments, and in the context of voluntourism activities organised with or for children. Please refer to [ECPAT's Issue Paper on Extraterritorial Legislation and Extradition](#) for further details on how to use related provisions as tools to fight the sexual exploitation of children.

**10. What policies or practices are already in place to ensure that business activities identify, assess, prevent, cease, mitigate, and effectively remedy adverse impacts to children's rights, as articulated in the UN Guiding Principles on Business and Human Rights?**

Although increasingly recognised, children's rights are still not being given equal priority in the implementation of the UN Guiding Principles on Business and Human Rights. Indeed, very few countries address children's rights in their national action plans on business and human rights. Such plans should specifically also address the issue of child protection in travel and tourism context. Some countries, such as Australia, the United Kingdom, France, or Germany already require companies to report on action against contemporary forms of slavery and corporate human rights conduct or require human rights due diligence, although the impact has been limited. Loopholes however persist. For example, the [German Act on Corporate Due Diligence](#) Obligations in Supply Chains does not cover the issue of regulating voluntourism, since it is only applicable to companies with more than 1,000 staff, while most business offering voluntourism products are smaller.

**11. What practical recommendations would you propose for Governments, businesses, receiving and sending organisations, tourism operators and volunteers to effectively address these ongoing challenges and protect children from sale and sexual exploitation in the travel and tourism industry?**

Importantly, there is a need to change the narrative about the growing business of voluntourism which is currently neglecting and underestimating risks and negative impacts such activities pose on children. The shift in thinking needs to engage communities, young people, police, business, tourism authorities and governments. Practical recommendations include the need for governments to develop and enforce key legal interventions to protect children in the context of travel and tourism, with a specific focus on the issue of voluntourism. The legal checklist mentioned above and endorsed by regional intergovernmental bodies in Southeast Asia, South Asia and Latin America, can support governments in this process. In countries legislation is in place, there are still challenges for implementation of standards for safeguarding of children, child protection policies, codes of conduct, recruitment, and human resources processes, or reporting mechanisms. Beyond the regulations, the use of international mechanisms for cooperation and the sharing of data can act as a powerful tool in both prevention of, and response to the sexual exploitation of children in travel and tourism. Globally, the

movement to more responsible and sustainable forms of tourism has increased in recent years, driven by demand from consumers who are increasingly aware of the impact travel can have on destination communities. However, this has largely centred around environmental impacts, while social impact of tourism on children in destinations needs to be prioritised, including in relation to voluntourism.

It is important that volunteers undergo background checks, that they be carefully chosen based on their motivations, willingness to learn (or existing skills, if relevant to the work they will be doing), and their understanding of the organization's goals, and that they receive comprehensive training in the concepts and skills they will need to fulfil their role (including safeguarding concepts and a human rights approach), before they begin their volunteering experience. In case of commercial voluntourism products, volunteers need to understand where the profit goes and what are potential negative impacts on children. All organisations and companies should create and follow safeguarding policies for work involving children. They should have easy, secure ways to report suspected abuse, and communicate these reporting methods clearly to all beneficiaries, staff, and volunteers. The non-governmental organisation Sawa from Palestine indicates risks to children that are not aware of sexual abuse and exploitation and of their right to report abuse by humanitarian organisations' workers and volunteers, or mistrust of victims in the systems to received justice. In addition to ensuring reporting channels and raising awareness, non-governmental organisations must build and maintain strong mechanisms to respond to complaints of abuse, remove abusers, provide redress, and work to actively prevent abuse.

## **12. How can we raise awareness, improve and promote responsible voluntourism?**

Both volunteer-sending and receiving countries must raise awareness about the damage that unregulated voluntourism activities can bring. Public awareness, advocacy, and education is necessary. Guidance can be provided in volunteer-sending countries for tourists wanting to volunteer with children overseas. Volunteer-receiving countries must promote awareness and reporting mechanisms and address the risks of harm to children from sexual exploitation in all forms of voluntourism. Awareness needs to be raised among travel and tourism industry that child protection is an intrinsic part of responsible and sustainable tourism. Platforms such as the [World Travel and Tourism Council](#) or the [Destination Mekong](#), and over 400 current members of The Code (that as part of the six criteria for protecting children adhere to the [voluntourism policy](#)) can further contribute to raising awareness about making travel and tourism responsible, including in relation to voluntourism. Also, the UNWTO Framework Convention calls upon the media to never promote sexual exploitation of children in travel and tourism, thus a communication could be prepared for the media to raise awareness about risk of unregulated forms of voluntourism with and for children.

## **13. How can children be protected against exchange for “life fulfilling experiences” within tourism sector? What are alternative ways to encourage aspiring volunteers to help out local communities and learn new cultures?**

Child-related voluntourism should be limited only to supervised activities where risks can be minimised by introducing clear policies and procedures. Aspiring volunteers should consider learning about, working with, or donating to programmes supporting children in families and at-risk communities. There is a need for a more cooperative approach to “help” and a post-colonial striving for less power asymmetry in the structures of volunteering, for example as the *weltwärts* programme

in Germany is aiming at with their south-north component, enabling volunteers from the Global South to come to Germany for volunteering.

**14. How can greater implementation of international instruments on the rights of the child and tourism be ensured to protect children from negative impacts of voluntourism?**

The UNWTO Framework Convention on Tourism Ethics covers a broad range of ethical aspects related to tourism, and specifically recognises sexual exploitation of children as being “in conflict with the fundamental aims of tourism and is the negation of tourism”. States should be urged to accede to the Framework Convention and harmonise national legislations to tackle the exploitation of children and to promote responsible and ethical tourism, including through regulating the issue of voluntourism in both sending and receiving countries. Further, States should develop and implement practical and feasible plans and policies including periodic monitoring and evaluation systems.

Please see this [Thematic Brief on Orphanage Tourism, Voluntourism and Trafficking](#) for a comprehensive suite of recommendations to support this submission.