

A Situational Analysis of Child Sex Tourism in India (Kerala and Goa)

**By
Equations**

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END CHILD PROSTITUTION
CHILD PORNOGRAPHY
& TRAFFICKING OF CHILDREN
FOR SEXUAL PURPOSES



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INTRODUCTION

The sexual abuse and exploitation of children is a worldwide phenomenon (Ireland, 1993). Several studies have attempted to understand the extent and severity of the phenomenon, emphasizing different aspects thereof: be it travel trade, psychological deviance or socioeconomic facets. There is sufficient evidence as gathered from organizations working with children, and from government to demonstrate that there is extensive exploitation of children in India. The evidence suggests an existence of systematic and organised patterns in child exploitation.

Invariably the studies pertaining to India have highlighted the factors like poverty, unemployment and mass illiteracy as "push" factors, forcing children to a vulnerable situation of exploitation.

The recognition of the child sex tourism is a recent phenomenon in India. Until Freddy Peats, a 76 year old man of unknown origin who was arrested on 3 April 1991, there was little or no awareness of the organised sexual abuse of children, particularly trafficking involving young boys in India, even though the involvement of female minors in prostitution was well known. It came as a shock to the nation. In March 1996, Freddy Peats was convicted of sex crimes against young boys in Goa. This was the first conviction for running an organised paedophilia racket in India. But still the Goan Government and the Tourism industry continue to consider the phenomenon as an aberration. Contrary to this belief, soon after the Freddy Peats case, the case of HB, a 57-year German paedophile was brought into the notice of Calangute Police station in 1999. He was found guilty by the Assistant Sessions Judge Panaji under Sections 373 and 377, hiring of a minor for illicit or immoral purposes and for committing unnatural sexual offences. He was awarded six years imprisonment. However, on 29th September 2000 he was acquitted of the charges by the Additional Sessions Judge Mapusa, in spite of evidence such as the presence of sperm in the anus of the accused and of the young boy and the child's testimony stating that the accused had sexual relations with him. Although there was this strong evidence against him, the case got dismissed because HB's whereabouts were unknown.

Not even two months had passed for a case of a "wanted" paedophile fleeing the country coming to light, when yet another paedophile appears to have fled the country, jumping the bail in Goa 1 DS, a French national arrested by the Delhi CBI in an infamous child abuse racket run in Goa by Freddy Peats in the early '90s, did not report to the Calangute police station since 27th February 2001. DS had managed to get it modified on February 16 and arrange that he would henceforth report to the Calangute police station every alternate day, instead of the local CBI office at Panaji. Interestingly, both the criminals – the German national HB, and the French National DS – have disappeared from India.

Paedophilia related tourism is not a unique phenomenon of Goa. It has been noticed that the migration from Karnataka to Goa is a major contributory factor in this trade. Most of the children who are victims of commercial sexual exploitation come from Bijapur, Sitapur, Karwar and Belgaum¹. With the promotion of new beach tourism

¹ Sandesh Prabhudesai, "Another paedophile goes scot-free", The Pioneer, Goa, 14 April 2000.

destinations, communities and especially children have become vulnerable to sexual exploitation. There are reports of tourists moving from Goa to areas of North Karnataka such as Gokarna and Karwar, which are presently being developed for tourism. Foreign tourists have settled permanently in the Om and Kudle beaches, which have become hideout points and these are also areas where the tourists are sexually exploiting the children.

In Karwar, which is hardly about 6 kms from the Goan border, the local communities have reported that children from the neighbouring villages have been exposed to commercial sexual exploitation. Two popular destinations that are emerging for paedophile activity are Kovalam in Kerala and Mamallapuram in Tamilnadu.

A newspaper has recently reported on a person who was accused of sexually abusing children of homes for the destitute in Visakhapatnam. The accused, an Australian founder-counsellant of the Visakhapatnam based voluntary organization "New Hope", jumped off Puri-Tirupati Express a little distance from Vizianagaram station, Visakhapatnam. From the report it appears that he has sexually abused about 50 children, some of them physically handicapped under the guise of running several homes for children in coastal Andhra Pradesh and Orissa².

What proceeded suggests that the problems involved in sexual exploitation and abuse of children are situated in a delicate twilight zone. They are characterised by a high degree of invisibility and mobility; they involve the necessity to balance carefully different objectives and to adopt an approach that is child friendly; they tend to be overemphasised by the media and sometimes underestimated by criminal justice, welfare and educational agencies.

This study is by no means the first study to highlight problem of tourism related paedophilia. In 1991, KT Suresh and Frederick Noronha presented a paper titled *Situating the Role of Tourism in Child Prostitution at the third SAARC Countries Conference on 'The Rights of the Child'*. A study was brought out by INSAF in February 1995, 'The needs of Children in Goa: Towards building an adequate response – An Interim Report'; another study by INSAF titled 'Sexual Abuse and the Growth of Paedophilia: A regional Profile of Goa'; 'Child Prostitution and Sex Tourism – Goa', a research paper prepared for ECPAT International and partially funded by UNICEF, authored by Dr. Julia O' Connell Davidson and Jacqueline Sanchez Taylor in 1996. Dr. Nishtha Desia conducted the recent study titled 'See the Evil – Tourism related Paedophilia in Goa'. Apart from these, there are several studies and papers that have been brought out by various individuals and groups.

While it is not possible to gauge the extent to which it exists, there are sufficient indicators that child sex tourism is on rise. In spite of the documentary evidence that was provided by the Peats case after his arrest in 1991, a report of the Central Advisory Committee on Child Prostitution brought out in May 1994 titled *Child prostitution – in the twilight? A status and action report*, far from suggesting measures to be taken to eradicate child prostitution, makes no mention of the problem of the abuse of children

²Mohammed Shafeeq, Paedophile jumps off train, on the run, Sunday Times of India, Bangalore, 26th August 2001

by tourists and ways to combat the problem. The ostrich approach did not help formulate a comprehensive plan that would involve partnership of various stakeholders to combat the problem.

The present study aims at developing integrated interventionist strategies with clear roles and responsibilities of each stakeholder in combating child sex tourism in the tourist areas under research.

1.1. Research Objectives

To gather information on the nature, scope and manifestations of child sex tourism (CST) in the selected sites of Southern India (Goa and Kerala).

To identify key-actors connected with CST in selected tourism settings;

To study the interplay within and outside the tourism industry that facilitates CST

To identify actions, which can be taken at different levels to combat CST, based on findings

Thematic spread of the study

Considering some of the various reasons for children entering in to prostitution, including use of force, violence, economic conditions, manipulation and abductions, it is worth noting that when a child is forced into prostitution, through these modes, the network that keeps the child in the trade is so strong that the child's sense of escaping is disabled by the trauma that the child goes through.

During EQUATIONS' intervention in this area to understand the involvement of various stakeholders in the process of CSEC, we felt the need to undertake this study. We have consciously restricted this study to tourism related CSEC, as we believe that the role of tourism as a facilitator that provides site for CSEC has not been explored enough for effective intervention.

“Foreign Tourists are frequenting India because of its relaxed laws, abundant child prostitutes and the false idea that there is a lower incidence of AIDS.” (Rahul Bedi, 1997)

1.2. Geographical Area

The study covers tourism areas located around Kerala and Goa. This is spread out in the following two states: Kovalam and Varkala; Kerala
Sinquerim to Baga; Mobor Beach to Gajjibaga Beach: Goa

1.3. Time Frame

The study is conducted in a time frame of three months starting from 1st of July to 30th September 2003.

1.4. Definitions

In this study the following definitions are adopted:

CHILD, as defined by the United Nations Convention on the Rights of the Child is "every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier".

SEX TOURISM is 'tourism which has as its primary purpose the effecting of a commercial relationship.' Ron O' Grady, 1994, "The rape of the innocent", p.53

A **SEX TOURIST** is a man or woman who, passing through or visiting a country, which is different from his/her habitual environment, also engages in sexual relations with children. (ECPAT Definitions)

A **PAEDOPHILE** refers to any adult who habitually seeks the company of child/ children for the gratification of his/her sexual needs.

1.5. Introducing EQUATIONS

In 1985, EQUATIONS was founded in response to an urge to understand the impacts of development particularly in the context of liberalised trade regimes, the opening up of the national economy, the beginning of economic reforms and concomitant structural adjustment programmes.

EQUATIONS Vision:

We envision tourism that is non-exploitative, where decision-making is democratised and access to and benefits of tourism are equitably distributed. We endorse justice, equity, people centred and movement centred activism, democratisation and dialogue as our core values.

EQUATIONS: Our Response & Strategies

Campaigning and advocacy on tourism and development issues in India, in recent years our work has focused on women and tourism, the child and tourism, ecosystems, communities and tourism and globalization. We have made policy interventions at the micro and macro level in these areas. Our interventions have been intensive in the southern states of India, and we have made significant interventions in the newly emerging tribal states and the North Eastern parts of India, rich in natural resources,

where an unbridled tourism is often banked on as the inevitable engine of growth without heed to its consequences.

1.6. The Research Team

K T Suresh, Coordinator, EQUATIONS	Facilitating a structured approach to analyse data with the overall perspective of tourism
Joyatri Ray, Programme Coordinator, Child and Tourism Programme, EQUATIONS	Planning, Monitoring and finalizing the report
Dr. P Krishnamurthy, Programme Coordinator, Panchayat and Tourism Programme, EQUATIONS	Legal inputs
Puja Aggarwal, Research Associate, EQUATIONS	Secondary Literature Survey
Saroop Roy, State Network Associate, EQUATIONS	Field Researcher, Data collection in Kerala
Jan Ugahi, Goa	Field Researcher, Interviews with children in identified tourism locations in Goa
Bailancho Saad, Goa	Field Researcher, Interviews with Police

2. METHODOLOGY

The issue in question is extremely complicated and invisible. While undertaking the field survey, we recognized that each tourism area has its own peculiarities. The character of tourism differs widely from one area to another based on the tourism product such as – beach tourism, beach tourism with pilgrimage, heritage tourism or leisure tourism.

Though similar guidelines were followed, the strategy and methodology for receiving information varied from one tourism area to another. People constituted the sample size are also diverse based on the methodology followed.

2.1. Data Types

2.1.2. Primary Data

The study has based its analysis on **primary data** collected from the identified tourist sites where commercial sexual exploitation of children is prevalent. The **observations** are based on surveys and interviews.

Interviews have been conducted with concerned agencies working in the area of child labour, child sexual exploitation; the tourism industry, tour operators, travel agents, the community residing at the tourism site, while performing the fieldwork.

2.1.2. Secondary Data

Location specific secondary sourcing: Identified region specific information on all available literature on commercial sexual exploitation of children has been undertaken to analyse the trend and magnitude of the problem. This has also included government documents and documents of international agencies like Interpol on related matters.

Information on the Internet: Internet was another source of information. The type of data that was gathered from the Internet is primarily on “Good Practices” adopted by various child right organizations to address the problem under research.

2.2. Data Collection

The study has involved the following methods to collect data:

Location-specific secondary sourcing: Identified region specific information on all available literature on commercial sexual exploitation of children was undertaken to analyse the trends and magnitude of the problem. Survey of all available literature on commercial sexual exploitation of children related to tourism in India was also conducted. This has also included government documents and documents of international agencies like the Interpol on related matters. The interview schedule was fine-tuned based on the analysis of data from the secondary source.

Networking: Various organizations working with children in the identified tourism areas were contacted during this phase. The primary objective of this tool was to get an

overview of their perception and their analysis on the issue. Networking was also used to gather information on child sex tourism (CST) in the identified location and also on the present interventions.

Selecting the Sample: Sampling for the study was based on the standard theories of sampling, preferably multi-stage sampling. The sampling space is representative enough to speak for the state as a whole and concise enough to be amenable for field study within the specified time.

Field Work: The investigative and exploratory work on the samples was taken up on the basis of information gathered from various concerned groups, individuals and government agencies. The methods used during the field work are:

Networking: Based on the fieldwork, networking with concerned groups and individuals were taken up. This was done to encourage participative understanding of the ground realities on the issue of CST. Networking has also led to the study of socio-economic and cultural aspects of the problem.

Key Informants: This study has also gone to identify and talk to the key informants in and around the identified tourism areas. Key informants in the study-included children those were once exploited by the foreign tourists, hotels, shacks, trinket sellers, affected families, and adult sex workers. This was done to elicit information about the modus operandi and to identify their perception about demand factors pulling children in. Officials of law and order, personnel from judiciary, child rights activists, and academics were also interviewed in this process.

Individual interviews with the child victim: Recognizing the sensitivity and covert character of the issue, attempts were made to get direct information and evidence by interviewing child survivors of CST.

In the identified tourism areas, the field researchers have interviewed child victims to understand physical and experimental journey of each child - to identify different players, their involvement, process of exploitation, modus operandi and more importantly what should be the possible interventions as understood by the child. This focus of this methodology was to bring out the abuse network, supportive network that allows perpetuation of CST.

Focus Group Discussions: Focus group discussions were conducted primarily to understand the demand factors. FGDs were primarily instrumental to understand the ‘demand factors’ that pull children into this situation. Various aspects – such as sexuality, masculinity, profit dimensions and construction of childhood, were studied while undertaking this research.

Arriving at Interventionist Strategies: Based on the mass of data so far collected and analyzed on scientific lines, attempts would be made to evolve strategies for combating the problem. Strategies would be drafted in active consultation with the participants of the above network.

The proposed intervention strategies are based on the outcome of the study. It has evolved out of the normative context created by encounters with tourism industry, social groups, media and the policy makers. The strategy is designed within the broad framework provided by the Article 34 of the UN Convention on the Rights of the Child (UN, 1985).

2.3. Data Analysis

The methodology that is used for data analysis is as follows:

- Qualitative analysis- by formulation case studies
- Observations by bringing in the theory of “positive sociology”
- Quantitative analysis by tabulating data, primarily gathered from Children

2.4. Limitation of the Evaluations

This study is not a full, final and complete picture of either the particular configuration of factors or responses to CST. This was largely a rapid assessment to establish the existence of the problem of CST in India and to derive at possible intervention strategies. The study has looked into identified tourist areas (based on the type and nature of tourism) for understanding the issue. It has not covered all tourist areas in the states under research. And thus does not claim to represent the magnitude of CST that exists in the states under research.

Though the methodology was worked out with great details, translating it into the local context was a difficult task. And thus agencies involved have developed their own strategies to collect information based on the agreed guidelines. The invisibility of the issue and due to the high mobility of these children, it was difficult to identify and then to make contact visits for interviews. In most cases the data gathered from children are based on one-time interview or focus group discussion. The scope for reviewing information gathered from the FGD with children was limited.

‘Children at risk’ – In this category though organizations are working with children of sex workers, migrant children, and others, the interventions are limited to providing services, such as health care, education, recreational activities etc. The issues related to vulnerability have not been looked at in a holistic manner. Thus it was difficult to link issues related vulnerability as a factor that leads to further marginalisation of children.

3. Incidence and Prevalence

“In public discourse child sex tourism is not considered a major social issue in India, partly because of the perception that the problem is not as acute as in some countries of South East Asia and partly because the problem is largely associated only with poverty. The social acceptability of having sex with a ‘minor’ is largely ignored because large-scale child marriage still takes place. In addition, women from a number of social groups are considered ‘inferior’ and their sexual exploitation is not considered as ‘something wrong’ in a portion of Indian society. The women and girls of *Dalit* and *Adivasi* communities are termed as ‘loose’ and therefore free for all to sexually exploit. The perception of the Indian society about commercial sexual exploitation of children is largely governed by the ‘poverty syndrome.’”(Gathia)

Commercial sexual exploitation is currently expressed through four modalities. These categories are not mutually exclusive.

Child prostitution,
Child pornography,
Sex tourism and
Trafficking of children for sexual purposes.

According to Davidson and Taylor it is virtually unfeasible to provide accurate figures on the numbers of foreign sex tourists visiting any given location. She mentioned that whilst there is a problem of tourist sexual exploitation in Goa, the state has certainly nothing yet so far witnessed mass western sex tourism. However, at the same time it is important to realize that considering the current situation mass sex tourism can develop very rapidly in Goa. Thus, making it very important to examine the factors, which are likely to promote or discourage this development in Goa.

In the 1990s adult as well as child prostitution activities increased and become more visible and evident through out the country. A number of reports appeared in the media regarding remunerated sexual relations, although the extent of child sex tourism is not yet known, there is enough evidence which points towards its existence in India.

Sex tourism involving foreigners or local nations and boys and girls and adolescents, it is a phenomenon that has never been broached or investigated in the broader concept of CSEC. In port towns like Goa, Kerala, Vizakhapatnam, Kolkatta, Mumbai, Margoa, Mangalore, Cochin, Channai etc adults can be seen with children. Yet it has not yet been possible to determine whether these clients are preferential or occasional abusers.

The tourist cities of India report high levels of sex tourism consisting of sailors, port employees and local tourists. Although so far the popular image of paedophiles is mostly of a potbellied foreigner. However, this kind of sexual exploitation is made up of local nationals from other parts of the country. Goa, Kerala and Kolkatta are reported to be favourite places of foreign paedophiles. The media has also reported their presence in these areas.

As in the case of sex tourism, pornography –which implies the use of boys, girls and adolescents in visual or auditory representation for the sexual pleasure of the user, has

not been investigated in the context of CSEC but there have been cases reported from Goa, Mumbai, Rajasthan and Madhya Pradesh and Punjab. What is known about the production and distribution of pornographic material involving girls is based on rumours and speculations. However, there is a wide demand for pornographic materials, especially among young and adult males.

2.6. Impact of Child Sexual Abuse

Child sexual abuse results in a range of difficulties in later life, and there is a significantly higher proportion of psychopathology after ten years or more. There is a clear difference between the short-term effects (for example fear, truancy) and the long-term effects (for example depression, over-representation in female correction institutions).

2.7. Literature in India

Though there are enough studies available on CST and paedophilia at an international level, there is a dearth of literature available in India on the issue under research.

The literature in India on the issue of CST could be divided into two periods:

a) The period between 1991 and 1996 and b) the period between 1997 and 2002

2.7.1. The period between 1991 and 1996:

The literature available during the first period concentrated on:

- Making visible the link between tourism and paedophilia and
- To make people recognize that commercial sexual exploitation of children is not a western phenomenon but it also happens in India.

The first paper on the issue was written by K.T. Suresh titled as “*Child Prostitution: An Asian Perspective*”, 1989 which brought out the vagaries of commercial sexual exploitation of children with the Asian perspective by situating the issue in the context of tourism.

The paper discussed about the factors that make community vulnerable to further exploitation in the context of tourism. It stated “further tourism brings more or at least expands the evils of alcoholism, drugs and prostitution to the people. In some cases, women and young children, people have been lured or stolen, and then sold into prostitution and other forms of exploitation. As such . . . and sexism are clearly interlinked with tourism”.

The next paper by K. T. Suresh, *A contextual view of Tourism and Child Prostitution in India*, 1990, brought out the link between child labour, child trafficking and commercial sexual exploitation of children and tourism. It describes the increasing vulnerability of children in tourism and calls for action to address commercial sexual exploitation of children in tourism.

Both of these papers initiated actions to create forums for discussion to raise public awareness. Through EQUATIONS “network with groups involved in issues related to

impacts of tourism, it attempted to place tourism squarely in the context of emerging “realpolitik” as well as other socio-economic developmental issues”.

The third paper in this period was by K T Suresh and Frederick Noronha titled as “Situating the Role of Tourism in Child Prostitution”, 1991. This paper was based on the newspaper clipping published in the English- Language Gomantak Times on the case of “Dr. Freddy Peats” on 4th April 1991.

This paper led to a campaign that involved civil society, activists, local people and concerned individuals. The campaign spoke for the seriousness with which the case was followed. Finally the campaign with the multi-stakeholder involved had resulted in conviction of Dr. Freddy Peats.

A study brought out by INSAF in Februarys 1995, “*The Needs of Children in Goa: Towards building an adequate response – An Interim Report*”, pointed out that children of sex workers were at a risk being inducted into prostitution at an early age, and indicated the need to look also at the issue of child prostitution in Goa in the context of the increasing importance of tourism to the state’s economy.

A case study from Baina , a small coastal area in Goa was conducted by Sr. Lourenca Marques s.f.n and Charles Camara. A paper on the study was prepared for “World Congress against Commercial Exploitation of Children” in Stockholm, Sweden, 27-31 August, 1996. The study focused on the children in Baina. It outlines the kind of life the children in the area are born into and the kind of life they are living today. This study gives a description of the red-light area in Baina and the women and children living there. It also deals with the psychological implications of the environment on the children.

2.7.2. The period between 1997 and 2002

During this period literature shifted from an awareness building mode to a more technical and detailed analysis of the issue under research.

A study of Child Prostitution and Sex Tourism in Goa, was done by Dr. Julia O’Connell Davidson and Jacqueline Sanchez Taylor, 1997. The report was based on fieldwork of eight days and nights. Sex tourists and sexpatriates (expatriates involved in the sexual exploitation of children) were interviewed, which threw some light on the self-perception of paedophiles and their modus operandi.

Another book by Joseph Gathia titled “ Child Prostitution in India”, 1998 focused on the type of paedophiles visiting India.

The book mentioned that “sex tourism involving foreigners or local nations and boys and girls and adolescents ... is a phenomenon that has never been broached or investigated in the broader concept of CSEC. In port towns like Goa, Kerala, Vishakapatnam, Kolkata, Mumbai, Margoa, Mangalore, Cochin, Chennai etc adults can be seen with children. Yet it has not yet been possible to determine whether these clients are preferential or occasional abusers.”

The book mentioned that the tourist cities of India report high levels of sex tourism consisting of sailors, port employees and local tourists. Although so far the popular image of paedophiles is mostly of a potbelly foreigner's but this kind of sexual exploitation is made up of local nations from other parts of the country. Goa, Kerala and Kolkata are reported to be favourite places of foreign paedophiles.

Sexual Abuse and the Growth of Paedophilia: A Regional Profile of Goa', 1998:

This study was done by INSAF, Goa. The information was obtained through interviews and through reports that have appeared in National, International, and local newspapers/ magazines. A research team of INSAF observed that the nature on interaction between single male tourists and migrant children on the beach suggests the possibility of abuse.

The study claims, " Though the migrant children are the worst victims of sexual exploitation, our research team confirms that a significant number of local children too are being lured by the paedophiles who often procure these children under the guise of providing foster care and 'better opportunities'. The study says that the modus operandi of the paedophiles is unclear. It regretted the government's unwillingness to acknowledge the existence of paedophilia, and therefore its failure to take any steps to prevent it."

A paper presented by Fiona Dias-Saxena in 1997 at a meeting held by the National Council of Churches of India presents case studies of two children, a boy and a girl, who formerly attended an open school run by Umed (an organization concerned with the rights of children) at Mapusa, but subsequently got involved with some foreign tourists at Calangute. It outlines the changes in the behaviour of the children and illustrates how difficult it is for the children to talk about the problems they face, or for them to seek help."

Another study conducted by Dr. Nishta Desai for a period of 4 months from 1st March 1999 to 30th June 1999. Her book "See the Evil of Tourism", 2000, focused on the problem of the growing number of foreign paedophiles visiting Goa. This study attempted to show that Goa is in danger of becoming a destination for sex tourism. It showed that without concerted action on the part of the state of Goa, and the will to stop the activities of paedophiles on the part of its citizens, paedophilia might take on the form of the organized sexual abuse of children. Her study provided insights into the types of paedophiles and their self-perception, their modus operandi, as well as problems faced by organizations and citizens' initiatives that wish to campaign on this front for its eradication.

The paper written by Shirley Susan titled "Tourism and commercial sexual exploitation of children", 2000, highlighted the impacts of tourism on children in Kerala. The paper dealt with the magnitude of commercial sexual exploitation of children in the tourism sites of Kerala.

The paper by EQUATIONS, titled "*Tourism and Commercial Sexual Exploitation of Children – towards developing a better legal perspective*", 2000, focused on the promotional aspects of present day tourism and its linkage with commercial sexual

exploitation of children in India and the problems in addressing the issue especially with regard to the lacunae's in the Indian Legal Framework.

The paper by Joyatri Ray on "*Tourism – the contributory factor towards increasing trafficking and commercial sexual exploitation of children,*" 2001, highlighted the link between child trafficking, child labour and child sexual exploitation in the context of tourism and addressing the issue by framing social intervention in prevention, rescue, post rescue operations, victim care & social reintegration.

The paper by Joyatri Ray on "*Child Trafficking in the context of Tourism and existing legal systems*", 2002, highlighted the inadequacy of existing legal system in India to address tourism-related child trafficking and commercial sexual exploitation of children.

The paper by Joyatri Ray on "*Procurement of minor girls' for immoral purposes –the emerging context and the legal system,*" 2002, highlighted the change in modus operandi in procuring children and the need for change in existing legal system.

The papers mentioned above has facilitated a process by which EQUATIONS was able to influence other networks, such as CACT, CACL, ATSEC and NATSEC to critically look into the impacts of tourism development in India.

During this period, other important study was initiated by National Commission for Women, New Delhi and executed by EQUATIONS along with networks organizations in Eastern Coast of India. This is the first study on issues related to sexual exploitation in tourism by the Apex Body of India that deals with Women and Child issues to investigate the existence and magnitude of the phenomenon for future action.

A review of literature between the period 1991 and 2003 has established the link between tourism and commercial sexual exploitation of children in India. It is evident from the literature reviewed that unmonitored, unplanned tourism development has yielded in negative impacts on the community in general and in particular to the children in difficult situations.

This brings us to analyse tourism profile of the states under research prior discussing the phenomenon - child sex tourism (CST).

3. TOURISM POLICY

3.1. Tourism in Goa

The history of tourism in the state of Goa began in the early seventies with the influx of younger travellers (i.e. “hippies”) who were drawn to Goa’s beaches. Over time, the cross section of these travellers has diversified significantly, both in terms of domestic and international visitors. The absolute numbers reflecting the amount of tourists arriving in Goa has increased significantly.

In 1973 there were 127,758 domestic and international tourists. Projections for 2001 place these numbers at an estimate of 1.27 million, based on trends (Zebregs 1991, 2; see Table 1.1)ii. Clearly, tourist arrivals in Goa are rising. With this rise in arrivals follows concerns of how this increase in tourism related activity will affect local communities in Goa, on a number of different platforms. Before the rise of tourism, the main industries in Goa were based on natural resource extraction, in particular timber, minerals and fishing (Reijnen and Lasschuit 1989, 4). However, with the dwindling stocks of these natural resources (particularly fishing) those seeking employment have turned to the service sector to seek out an income, in particular tourism related services.

3.2. Tourism Policy in the State of Goa

State policy regarding tourism in Goa is not particularly comprehensive. Indeed, the tourism policy itself does not provide anything by way of quantitative guidelines or standards, but rather provides a set of objectives and goals that the state government would like to reach in the future (Government of Goa 2001). Other documents that are of relevance are the Goa Registration of Tourist Trade Act (1982) and Rules (1985), and The Goa Tourist Places (Protection and Maintenance) Act (2001); however, both of these policy documents do not outline rules of conduct for new investment or even current property. Rather, the documents are more concerned with the registration of guests in hotels and the removal of any “nuisance” that may hamper the aesthetic marketability of tourist areas in Goa respectively. Thus, current legislation does not really offer much by way of hard regulation regarding what can or cannot happen while developing tourism in the state.

Goa received the Best Domestic Destination award, which came as Goa launched an ambitious marketing campaign to entice domestic tourists. The tourism department has sanctioned promotional expenditure sanctions to the tune of INR (Indian Rupees) 65 million, with a view to increasing Goa’s allure as an all-season destination.

The Travel and Tourism Association of Goa (TTAG) had sponsored a series of ads on primetime TV during the broadcast of a popular Hindi movie that had been shot in Goa. While the total state tourism budget expenditure has increased four times over two years to INR 220 million, that sum amounts to less than 1% of the budgetary allocation of INR 3.02 billion.

The large share of the advertising budget, close to 30% in the total tourism spending by the government, is seen as exorbitant relative to spending on other needs. Executives in the tourism industry list the shortage of uninterrupted power, poor transport

connections, and badly maintained roads as high on their wish list. That kind of public good provision, easing constraints for state residents as well as for tourism service providers and is surely a more productive investment. Regardless of these shortcomings, tourist arrivals in Goa have been steadily on the rise.

Table 1.1: Foreign and Domestic Arrivals in Goa (in millions)

Year	Foreign Visitors	Domestic Visitors
1991	0.078	0.76
1992	0.120	0.77
1993	0.170	0.80
1994	0.210	0.86
1995	0.230	0.88
1996	0.240	0.89
1997	0.260	0.93
1998	0.280	0.95
1999*	0.280	0.99
2000*	0.224	1.04
2001*	0.242	1.07
2002*	0.262	1.10
2003*	0.282	1.13
2020*	1.041	1.88

SOURCE: Tourism Master Plan, 2001-2011, Government of Goa

NOTE: The asterisk indicates a projection based on current trends of 3% for domestic arrivals and 8% for foreign arrivals.

In recent years, the growth of tourism in Goa has had an adverse effect on the child population living along coastal areas (CEDPA 1997). There has been a rise in prostitution and trafficking in women and children for the purposes of sex tourism and labour. With the spread of prostitution, there are also fears of an increase in the incidence of HIV/AIDS (National Commission of Women 1997).

With this rise in tourist arrivals come concerns of how this influx of holidaymakers will affect the socio-economic profile of Goa, and how prepared India really is for this rise, in terms of both physical infrastructure and policy architecture. Coming chapters will deal in details on the issue of CST in Goa as a fall out of monitored, unplanned tourism development.

3.3. Tourism In Kerala

3.3.1. General Observations

A noteworthy aspect of the Draft Tourism Vision (henceforth DTV) 2025 is recognition of the role of Panchayathi Raj institutions in tourism development. The vision statement also visualises sustainable development and sustainable tourism development. Both these are welcome, and long due in a vision statement, assuming that the policy document that would follow the vision would hopefully spell out guidelines for translating the participation of PRIs and implementation of above concepts.

At the same time the DTV is overenthusiastic about the role tourism would play in Kerala's economy and development. To vision tourism as a 'core competency sector', 'the most important sector for the socio-economic development of the state' and to 'make Kerala Society a tourism society' etc., are result of extremely limited vision about the nature of this industry as well as the economy of the state. The DTV overlooks the fact that tourism is merely a single activity, that too, dependent on too many variables and uncertainties. (The aftermath of September 11 in the US and its impact on global tourism industry is just only one such variable)

The DTV in the present avatar provides a free rein to private sector, which is understandable considering the open market economic philosophy. But it stops there abruptly. What it does not take into account, especially while the DTV is targeting the next quarter century is its lack of visioning to deal with multilateral agreements like the GATS, the consequence of commitments India has committed and thereby under the stranglehold of its clauses. How the department could sustain Indian as well as local tourism service providers and investments against the onslaught of hundred per cent Foreign Direct Investments (FDIs) and competition from global players in the 'uneven' level playing ground, the DTV fails to throw any light. It is naïve to assume that departmental protection would be enough safe guard to the interest of national service providers. Conservation oriented laws like the proposed Tourism Conservation bill will also be superseded if it is conflict with the GATS agreement. Article 1[3] of the legal text of the GATS which talks of the scope of the agreement mentions that in "fulfilling its obligation and commitments, each member shall take such reasonable measures as maybe available to it to ensure their observance by regional and local governments and authorities and non governmental bodies within its territory". This clearly implies that the GATS agreement has precedence if it comes into conflict with national, regional and local priorities.

The DTV in its over enthusiasm seem not to leave a single stone upturned without tourism development. This would end up as a disaster for tourism industry itself in future apart from the opposition from the people. Tourists swarming around every nook and corner of the state (the DTV anticipates 7 per cent foreign and 9 per cent domestic tourist annual rate growth) would indeed act detrimental to tourism development. This is apart from the mass resource consumption, tourism attributed pollution and above all fall in the quality of tourist attractions.

Reading the DTV, one wishes there are indicators and reflection of how the department would tackle commitments to GATS, like Market Access, Most Favoured Nation and National Treatment etc. While these commitments loom danger over service sector in general and tourism sector in particular, it is surprising that the vision statement completely backs out from even mentioning these commitments. By this the DTV is also not initiating a debate for possible safe guards that may evolve locally.

3.3.2. Specific Areas for Critique

3.3.2.1. Tourism Vision Statement

EQUATIONS demanded that vision statement should replace

a) *'Through optimal use of resources'* with 'rational use of resources.' Optimal is usually mystified with maximum and interpreted as most favourable, most advantageous etc., in the given context most advantageously for tourism development, which is subject to subjective interpretations of tourism providers or the department, which would be disadvantageous to resources and resource dependent communities. Rational utilisation on the other hand is utilisation based on reason, judicious thought or realism.

b) *'Tourism the most important sector.....'* to be replaced with 'tourism an important sector'. Tourism to be the most important sector cannot be a realistic vision. The total economy of a state cannot and should not be dependent on tourism. Tourism in the final analysis belongs to the tertiary sector. This would provide undue privilege over primary and secondary sectors. A natural resource rich state (plantation, spices, fisheries) and its economy have better stability when compared to a dependent economy of tourism.

c) Tourism cannot be seen merely for socio-economic development. It has a crucial role to play in protection and conservation of the environment. Therefore environmental protection also should be another important vision.

3.3.2.2. Tourism Vision Slogan

"Conserve Culture and Promote Tourism" to be changed to "Conserve Nature and Promote Tourism". Kerala tourism is banking on its abundant and rich NATURE and is often promoted as an ECO - TOURISM destination. Consider the strengths identified in the SWOT Analysis, 'this recognition of the overwhelming greenery and untainted natural wealth of the state is a reiteration of Kerala's positioning as God's Own Country. While this is the reality, vision slogan should address this aspect. By including conservation of nature in the slogan the tourism department is also playing an important role in spreading the message for conservation both to the general public as well as the tourists.

3.3.2.3. Objectives 1

Making Tourism a core competency of the state. The dangers of tourism as a mono crop for the state cannot be overemphasised. Tourism is an industry that is dependent on too many variables and hence should be promoted accordingly with due importance to evolved systems of decentralisation.

3.3.2.4. Objective 6

Only an informed society could be friendly. Participation of communities, people in tourism development and transparent tourism practices could remove the prejudices and misconceptions and there by create tourism friendliness. This is also highly objectionable and perverse. Merely one activity – tourism- cannot and does not have the right to convert the identity of the entire people and that of a state. The term Kerala Society is generic, encompassing everything and anything – good, bad or ugly - that a society through centuries had obtained. The identity should always remain as Kerala society.

3.3.2.5. Objective 8

A welcome approach. But let there be a realistic stock taking of current practices and learn lessons from the ground to realise what aspects have contributed to ‘non-sustainable development of destinations’ to determine what components should be part of Area Development Plans for ‘guidelines and planned development’. Pilot studies need to be initiated for this stock taking. Carrying capacity is only one of the components for sustainable and eco-friendly tourism. The DTV should consider important international conventions and processes like the Convention on Biological Diversity (CBD), Commission for Sustainable Development (CSD) and the UNEP based International Year of Eco-tourism (IYE) process documents to grasp the fundamentals of sustainable and eco-friendly tourism development.

3.3.2.6. Objective10

Lesser known areas. Most of the lesser-known regions that have been identified are also fragile- like the present destinations. Tourism promotion in these areas is not the answer to the problem in the “spent” destinations. There should be a capping on tourist numbers to these areas. If at all new areas are being identified it should be based on prior informed consent of the local bodies, EIA’s and be reflective of lessons learnt in the past.

3.3.2.6. Objective 11

Need more clarifications. Is a special tourism zone the state’s version of special tourism areas? Creation of artificial zones, whether it is special economic zones, special tourism areas (STAs), tourism and buffer zones in protected areas, have all alienated people. Bureaucracy, imposed regulations would prevail and undermine existing systems. The creations of such systems are clearly in contradiction to the decentralised participatory processes that are prevalent. Such enclaves have resulted in conflicts in the past and will do so in the future.

3.3.2.8. Objective: 12

There is no mention of the earlier attempt for a Tourism Education Bill by the department to this effect? The syllabi should incorporate impacts of unsustainable tourism development and not merely the commercial aspects, which dominate the current syllabi. Therefore;

- a) All syllabi to have equal representation of impacts – both positive and negative – on nature, people and economy along with management and promotional component.
- b) Provisions to have environmentalists, Local Body representatives, and activists as guest lecturers. Mechanisms for reservations for youths from tourist destinations into these institutions

3.3.2.9. Objective 13

A Welcome Step. To achieve this, institutionalise involvement of PRIs and NGOs. Through policy and legislative mechanisms. Involve them in the policy drafting process. Make prior consultation mandatory and information on all infrastructure development transparent.

3.3.2.10. SWOT Analysis

Strengths: It is disappointing to note that DTV, after indicating the importance of PRI in the Objective section (pp 7 –13), omits this in SWOT. Kerala is experiencing one of the most radical experiments with the Panchayathi Raj institutions. There fore it is important to add: ‘A vibrant Panchayathi Raj system that will facilitate a participative tourism model’

The section on tourism arrivals and earnings etc. cannot be verified in the absence of sources and how these figures are derived at. Our experience is that the data of the tourism department lack consistency. This was openly admitted in the tourism policy workshop ‘Keralam – Exploring Future Frontiers in Tourism Development’ jointly organised by the Department of Tourism, Kerala and EQUATIONS, on 4th and 5th July 2000 at Thiruvananthapuram.

Month wise statistics of domestic tourists – 2002													
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	T
Alappuzha	12338	9533	9239	11693	13098	10666	10677	11092	10542	12540	13575	14312	1
Ernakulam	91703	72351	68582	74142	81082	63404	68346	97397	68939	85955	94271	95648	9
Idukki	28589	20596	20212	26052	37652	21245	18813	22357	53017	38760	39616	39952	3
Kasargod	11267	10413	10436	12578	11661	10322	10872	10665	11213	12055	11566	11343	1
Kollam	7829	7071	7270	7702	7259	6648	7170	7649	7471	8019	8366	8877	9
Kannur	27305	25601	24424	29066	31291	26390	25942	24439	23789	25091	26772	27769	3
Kozhikode	37760	35370	35667	37951	37169	36575	36263	36710	33063	34380	36429	45265	4
Kottayam	15602	12088	8824	13856	14239	10444	10972	14221	13002	13076	16888	17057	1
Malappuram	22778	19984	20647	34867	24196	21645	23567	22306	21952	22049	18773	20147	2
Palakkad	23016	19381	20554	28063	23970	20635	20373	21381	19684	22039	21605	25737	2
Pathanamthitta	5402	4702	4501	7527	5930	5272	5481	5391	5209	5751	6275	6073	6
Thrissur	115095	88517	86311	136025	169518	97700	89615	113234	104148	111372	117321	140563	1
Thiruvananthapuram	58939	49585	53113	61163	63203	58890	66182	88399	57109	64058	68405	86179	7
Wayanad	13985	12358	12672	18532	17161	16664	12349	12809	37790	16911	14619	16441	2
Total	471608	387550	382452	499217	537429	406500	406622	488050	466928	472056	494481	555363	5

4. INTERVIEWS

4.1. NGOs

Respondents: NGOs: (10)
Goa (3) and
Kerala (7)

Issues Discussed	Responses
Vulnerability factors	<p>NGOs mentioned that “Poverty” is not the only reason that makes children vulnerable to commercial sexual exploitation of children.</p> <p>Migration to tourism areas in search of jobs was found to be a major reason for vulnerability.</p> <p>Broken families or families headed by women (in case of death of husband or deserted women) children become more vulnerable to exploitation.</p> <p>Third factor mentioned were street children found on beaches selling trinkets to the tourists they prostitute themselves in order to survive.</p> <p>Other factor mentioned was the Child’s perception of the interaction with the tourists as a considerate and caring relationship rather than a commercial transaction. This perception has made only made migrant children vulnerable but also children living in coastal villages vulnerable to sexual exploitation.</p>

4.2. Children

Focus group discussion was conducted with children “At-risk “together with “Child victims of commercial sexual exploitation in tourism”. This was due to the fact that “at risk” children were found not to be open to discuss the issue and the local NGOs felt that it would be better to conduct FGD together as the children would feel comfortable talking about the issue.

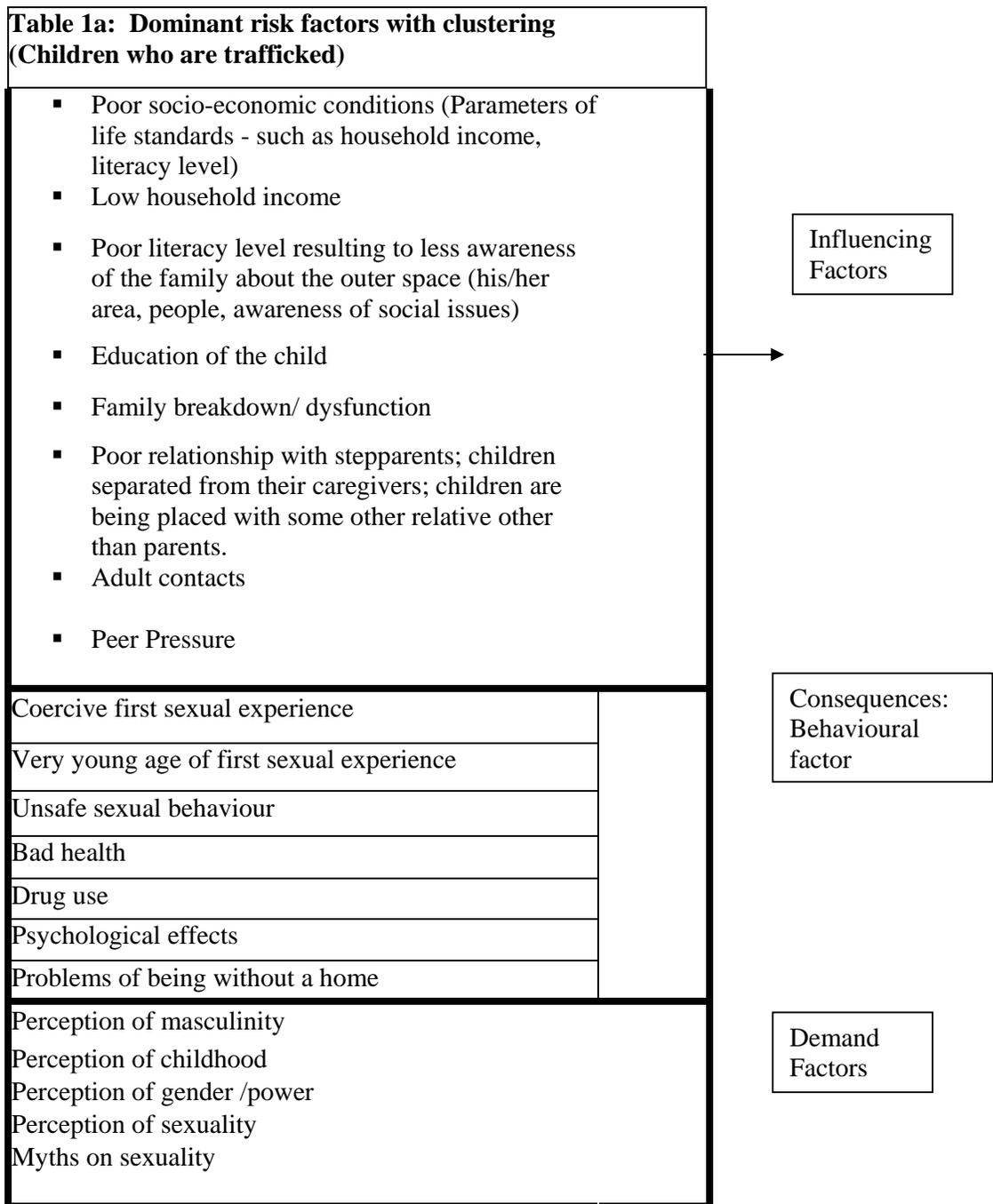
Respondents: “At risk” Children: 13: Goa (8 Girls and 5 boys)
 Children: 10: Kovalam (10Boys)
 Child victims: 10: Goa (8 Boys and 2 girls)

Issues Discussed	Responses
Vulnerability factors	<p>Poverty as one of the factor responsible for their misery. Most children find themselves helpless against the forces that determine their destinies.</p> <p><i>“I am staying with Joe (a German tourists) from last five years. He says that he will marry me. I have sex with him regularly. Initially it was painful, I used to cry. Now it is a daily routine. He gives money to my family. He has sex with other children also. Sometimes, he wants us to have sex with each other (peer children)” – Anjali, 12-year-old child.</i></p>
	<p>Economic compulsion or survival pressure, in the backdrop of lack of opportunities, has been clearly identified by the children as one of the most important aspects of the problem.</p>
	<p>“No love and affection” is one of major factor that makes them vulnerable to the situation.</p> <p>80% children have said that they feel comfortable with tourists, they are happy with them because tourists love them”.</p>
	<p>Majority of the children have expressed their anger with the government systems.</p> <p>They mentioned firmly “it is the lack of political will that makes us vulnerable. Government is not interested to look at the poor section of people while bringing in change to our place where we live”.</p>

	<p>Another reason that came up quite strongly was the obscenity on the beach.</p> <p>Children raised questions and asked” if we go to their (foreign) country, shall we be allowed to roam around with our under garments”. Children felt that this is also a contributory factor that has influenced their values and belief systems to be exposed to sexual exploitation.</p> <p>‘Nudist on Goa Beaches offend local sensibilities’: A Belgian tourist Mr. Phillip Smeedt mentioned, “nudists don’t bother me but I don’t think it is a good thing. Some of these people are not normal, and naturalism is used an excuse to take advantage of children on the beach.” Mrs. Linda Riddle, from US mentioned, “tourists should not indulge in this if it offends the local culture”. (<i>Deccan Herald, Bangalore, 8/15/96</i>)</p>
Client profile	<p>Local Prostitution: The effective demand (i.e. the demand backed by ability) regarding the service of the street children is mainly possessed by the sections of domestic tourists to a segment of local people, mainly poor working population.</p> <p>Domestic Tourist: During the interviews it has been established that domestic tourists form the majority of clientele. Sometimes tourists from neighbouring states bring children those are already in a brothel situation to Goa and stay for a week in hotels pretending to be parent of the child. But in the case of Kovalam, domestic tourists make contact with children those are involved in work, such as beach boys, trinket sellers, and so on.</p> <p>Foreign Tourists: Around 70% of the respondents have mentioned about the foreign tourists as their clientele. Children interviewed mentioned that building relationship with “foreign tourists” is more profitable than “domestic tourists” as foreign tourists provides children with toys, chocolates and nice dresses.</p>
Modus Operandi	<p>And last but not the least, by identifying parents, relatives and friends as persons to be blamed for their misfortune, only the extent of the vulnerability of the children is exposed. This is because, even the closest kin and/or the most trusted components of the human relation network of the children, appears not only unable to protect them but also parties guilty of pushing them into hazardous situations (such as into the lives of street children).</p>

	<p>Hotels have contacts with adult sex workers, pimps and other middlemen – rickshaw pullers, van pullers, petty traders. These people make contact with street children and bring them to tourist lodges and hotels as per the demand placed by customers.</p>
	<p>Tourists make contact with families. They become very friendly with them by providing money for their daily needs. This gives tourist the legitimacy to take their children out for few hours and sometimes for a period of time as well.</p> <p><i>“I did not know this could happen to my child. He used to stay with us. One –day he asked permission to take my child out for a walk. When she came back, she was bleeding and that white man never came back to my village.” (Arati, mother of the child victim)</i></p>
<p>Remuneration</p>	<p>Most of the children interviewed have mentioned that they had sex with varied range of tourists. Tourists who pay just Rs. 50/- from tourists who pay Rs. 200/-. But foreign tourists provide them with toys, dresses and sometimes money to renovate their houses or to build house as well.</p> <p><i>According to a child “tourists (Foreign) are very interesting people – if you make them happy they will give whatever you want, but if they are not, they can beat you up as well.”</i></p>

The diagram below is developed with the information that was gathered from this focus group discussion on various factors that lead to vulnerability:



4.3. Local NGOs

NGOs highlighted a study conducted by them in 2001 in Kovalam & Varkala, Alappuzha and Ernakulam. They mentioned that out of the 185 samples 22% were children. The study showed that child prostitution is very high in Kovalam. Children earn around Rs.700 to 1000 per day. 80% of the hotels they thrive on sex tourism.

Illegal activities take place in paying guest facilities as well as massage parlours. The hotels have tie up with big rackets from Goa and Karnataka and some of the police department officials are partners of the hotels.

On Varkala, the destination is visited only for sex tourism. The lobby is more powerful here. Illegal activities are happening in house boats as part of the study conducted in Alappuzha.

The pilgrims coming to Sabarimala take a route through Kovalam and are involved in illegal activities. Hotels are booked well in advance from their base with the help of rackets. Increase in CSEC has been attributed to the lack of employment for adults, poverty, broken families and demotion in moral values.

In the case of Goa, organisations working on issues related to child rights have mentioned that due to concerted efforts by the NGOs, there is a marked change in the attitude of law enforcement agencies, but still lots to be done to address the issue. Goa has also made a difference in addressing the issue by passing Children's act in Goa which is the first of its kind in India.

But, NGOs in Goa mentioned in the interviews that there is a need to define CST in connection to CSEC. Bailancho Saad, a women's collective, claimed "photographs of children are clicked in vulgar poses in the name of art, and are sold to foreigners. This aids in promoting child prostitution in Goa, which definitely affects society adversely. Such photographers use children from poor families for this purpose. They take the family into confidence and give them monetary benefits. The parents may not even know the implication of this on their children and on society. Lots of foreigners coming to India, and especially to Goa use poor children for their sexual need. But these are not issues that could be addressed legally in our country."

They have highlighted that paedophilia in Goa is in danger of becoming institutionalized. Case studies and data collected through field studies show this disturbing trend. Various factors have found out to be contributory factors – "lack of political will in formulating an effective strategy to deal with the problem and the failure of the organs of the state like the judiciary, the executive and the police have all unwittingly contributed to its growth.

The Government's position on paedophilia has largely been one of ignorance or outright denial. But of late there has been a shift in its perception and it has acknowledged the presence of paedophilia in Goa and the hard and concrete evidences of its existence."

An ILO report warned that tourists seeking child prostitutes are flocking to Goa, where business is brisk enough to rival Bangkok, currently the world's child prostitution capital. According to Roland Martins of the Jagrut Goenkaranchi Fouz, or the "Vigilant Goan Army" (JGF), a group that keeps a vigil on the state's tourism industry, Goa fulfils several prerequisites of "Child Sex Destination" - a large floating population of migrant children, an indifferent police force and government officials who want to promote tourism at any cost. But according to Martins, "unlike Sri Lanka and Thailand, in Goa, the abuse is more dangerous because it is covert."

Most of the victims are children of migrant labourers from the drought-prone regions of Bijapur, Honawar and Gokarna in neighbouring Karnataka. The families migrate to Goa in search of work on construction sites. While the men and women engage in construction work, the children become "beach walkers", selling trinkets, eatables and gift articles to tourists in order to eke out a living. Many children are also bought from poor families in these states and put to work on beaches for agents who use them as cheap labour. Without any adult supervision and far away from their homes, these children are exposed to a wide range of visitors both domestic and foreign, as they have to approach strangers and engage in open, friendly conversations to sell their wares. This renders them vulnerable to maltreatment and abuse of various kinds at the hands of tourists.

"Many come to sell flowers fruit or mungfali (groundnuts) and end up selling themselves", says Fiona dias Saxena of Sangath, a local child-rights group. According Ms. Saxena, the Coastal Belt from Sinquerim to Baga is the tourist hotspot where most of the children are sexually abused. She also adds that *abuse is not restricted to children of migrant labourers, but that even children belonging to locals living in the coastal areas are vulnerable. Paedophilia is the most prominent form of abuse that street children face in Goa. Access to children is extremely easy for abusers and paedophiles as they are always available on the beach, many times without any intermediary.*

Paedophiles in Goa (Source: www.goamtaktimes.com, March 30, 2001)

Non- governmental organisations have claimed that there are at least 100 foreign paedophiles operating in Goa's coastal areas.

NGOs monitoring cases have expressed disappointment with the governmental insensitivity to the problem of child sex abuse. The incidence of cases involving the sexual abuse of minors is on the rise, yet government is lackadaisical in its approach while dealing with complaints.

"We provide the police important and complete information but we get evasive answers. The police even question the worthiness of reliable information we give them", says Karen Andrade of Child Line.

Jan Ugahi trustee Bernie D'Souza said that police failed to act on information provided by eyewitnesses who saw one paedophile masturbating children on a beach. NGOs accuse the police of mishandling the investigation: no statements of the eyewitnesses were recorded and a medical examination was delayed.

4.4. Law enforcement personnel

Respondents: 7

Designation: Superintendent of Police, Goa (2)

Tourists Police Goa: 2

Tourists Police Kovalam/Kerala: 2

Place: Goa and Kovalam

Issues Discussed	Responses	Findings
Registering cases of CST	Respondents mentioned that registration of cases could be done only if there is some amount of evidence that is brought in front of the police. In many cases the complaints are based on observation, thus there is a problem in registration.	Unwilling to register cases of CST.
Investigation	Respondents mentioned that quite often investigation proved that there is no evidence that could prove CST while conducted raid or during inquiries. They said “it is waste of our time to conduct such investigation.”	Less priority to investigate cases of CST. Narrow definition of evidence in the “Evidence Act” in India causes problems to gather evidence of CST.
Mandate of Tourists Police	<p>Respondents mentioned that Mandate of tourists police are to look after the safety of tourists and not of children loitering on the beach.</p> <p>Tourist police in Goa mentioned that they are working with NGOS to report on “doubtful behaviour of tourists accompanying children” to the Child Help line not as part of their mandate but as a moral responsibility.</p> <p>But in Kerala, Tourist police were not willing to talk about the issue. They denied the</p>	<p>Due to NGO initiatives, there is a noticeable difference in the functioning of Tourist Police in Goa, while in Kovalam; tourist police are willing to disclose the issue.</p> <p>While police in Goa are aware of child rights, police in Kovalam and Varkala has no understanding of child rights.</p>

	<p>existence of CST in Kovalam and said “CST does not happen on the beach as thus it does not fall under our jurisdiction.” They mentioned “we know that few hotels in Kovalam are the places where prostitution takes place and there are tourists staying at those hotels live with children for 3-4 months, but we can’t raid the hotel as this issue comes directly under the Kovalam Police Station, Crime Branch.”</p>	
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4.5. Legal Professionals

In Goa, legal professions mentioned that while the existing legal framework was not adequate to combat CST, the new Goa Children’s Act has adequate provisions to combat it. However, the enforcement of such acts is crucial to curb CST in Goa.

They mentioned that the existing legal framework to address the issue was also not inadequate but it is the enforcement that was never dealt with properly and thus legal professionals are helpless when the case comes for hearing: They mentioned that in a case of CST following sections of IPC and articles of CRC are generally violated (by stating the sections the group wanted to raise the issue of enforcement and not only creating new laws/ acts to address the CST):

4.5.1. Articles from CRC

Article 15 (3) – Nothing in this article shall prevent the state from making any special provision for women and children.

Article 21 – No person shall be deprived of his life or personal liberty except according to procedure established by law.

Article 39 (f) – The state shall in particular, direct its policy towards securing that Children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against moral and material abandonment.

Article 34 of the Convention on the Rights of the Child, 1989 - The member states shall protect the child from all forms of sexual exploitation and sexual abuse.

4.5.2. Sections from Indian Penal Code (IPC)

The Indian Penal Code (IPC) enacted in 1860 has several provisions, which try to protect girls/women against forced illicit sexual intercourse.

Section 375 - Rape of a minor: sexual intercourse with a woman with or without her consent when she is under 16 years of age amounts to rape and the offender is punishable up to imprisonment for life.

4.5.3. Immoral Traffic Prevention Act (ITPA)

The main act, which now deals with the phenomenon of prostitution, is the Prevention of Immoral Traffic Act (ITPA) 1996, the amended version of the earlier Act, Suppression of Immoral Traffic in Girls and women, which was enacted in 1956. The Suppression of Immoral Traffic in Women and Girls Act of 1956 addressed street prostitution but not brothels. The Act was amended in 1996 and renamed as the Immoral Traffic in Persons Prevention Act. It addresses prostitution of minors (16-18 years of age) and children (below 16 years).

The group has also mentioned the Loopholes/Lacunae's in the Indian Legal Framework:

4.5.4. No Special law Against Child Sexual Abuse

There is a law against rape but there is no law against child sexual abuse. Under section 375 in the Indian Penal Code: Rape of a minor. Sexual intercourse with a woman with or without her consent when she is under 16 years of age amounts to rape and the offender is punishable up to imprisonment for life.

The Children in conflict with the law and neglected/vulnerable children covered under the Juvenile Justice Act does not address the needs of the children who are sexually abused.

As we know the need of a child victim is very different from the adult ones, the focus of law/Act has to be broadened to cover the need of children and address the problem in a much sensitive and child friendly manner.

There is a need for a special law to be enacted to deal with all forms of sexual abuse to give effect to the Convention of the Rights of the Child and the recommendations made by the World Congress on Commercial Sexual Abuse of the Child.

4.5.5. Extraterritorial Laws

India has not passed any extraterritorial laws enabling the prosecution of an Indian national for offences committed outside India.

The incorporation of the principle of extra territoriality in national legislation should be implemented effectively without discriminating against the child or criminalizing the child.

4.5.6. Prosecution of child sex offenders in India

Rates of convictions are extremely low. The law prescribes stringent action against those who procure, induce or take a child to prostitution. In reality, whenever a brothel is raided, it is the victims who land up in jail, while the real culprits – the clients and

brothel owners go uncharged. In this process the children are subjected to a second victimization by investigative agencies, which ask them to recall minute details of sexual acts and experience.

The age of the child in all the Acts varies.

The laws in India dealing with children in general are

- The Factories Act, 1948 and the Child Labour (Prohibition and Regulation) Act, 1986; under which a child is a person below the age of 14 years.
- The Indian Penal Code, 1960 under which the definition of a child is a person below 12 years of age.
- The Juvenile Justice Act, 1986; under which a child is a person below 16 years of age for a male child and below 18 years of age for a female child.
- The Child Marriage Restraint Act, 1992; under which a child is a person below the age of 21 in case of male and below the age of 18 in case of females.
- The Immoral Traffic Prevention Acts, 1996, says a female child should not exceed 16 years of ages, while a minor is defined as being up to 18 years old.

These discrepancies in law are providing ample room for an offender to escape the law. All these laws need to be amended to be brought in conformity with the International Convention of the Rights of the Child to which India is a signatory and which defines child as not exceeding 18 years of age.

Instances of exploitation of children violate article 10.3 of the ICESCR, which states “children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law.” However, there are limited legal mechanisms to address these sexual offenders. In the absence of a comprehensive set of laws pertaining to children’s rights, the only recourse that the legal system offers is the Juvenile Justice Act and certain sections of the Indian Penal Code (IPC) such as Section 377: “Unnatural Sexual Offences”.

Apart from being inadequate, they fail to take into account the vast nature of child exploitation and the diverse levels at which abuses occur. The State Government has started a State Programme of Action (SPAC) in 1994 with the aim of ending child labour in Goa by 2000. This has not been successful. Measures included modification and enforcement of the Goa, Daman and Diu Shops and establishment Act, 1973 to eliminate child labour in the hotel and construction industry, domestic service and the unorganized sector. So far, the government has only been able to amend the Child Labour (Prohibition and Regulation) Act 1986, raising the minimum employable age of a child from 12 to 14 years.

However, because of these attempts at eliminating child labour, children were literally thrown out into the streets, making them more at risk of exploitation. In addition, the Labour Department cannot regulate self-employment of children, as there are no legal provisions concerning this aspect. In the context of tourism-related paedophilia, activists have recommended publicizing of offenders by Interpol and scanning of tourists on their arrival as part of the immigration process to deter paedophiles. Policy

makers however have shown little interest fearing a backlash on the image of Goa as a tourist destination. Nevertheless, extending the mandate of tourist police from protecting tourists to monitoring tourist behaviour is a recent area of success for activists. Currently, Goa does not have a Children's Act in place but the government has begun a consultative process involving members of the public, NGO's and officials to formulate a Child Policy and a Child Rights Act is expected to be in place by the end of the winter session.

4.5.8. Chairperson, State Women's Commission, Kerala

The Chairperson said that the magnitude of child sexual exploitation cases is quite high in Kovalam as well as other parts of the State. Although the cases are not reported in the media, the number is increasing.

She stated that hotels, auto rickshaw drivers and massage parlours are involved in the racket. She recollected the efforts of State Women's Commission on the rescue of Karnataka girls from Kovalam a couple of years back, when she was a member of the State women's Commission. She said that from the group of rescued girls, one was an elderly girl. The minor girls were handed over to their parents. A man who posed as a relative of a girl came to the State Women's Commission and pleaded to hand over the girl to him. When the interrogation was going on, she received a chit from one of the auto driver's from Thiruvananthapuram city stating that the person sitting in front of her is a criminal and don't let the girl go with him. The man withdrew from his earlier stand on further interrogation.

The Chairperson said that the children disclosed that foreigners were involved in molesting them. She also stated that many foreigners came to the Women's Commission and shouted, "We come here in Kerala to see the beauty of the country. Child sexual exploitation by tourists should be stopped".

She explained about a case in which, two 11th standard children from Ernakulam, who were involved in taking nude photographs of girls staying in apartments. A big racket was involved in this and they promised to give Rs.10000 for taking the photographs.

The Chairperson mentioned that there is a need to educate community, law enforcing agencies, officials in Department of Tourism and the tourists on the issues related to CST.

4.5.8. Mrs. Sugatha Kumari, Ex-State Chairperson, Kerala

Sugatha Kumari stated that there is an aspect of tourism which is of concern: prostitution. She stated that there are two kinds of foreigners visiting Kerala. "One who wants to learn about our culture. Two, who looks for cheap pleasure, and they are the problem. And paedophiles are even a bigger threat". She narrated a story. "A few years back when I was the chairperson of the Kerala Women's Commission, I got a complaint from three women- Western tourists- who said people were coming and asking them if they wanted a 8-year old girl or a 10-year old boy. We filed a case with the police. They conducted a raid in some hotels and after repeated attempts, they rescued 16 girls. They were all from Andhra Pradesh, and were between the ages of 8

and 15. They could not even sign their names, but they could speak broken English with German or American accent.

"This exploitation of children is shameful in a state such as Kerala which boasts 100% literacy, political awareness and steps taken to empower women," said Sugathakumari, Ex-chairperson of the State Women's Commission, Kerala and a well-known poet.

Suspected child sex workers rescued

THIRUVANANTHAPURAM, Nov 1 — Eleven minor tribal children, including nine girls from Karnataka, who were forced to work in the Kovalom beach near here as hawkers and probably as sex workers would leave for their home state in the next two days, thanks to the efforts of the local police and the Kerala Women's Commission. (The Tribune Monday, November 2, 1998)

Mr. Thomas mentioned, "Children are lured, through fake marriages, tricked with promise of glamour or better job, or kidnapped. Around 44% of child victims of CST come from a broken family and 64% come to it because of poverty. Their clients include politicians, businessmen, migrants, officers and tourists." He stressed the need for policy and an agenda for action for the law enforcing agencies, social mobilization, networking and setting of definite goal to combat commercial sexual exploitation of children. He said that this responsibility lies with parents, teachers, neighbours, locals, NGO's etc.

He said that "when there is demand, supply will be forthcoming, is an old dictum of political economy, even of moral philosophy. In a tourism-based economy, drugs and sex are the two cardinal commodities on which the entire edifice depends. Kovalam is no exception to this neo-colonial tourism syndrome. Rather it is an acute example of this vicious demand and supply chain. As the growing demand for drugs and its supply propagated in the area, the flesh trade followed closely, and that, too, in a variety of forms."

4.5.9. Dr. Poornima Advani, Chairperson, National Commission for Women, New Delhi³

Dr. Advani mentioned that Kerala was described a paradise found- one of the ten in the world and was projected to the tourists as God's own country. Kerala tourism industry advertised about the backwaters, beaches, wild life and ayurvedic health massages to attract tourists.

What follows from these temptations are the enhanced opportunities for sexual abuse of young children who are subsequently inducted into prostitution or lured with quick money doled out by the foreign tourists as tips. Tourists come attracted by the natural beauty of the land but later they are more attracted towards the dark skin and innocent mind. On the other hand, most of the children come from a poor background and are willing to do anything to earn money. Massages become an excuse, applying lotion and

³ Dr. Poornima Advani was a member of National Commission for Women, New Delhi when she made this point in a workshop on "Impact of Tourism on Children" in Ernakulam, Kerala, 2000.

sun bathing is another excuse. The foreigners and even Indian tourists look friendly but behind their impressive smiles lies an urge, an uncontrolled sexual desire. The children are given even drugs and other stimulants so that they surrender completely, without restraint and to the satisfaction of the abuser. Selling nude photographs of the children makes money.

Dr. Poornima Advani mentioned “with the increasing tourist flow into Kerala, the State was likely to go the Goa way with child prostitution, unless the aggressive tourist promotion of Kerala was toned down and a plan of action was drawn up to regulate tourism. She feared that children would be lured by the prospect of quick money into prostitution.”⁴

“Kerala is the only state in India to have three international airports and a vast coastline providing extensive beaches, which have, through the years, attracted numerous tourists resulting in mushrooming of small time tourist resorts and beach side hotels aiming at augmenting revenues. It would be interesting to have statistics of the number of domestic and foreign tourists who have visited Kerala in the last couple of years.”

“As of today in Kerala, one can say that the impact has not yet shown up its acuteness as some report that the foreign tourist visiting Kerala is comparative low and seasonal. Hence, the cultural impact has not been prominent in the light of the deep rooted socio-cultural systems of Keralities. However it would not be long before these statements need to be reviewed.”

“The use of young children as prostitutes is a social problem and they are not easily identifiable. Young children who have yet to grow up, the little kids who are today found in dark corners instead of bright classrooms, whose little hands hold obscene stuff instead of books and toys, their innocent minds filled with filth instead of love and affection. Enhanced tourism may bring in peace and tranquillity to the traveller and enhanced revenue for the state but it also brings in a life of darkness for young ones whose life is ruined with the ill effects of drug, drug peddling, prostitution and the like.”

4.6. Tourism Facility Owners and Tour operators

Issues discussed	Responses
Awareness on child Rights	Although Tourism facility owners and tour operators have an understanding of Child Rights, the operators in Kovalam and Varkala has no such understanding.
Acknowledging CST	In Goa, due to NGO interventions, at present industry is open to acknowledging the problem and work towards combating the same in partnership with NGOs. In Kerala, hoteliers are found to be indifferent to discuss the issue.

⁴ ‘Tourism in Kerala may go the Goa way’, New Indian Express, 16/11/2000

Working in Partnership	<p>In Goa, tourism industry is willing to discuss the issue with NGOs for combating the same.</p> <p>In Kerala, this could not be dealt with the hoteliers as they deny existence of CST.</p>

5. SUMMARY ANALYSIS

5.1. Where does CST take place?

5.1.1. Geographical Location - Goa

Destinations of child sex tourists appear to be changing. As prevention and protection efforts are stepped up in one state, child sex tourists are choosing neighbouring states as their destination. This move is apparent between the traditional choice of Goa and Kovalam in Kerala and the new preference of varkala, Cochin, Kumily in Kerala and other coastal villages of Karnataka.

Another growing factor is the exploitation of young Lamani girls by tourists, sometimes through the mediation of their own community youth/adults.

In Goa, *Baina*, situated in Vasco, is the red-light area of Goa. This area is frequented by migrants, locals and domestic tourists. Most of the victims are below 18 who have trafficked from Andhra Pradesh and Karnataka for prostitution.

The coastal areas in Goa are the most popular tourist destinations. Interviews with Organizations working on Child Rights have shown that Anjuna Beach, Baga, Calungute and Candolim in North Goa and Colva in South Goa are being targeted by paedophiles, Particularly international tourists. Besides, we have to move into other coastal areas of South Goa, particularly Palolem, Agonda, etc. The situation is also very high in the North Goa beach areas esp. Calangute, Candolim, Baga, Anjuna, etc. beach areas.

5.1.2. Geographical Location – Kerala

In Kerala, locations those were identified as areas where CST takes place are as follows:

Kovalam, Trivandrum
Varkala, Trivandrum
Cochin
Ernakulum
Kumily, Idduki

5.1.3. Type of Establishment

CST takes place in different settings and in different forms. An attempt is made here to outline the setting where CST takes place:

Organized setting: The red-light area where prostitution is localized. Goa has an established red- light area, Baina (Baina Beach in Goa). A large number of prostitutes working in Goa's red-light districts are under the age of 18.

In Kerala there are no established Red-light areas or brothels. CST takes place in unorganized settings or in legal establishments such as hotels.

Reaction of a foreign tourist, who admitted practicing sex tourism in Kenya and The Dominican Republican

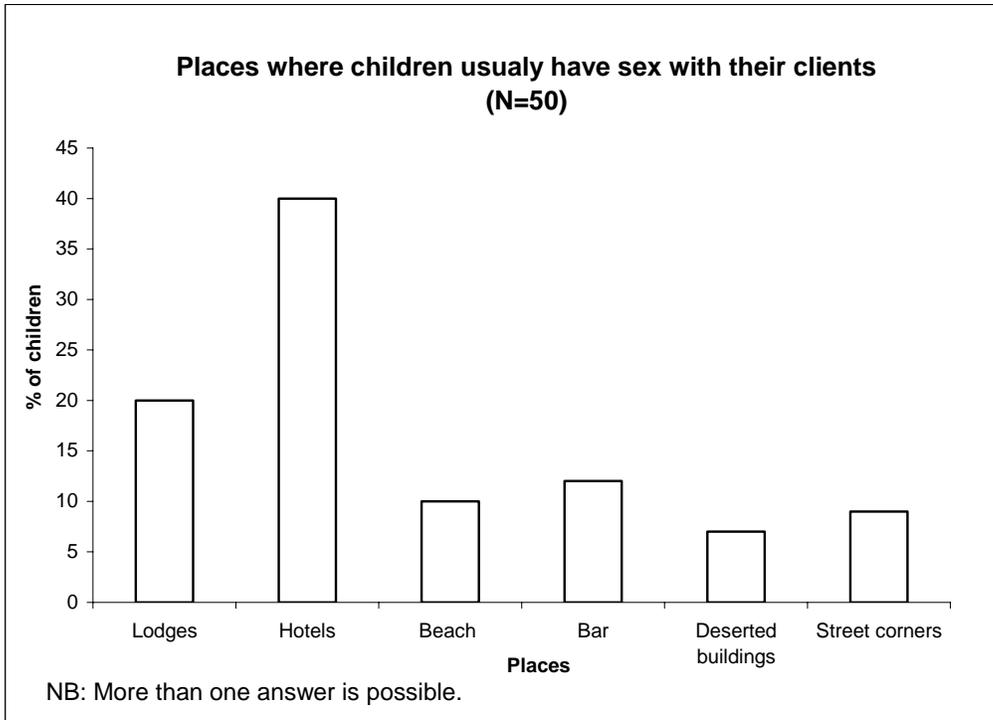
“ It was terrible. I was really shocked. It was disgusting. There were young boys, only about nine or ten years old, sitting outside in the dirt with these older blokes, selling them. And it stank, it was disgusting, just the thought of what was inside those places, I wouldn’t go in, it was disgusting”. (*Davidson and Taylor, 1998*)

Most of the children interviewed have mentioned that they have had sex in places like hotels, lodges, street corners, beach, rooms where they live, deserted construction sites etc. Majority of children have mentioned that beach is often used as a place to have sex at night.

Foreign tourists often use hotels, as it is the safest place as described by children for having sexual activities. Domestic tourists use small lodges and rooms in the bars for this purpose.

Nationality/ Origin	Name	Stayed at	Children were from	Status of the case
Foreigner unknown origin	Freddy Peats, 1996	Owned a orphanage home	Karnataka; Poor families in Goa	Convicted in 1996
British National	KC, 1996	Beach resort in Colva	Andhra Pradesh	No conviction, absconded
Swiss National	EJF, 1996	Hotel in Calangute	Pune, Maharashtra	Allowed to leave the country due to lack of evidence of sexual exploitation
British National	DV, 1996	Representative of British holiday operators ‘Inspirations’; owns a travel agency	Runs child sex tours for his foreign clients	No case was filed
Belgian origin	RW, 1998	Hotel in Calangute	Handicapped child from Andhra Pradesh	Found dead in his room
French National	DS, 1999	Alleged associate of Freddy Peats		Was out on bail, caught by the Delhi airport police on his transit to Thailand

German	HB, 2001	Holiday Inn	Mumbai	Assistant sessions Judge convicted, but Additional Session judge dismissed the judgment of the earlier court.
British	JCM, 2001	Guest House	Nepali	Arrested



Though there are no registered cases of paedophilia from the sites under research in Kerala, interviews with Organizations, Police personnel's and Media representatives have mentioned the similar trends.

Another setting that was mentioned by the communities particularly is the massage and health parlours that cater solely to tourist demand. It has been observed that the number of massage parlours and health clubs that have mushroomed in Goa hotels are only fronts for organised prostitution rackets'.

“Another case study involved seven year old Salim who began as a kitchen hand at a beachside restaurant for INR 10 a day. Six months later he was earning five times the amount peddling pineapples to tourists. Now nine years old, he is a self styled entertainer. “I sing, dance and run errands for the firangis (foreigners). Sometimes they even ask for a massage in their rooms”.

However, prod further and the boy's eyes go blank and he says he finds it embarrassing to talk about abusive situations he may have faced. When asked in which hotel he was taken to, he pointed towards the Taj. The enterprise brings him about INR 150 a day, more than Salim used to make in an entire fortnight.”

(Weighing the GATS On A Development Scale: the case of tourism in Goa, India, EQUATIONS, November 2002)

5.2. How does CST take place?

5.2.1. Initial Contact

A growing number of paedophiles – seeking children as sexual partners – have discovered Goa to be a safe haven. They form part of a wider syndicate operating globally within a well-defined network, operating with the use of modern communication systems like the Internet. New technology provides new opportunities for paedophiles to surf for their victims. They have also constructed theoretical formulations that pose paedophilia as an alternate sexual preference or orientation; drawn up a roster of ‘sexual rights’ for children and declared that today's anti-child and ‘restrictive’ sexual norms and behaviour will stunt children's growth and sexual maturity.

Mostly foreign tourists, usually well informed, operating for some years, who spend long periods a whole season to 9 months, in Goa. Some bring new friends too every year. Some operate alone, some in groups. They appear like normal people, like any other person. Most of them are middle aged and some even old.

They gain children's confidence by making friends with the children or some adults of the family/community. They give gifts to the children like chocolates, T-shirts, sun glasses, etc. and even cycles. Some have motorbikes and they take the children, at times 2-3 together, for a ride or to different places.

Taxi Driver said 'Where are you staying? 'Do you like Goa?'
Then he said, 'Do you want Prostitute? I have girls 16 or 17 year, nice girls'.
I said 'No' and he was very pushy. 'Only 300 rupees' and he could bring her
to hotel, she'd spend the whole night with me. He seemed offended because I
keep saying 'No'. Eventually he said, 'or you want boy? I can find you boy'.

They normally have some local contacts that supply the children. Some members of the migrant community also serve as brokers/supply links.

A suspected paedophile even gate-crashes into community events/functions like the moving around of the statue of Mother Mary among the Christian families and makes himself at home trying to make friends with the young boys.

Some run shacks, travel agencies, or get into partnership with some local to run a business. Some are in contact with so-called beach or massage boys, who have either been their mates or have offered sexual services and today supply the children.

The tourists take full advantage of the generosity or/and obeisance of the locals who bend backward to receive their patronage and allow them a number of concessions.

Some also go around projecting an image of social workers. With money flowing in abundance with them, doling out charity or gifts is no problem for them. Some paedophiles have live-ins with youth, both boys and girls. Some of the youth are minors and here some of the tourists are women who have this live-ins on an annual basis with their boy friends.

Evidence is there to suggest that some tourists are directly involved in a type of informal child prostitution. Beach seller migrant children are also reported as having been sold by relations and propositioned by foreign tourists. A large number of children from poor families from the nomadic Lamani tribe as well as from villages in northern Karnataka are engaged in vending wares on the beach. These children are easily approachable by foreign tourists visiting beaches and it is easy for a paedophile to strike a relationship by initially providing them some eatables, and eventually urging them to come to their rooms or to a deserted part of the beach, or in a few cases, for rides in their car.

Children of migrant spend a major part of their time on the beach. These children assist their parents in their trade. They often move alone or in groups that target tourists for selling their wares. These children are easy to target by paedophiles and are certainly the most vulnerable and unprotected sections that inhabit the coastal areas.

Some adults and children also offer massage services to foreigners. They usually either alone or with other group of children work throughout the day on the beach without any adult supervision.

An interview of such children revealed that these children are sometimes being asked by male tourists to stay in their hotel and apartments, with an offer of large sums of money, around 1000 rupees \$ Us 100. These children mentioned that children 'go with tourists for one or two days and when they return they have 'lots of money'. In some cases children were also taken out of the country by tourists for lengthy periods of time

It has been noticed that the initial contact with children are primarily through two processes, either by the direct interaction or through the intermediaries. As per the information gathered from residents of the coastal belt in Goa, the suspected intermediaries are:

- Former victims of paedophiles, serving as procures
- Youth working for shack-owners, called 'beach boys'
- 'Pilots' or motorcycle taxi drivers and some taxi drivers
- Stray cases of Lamani
- Shack owners

Meena, an eleven year old girl child who, along with a prostitute woman in her early twenties, had been taken by a tourist to a hotel in a tourist resort some distance from the red light area in which she lived. The girls stated that he took them to Calangute in a "big hotel". This child works in bars as a dancer but, having not reached puberty, she has not yet been prostituted. The tourist claimed that he wanted the child to accompany him and the older prostitute as their masseuse and kept the two of them with for eight days. The girls said she had been provided with separate room and that "nothing had happened. The tourist has "only kissed and cuddled" her". (*Weighing the GATS On A Development Scale, the case of tourism in Goa, India, EQUATIONS, November 2002*)

A nine-year-old girl who had been living with a 50-year-old Swiss gentleman for nine months narrated her story to Mrs. Mohini Giri. After a raid she had been rescued and was in Bal Niketan. The Pune girl said the Swiss uncle had given her a house and lots of money to her invalid, alcoholic father. The little girl's mother had died and she had three younger brothers. For three months she had been with him in the Rajnesh Ashram, then he took her to Hotel Gulistan in Bombay and finally to a big hotel in Goa. She said that the Swiss uncle would bath her every morning and at night he showed her blue films and patted on her face. When she got frightened with all that was shown, he would hold her tight and put her to sleep, kissing her everywhere. (*Hindustan Times, Patna, 20 March 1997*)

5.2.2. Relationship

5.2.2.1. Duration

The Duration depends upon the duration for which the child was in company of the tourist, or for the duration the tourist was in the setting of the abuse. Thus, it is important to understand the duration for which these sex tourists or paedophiles stay in a tourist destination. Desai in her study in Goa identified three types of paedophiles based on their duration of stay:

Long-term residential paedophiles: These are paedophiles settled in Goa, visiting their country of origin only for the purpose of getting their visa formalities processed. They may be involved in occupations like running a restaurant or a travel agency. There would be another group of retired people managing their life on their savings. While some others could have been married to Indian women, though in such cases it is difficult to figure out the actual relationship between the two. This type of paedophiles generally stays in a rented accommodation or has brought their own houses or flats. It has been observed that some of these may be involved in initiating children into prostitution, and could also in organizing sex tours.

Regular Visitors: This type visits the 'chosen' tourist destination on a regular basis, usually in the months corresponding with winter in their country of residence. These people generally stay in hotel or in cheap guesthouses on the beach, since it is easy to find and to target children working on the beach and nearby areas. These people call children to their room during the day. The child may also live with the paedophiles in his room, with the knowledge of the proprietor of the hotel or guesthouse.

Casual Visitors: This includes tourists visiting India on a one to two week package tour and while some others travel on their own and stay for a longer duration. This group includes two categories:

- Visits Goa or Kerala and then finds out that in these places children are easily reached.
- Visits Goa knowingly that children are easily accessible.

5.2.2.2. Remuneration

- Money (cash)
- Clothes
- Spending on recreational activities with the child
- Food and drinks
- Chocolates, Toffees
- Other materials gifts- watches, camera, bags, etc

The main frequenters of prostitutes in Goa are tourists, local men and college boys. United States "seamen" ask locals in Goa which bars to find prostitutes in. Taxi drivers take tourists from Delhi, Gurjarat, Bangalore, Bombay and Punjab to brothels in Baina. Some men have taxi drivers bring prostituted girls from Baina back to their hotels in Panjim. The next morning, the taxi drivers rape the girls before taking them home. (Taxi driver, Meena Menon, "Tourism and Prostitution," *The Hindu* 1997)

6. PUSH AND PULL FACTORS

This covers two constituent elements of the study, designed to highlight selected socio-economic, socio-cultural and personal-familial aspects. These jointly form part of the multi-layered social fabric that underpins the perpetration as well as perpetuation of exploitative ways of treating children. The two constituent elements of the study are as follows:

- Multifactorial causes that lead to vulnerability (Push factors)
- Demand creates its own supply (Pull factors)

In providing details of the demographic, social, economic, ethnic and cultural mix of the local context of project, certain macro scale features have been identified as risk or vulnerability factors that contribute to CSEC.

6.1. Multiple Causes

6.1.1. Poverty: Absolute and Relative

The respondents of this study have voiced *poverty* as the prime reason for being in the situation that makes them vulnerable to sexual exploitation. Around 70% of the children have mentioned that the situation at home is not conducive for them. The poor economic condition was raised several times by the children interviewed as a reason for running away from home or taking up jobs in hotels or any other establishments. They mentioned that there is no other way to live their life other than earning in some way or other. The case study below illustrates this fact:

I know what can happen to me but I can't help it – I go out only with foreign tourists, since I get good pay from them. They also give me food, clothes and sometimes gifts". On further questioning, he said, "Tourists are very good – for one night they pay me Rs. 200/-. Sometimes they take me with them to other states as well. It is a good opportunity to learn English and to visit other places free of cost". (Anil, Goa, 10 years)

In another instance, we found that there is sense of relative poverty where parents created the sense of "no option". 7% of the children interviewed are from the upper middle class. They mentioned that though there was no financial crunch, the growing need to have a life of comfort and pleasure was something that dominated their decision of involvement in sexual act.

These children have said that they were unable to cope up with the artificial pressure that created by their parents in one hand and in the other by the society itself. This has also made children vulnerable to be exposed to the exploitative situation.

6.1.2. Consumerism/Materialism

This factor is related to the above analysis of "relative poverty". Today, poverty cannot be attributed as the only cause for increase in CSEC. The commodification of individuals, alongside the perceived attractions of the material rewards of life, has

contributed to a change in what might be considered appropriate levels of respect and concern within families, neighbourhood.

“As for our culture, we are a community which is losing its roots; today consumerism, individualism, and competition predominate...” (GAN, Chile)

The study has shown that this change in values and attitudes have allowed a situation to develop, in which parents have either sold their children to an intermediary or they have allowed children to be with the tourists just for some material gain.

“Being with tourist is highly profitable. They give you whatever you want. A tourist from Germany has given us money to buy television, to renovate our house. So what is so wrong if I go out with him and have sexual relationship – that is his need. It is my moral duty to fulfill his need when he is fulfilling ours.”

From the study finding it is well established that this section of society provides a steady source of children who can be coerced, forced and or tricked, into the sex trade. *Krishna, a 14-year boy from Perambur district, was brought by a neighbourhood uncle in the pretext of providing job in a hotel at Kovalam. During the interview he mentioned, “My parents betrayed me. They have sold me to this person for Rs. 10,000/- now they ask me how am I doing and how is my health (he laughed after this conversation sarcastically)”. On further questioning he said, “May be my parents were cheated too– they do not know what I go through everyday”.*

6.1.3. Illiteracy

Education as a discourse is yet to be understood in its fuller sense. The study has shown that illiteracy is a major hindrance to be well informed about the issues related to well-being, self hood and other related issues. Most of the respondents have expressed their ignorance about the consequences of CSEC. Families have no information about the consequences and children under research have learnt about sex either from a very exploitative practice or from friends or movies, thus understanding of sexuality, the consequences of sexual exploitation are not clear to them.

In the narration of a family from Goa have mentioned that children go out with tourists quite often. Sometimes, they spent two/ three weeks with them visiting other places. Children have reported about itching in their private parts, discharge, but as parents we have never questioned them. We feel they are happy with the relationship because they get good food; clothing, gifts and money which we, parents can't afford to give them. On discussions about consequences, Parents voiced their concern about children's health, but they said this is the fate of poor children in our society.

6.1.4. Migration and Unemployment

This was another factor that came up during our study as of crucial importance to the discussions on vulnerability. In the view of this study, we have found a steady increase in migration of families from places in and around the identified tourism areas.

Migration also contributes in making the victim doubly vulnerable owing to a sense of rootless-ness that the migrants experience. For all the respondents (under migrant category) the city of their dream has turned out to be a nightmare. The trauma of exploitation coupled with alienation from their immediate surroundings forces them to continue being exploited instead of returning to their home.

6.1.5. Family Breakdown / Dysfunction

This category includes single heads of households and reconstituted families. Poor relationships between children and a step-parent, children going missing from home, children being alienated from carers or being cared for by someone other than a parent, are all indicators of heightened risk. Leaving home and family at an early age, and trying to survive on the streets through whatever means are also increasing vulnerability.

Migrants children are especially vulnerable to sexual abuse because they are lonely and they crave for affection”, says Auda Vegas a social worker from Madgaon. Often the children are not even aware of the implications. They simply conclude that this is how all adults behave. Pick-up spots include the frequent parties on the beach or the weekly flea market at Anjuna Beach.

In some families, parents have been described as suffering from physical or mental illness, drug abuse, alcoholism. They are living in desperately difficult and stressful circumstances, homeless, unemployed, mobile, unstable, the combination of which may severely limit their ability to care for and protect their children.

“The pimps today no longer use deception, instead they use concern, affirmation, friendship and emotional manipulation to lure girls into... prostitution.”

Young girls are beaten, raped and starved, and thus pressurized into receiving customers. A 14-year-old girl in a Bombay brothel resisted all pressure for three weeks. Consequently, she was put in a small room with a live cobra. She sat there numb, unable to move or sleep for two days, and eventually gave in to her captors.

6.1.6. Out of School / in the Labour Market

Children that are not in education are vulnerable. Whether this means that they are working, or simply operating outside of the school system, they are more exposed to risks of abuse.

Many of the situations of children in the labour market, including living and working on the streets, deny them the protection of family or concerned and responsible adults. Some may be vulnerable to exploitation by other street dwellers, where sexual favours or services are demanded in return for a degree of protection from other gangs.

6.1.7. Procurement within families

Whether through active recruitment, through increased awareness of the possibility, or decreased resistance to it, where a parent or an older sibling is already involved in the sex trade, other children are more at risk of becoming involved.

“Many children we met had been socialized to view “prostitution” as a way to repay their debt of gratitude to their parents, especially by mothers or elder sisters who had been CSWs in some point of time.”

This is not always the case, and there are children of sisters, and mothers continuing to be involved, or returning to prostitution, with the explicit aim of protecting other family members, through providing materially, and thus reducing the economic pressures on the family.

6.2. Demand Creates its Supply

6.2.1. Development Policies

The recent adoption of policies defined by market considerations has shifted the emphasis from social welfare to commercialization of almost every aspect of our society. Globalisation, large-scale production, foreign investment, multinationals and performances are the new “Mantras” that have replaced the earlier priority, such as poverty alleviation, welfare oriented. The government is obsessed with profit making and so-called development.

“The liberalization of economy in the wake of globalisation has vastly diminished traditional livelihood means for the poor. The introduction of modern methods of farming has vastly reduced the need for agricultural workers. This has resulted in depriving those dependent on agricultural labour for a livelihood to a state of no option for economic survival. Large tracts of agricultural land have been converted for commercial aqua production thereby reducing the viability of traditional livelihood. Likewise mechanized fishing has destroyed the livelihood means of the traditional fisherfolk.” (Dr. Sunitha Krishnan, Prajwala, an organization involved in anti-trafficking campaigns.)

6.2.2 Tourism

Although tourism is not the perpetuator of child sexual exploitation, exploiters make use of the facilities offered by the tourism industry (hotels, bars, nightclubs, etc.). In turn, the tourism industry help create a demand by promoting a location's exotic image. Another factor that have been raised by 70% of families interviewed is the loss of their traditional livelihood due to tourism development, primarily e fishing community in Goa and Kovalam in Kerala. They have mentioned that the earnings have drastically gone down. Fishing communities of both the above-mentioned tourism areas have said that the situation that they are in has left them with very few options.

According to a fishing family “I go out early morning for fishing and come back only by evening. My wife works as a domestic help in the morning, afternoon she goes with other women to collect firewood, she returns in the evening. All three of my children are not in school. I could not make them study due to financial situation. They are left behind at home – whole day alone. Tourists flock around our village – they are well

connected with our children. I do not know what children do when we are away from home. But I have noticed they get new clothes, gifts and sometime money”. On further questioning, he said “I know my family situation has made my children vulnerable to exploitation, I do not know what to do. Sometime tourists offer money to other families as well, we accept due to poverty.”

This narrative of the fishing family, points out to a situation where the so-called development “tourism” is instrumental in taking away the traditional occupations of these tourism areas (which are also the space of fishing community for their livelihood), alienating the community from their occupation as well as known surroundings and then providing support to the communities by offering them or their children some materials benefit through the tourist visiting that place.

6.2.3 Analysis of Perceptions of Various Sectors on “Demand”

Promoting tourism as an “employment generator” has proved to be another factor that leads to vulnerability of children. Most of the children interviewed have said that the reason behind choosing tourism areas as the destination is because they thought that lifestyle there will be very attractive and job opportunities are enormous. This promotion has also made it easy for traffickers to convince families in the villages to give their children for in tourism areas.

Besides, the deprivation of their land, traditional activities, another factor that comes to the focus is the visible changes that have been perceived in the character of tourism from its conventional culture and heritage experiencing. Aggressive marketing mechanisms are emphasizing more on the leisure and recreation dimension of tourism. This change towards recreation and leisure has brought in a range of dimensions in the functioning as well as the perceptions of tourism development. The term “recreation and leisure” has been interpreted differently by diverse set of people, often conflicting between sending and receiving cultures.

An interpretation to recreation and leisure had been conveniently used as a motivation to travel for the fulfillment of sexual desires. A segment of tourist has used the tourism industry as a service provider to what is notoriously termed as “sex tourism” – from its initial exploitation of adults for this purpose to exploit and victimize the most vulnerable section of the society – the children.

While discussing issues related CST in the focus group discussions with Local NGOs working on child right issues, tour operators and other stakeholders, the following were the perceptions that emerged as factors that create ‘Demand’ for children.

6.2.4 Inner Mechanisms: Motivation and Core Beliefs

During our fieldwork in Goa, we had conversed with three suspected paedophiles to elicit information on tourism in general, the purpose of their long stay in Goa and their perceptions on tourism related commercial sexual exploitation of children. While talking to them one of them mentioned that he feels jealous when a child is happy and thus he wants to take their childhood away and hurt them like he was hurt in his childhood. Another individual has said that he was sexually abused and he enjoyed it. It did no harm to him. Thus it’ll do children no harm and it’s not abuse. He believes that this is an expression of showing love to children.

6.2.5 Perceptions on Masculinity

During the focus group discussion with Children and local NGOs, masculinity as a factor was raised very strongly by the group members. It was said the 'having sex' is an expression of masculinity. A domestic tourist interviewed during the field visit have mentioned that he abuses children those have distant relations with him and he saw his behavior as socially, if not legally, acceptable. He mentioned that he sees no reason to question it. He mentioned clearly that he abused his stepdaughter, explaining that, "It was the way she dressed that made me do it; and she's got a real sexy body—what could a man do?"

6.2.6 Perception on Gender and Power

While discussing the link between gender and exploitation, it was said though girl children are more likely to be exploited than boys, but in case of CST it is boys those are mostly exploited. The exploiters are largely male and not too many female. (It is not to say that there are no female paedophiles).

The group on adult sex workers has said that gender plays a vital role in the sexual exploitation. They explained it by saying the males are more mobile and they are taught to do whatever they want to do for their pleasure. This perception of their biological sex has made them believe that they have a right to exploit opposite sex. This perception was shared based on the experience of domestic tourists visiting Goa and Kovalam. Discussing on the CST, they explained that boys are much more used than girls. This is just because boys get friendly with tourists much more easily and there is no risk of pregnancy. Thus international tourists prefer boy children.

Another factor related to Gender was power that came up as of crucial importance to analyse demand. This was strongly raised by tour operators, guides and other tourism sub-sectors. They said there is nothing new to discuss on the issue. Sex is used as power to dominate underprivileged groups. The same logic applies here, tourists are powerful in terms of monetary power and that is what they use to exploit our children and women. This group has mentioned that children are powerless. They are not vocal and it is easy to exploit them than an adult. Another factor is also these children will do whatever the tourists would ask them for. Thus it is easier to fulfill all the sexual fantasies with a child just because children are not empowered to say "no" to any adults.

6.2.7 Perception on Sexuality

The focus group discussion with adult sex workers, affected family members have discussed the notion of sexuality as a factor that creates demand. The question was raised on the concept of sexuality. It was said that organizations are working on issues related to CSEC, but the legitimized ways, (such as child marriage) of sexual exploitation are not looked into.

"I was married at the age of 13. I forced to have sex with a man who was 35 years old. When I resisted, they said he is my husband and I have to satisfy his sexual needs. Wasn't this exploitation? It has continued to happen till I left home and started living

on streets”. (Mamata, 20 years old spoke at the focus group discussion with adult sex workers).

This is not a story in isolation. Most of the members have raised sexuality as an identity that leads to demand for children.

6.2.8 Construction of Childhood

While discussing with tourism sectors on the issue of CST, they mentioned that the perception of childhood is another factor. Foreign tourists have a different notion of childhood. For them who look for children, believes that sex is pleasurable and the child should be given an opportunity to enjoy it. According to this group, the definition of childhood varies from culture to culture. They mentioned that this might be another reason why tourists indulge in sexual activities with children.

6.2.9 Profit

A group of pimps, middlemen and guides were interviewed for understanding the role of profit in creating demands. All of them (10 member team) have mentioned that they do not exploit children for sex. They exploit them for money. Children are sold in higher price to the customers and thus they bring in more and more children.

“I bring new children to my customers everyday. I get Rs. 2000 – 3500 per child. I am operating on the basis of market demand. It does not bother me, whether it is a child. If I get equal money to sell something else, I will do that as well.” (Faroo, 35 years old broker).

7. PROFILES

To understand different forms and magnitude of CST and to be able to work out intervention strategies, it is of prime importance that there is a sound understanding of the profile of both the victims and the exploiters. This section aims to present a profile of these two important entities in the chain of CST. Sometimes they are situated in two opposite end of the continuum; sometimes they are directly linked to each other.

7.1. Child Victims of Commercial Sexual Exploitation in Tourism

7.1.1. Typology of children

7.1.1.1. Migrant Children

Most of the children are migrant labourers from the drought prone regions of Bijapur, Honavar and Gokarna in neighbouring Karnataka migrating to Goa in search of work on construction sites. In case of Kovalam and Varkala in Kerala, most children are from Tamilnadu Uttar Pradesh and other neighbouring states.

”. Migrants children are especially vulnerable to sexual abuse because they are lonely and they crave for affection”, says Auda Vegas a social worker from Madgaon.

7.1.1.2. Local Children

Contrary to the popular belief that victims of CST are primarily children of migrant labourers, it was found that a significant number of local children too are being lured by the paedophiles who often procure these children under the guise of providing foster care and “better opportunities”. (INSAF, Sexual Abuse and Growth of Paedophilia, 1996)

Children staying in hutments off the beach: These children are generally absent from the school during tourist season, as they are enticed by foreigners to spend the day with them on return of some material benefits.

Children staying in coastal villages: Though it is commonly believed that local children are not caught up in tourism related paedophilia, there are evidences reflecting this to be a myth. Children attending formal schools in villages along the coastal belt of Goa revealed that there were children from their villages who spent long periods of time with foreign nationals.

Moreover a teacher from Calangute also reported that absenteeism was a common feature in schools during tourist season.

Children working in restaurants, shacks near the beach

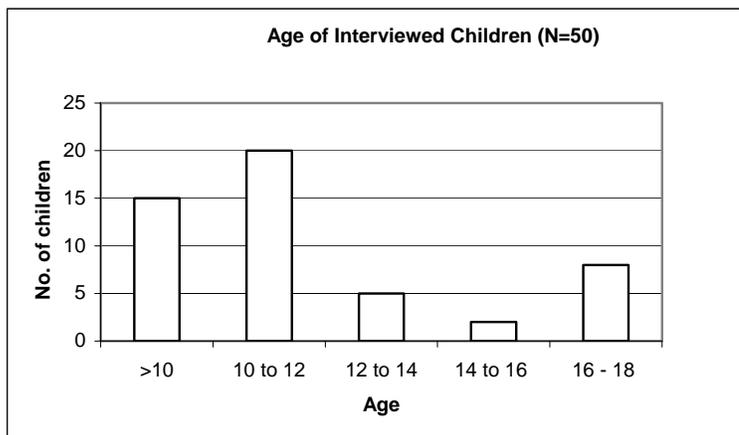
Local children working in hotels and other occupations

Freddy Peats' *Gurukul*:

- In 1982 a boy joined Peats' institution at the age of seven years. He was the eldest in the family, having two brothers and one sister. His father was unemployed while his mother worked as a tourist guide."
- A sibling group of two others one aged 4 and the other 11 years old joined the Gurukul in 1986. The only relative the children have was their mother who was working in Kuwait and left them with an 'aunty' in Benaulim
- At the age of six years a boy joined the *Gurukul* in 1982. His father had died three years prior to his admission into the *Gurukul* and his mother was not employed.
- Another boy joined the institution at the age of nine years, and was 20 when he made his statement in court. His father was jobless and an alcoholic

7.1.1.3. Age

A majority of children were between the ages of 10 and 18 years. Contrary to the common belief that sexual exploitation is confined to girl children, this study has showed that due to the fact that male children have more mobility than girls, they are the one's those have witnessed the sexual exploitation in the identified four tourism areas the most.



7.1.1.4. Sex

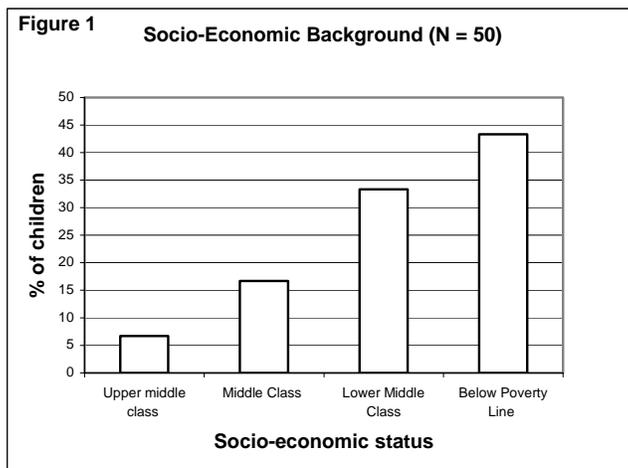
Evidence of girl children in prostitution is abundant. Boys have been in particularly exploited in terms of paedophilia. There are no evidences of boys being exploited in the organized prostitution set up (which takes place in Red-light area).

7.1.1.5. Socio-Economic Background

The majority of the children belong to either broken families or are orphans under foster care of a relative. They are from the lower middle class and poor section of the society. The family background reveals that more than 90% of the families are from fishing communities.

A common feature for all the families are heavy debt bondage, constant domestic violence and lack of facilities like education, health etc. Children have expressed this in their narratives. This validates the socioeconomic imparity that lies in our society, which becomes the key instrument to exploit the vulnerability of the situation

“I am from a very poor family. My father is a rickshaw puller and my mother work in a hotel as a housekeeper (Dish washing, sweeping and mopping of the hotel front rooms). I have studied till 3rd Standard after that my father asked me to leave and join work.”
(Sonia, 16 years old, Kovalam)



7.1.1.6. Household income

Majority of the children have mentioned that the household income is so less that they have to do something for survival needs.

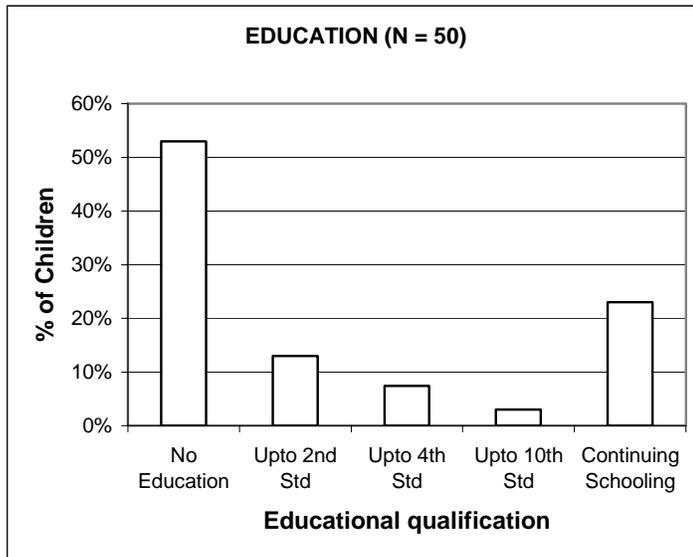
Economic coercion needs a critical look

“I have to work in this hotel – whether I like it or not. My home situation is worst than the situation in this hotel. My father earns Rs. 1500/- a month. We are 10-member family with my grand parents.

I don't like to be on the street. I do not want to have sex with everyone who ever offers. But I can't help it, tourist pay more than local people. I have to earn Rs. 500/- a day for the survival of my family. My father is a daily wager”.- A child from Kovalam

7.1.1.7. Education

A majority of children are either not educated or have fairly low education. The figure below describes their literacy level:



7.1.1.8. Language

A majority of children, interviewed has knowledge of more than one language. They are well versed in Hindi and in English as well. Children, interviewed in Goa have working knowledge of at least one foreign language – either French or German. The language skill is one of the indicators that reveal that the fact that clients are not only local people, they vary from localities to the domestic tourist as well as foreign.

7.1.1.9. Work Situation

Children interviewed under the category of “Children in work sector ”(child labour) who are *at risk*, most of the children have spoken about the sexual relationship that they are forced to have with senior boys.

The children interviewed are primarily working in small hotels, fish processing units, self-employed as beach boys, trinket sellers or guides to the tourists. During their interview children have mentioned that providing sexual pleasure to their seniors is one of their daily routine jobs.

They have mentioned that working in hotel sector is a double-edged sword – they are exploited by their seniors were they do not get any monetary benefit, on the other hand they are in contact with customers those come to eat in their joints and also have sexual relationship with the hotel boys. In the second case, they receive money, good food and an opportunity to travel to other places as well. This finding has proved that the

children those are in the brothel are not only ones those are sexually exploited – children are in direct contact with customers are also vulnerable.

7.2. Child Sex Exploiters

7.2.1. Long-term Residential Child Sex Exploiters

These are child sex exploiters settled in Goa, visiting their country of origin only for the purpose of getting their visa formalities processed. They may be involved in occupations like running a restaurant or a travel agency.

This type of child sex exploiter generally stays in a rented accommodation or has brought their own houses or flats. Some of these paedophiles are involved in initiating children into prostitution, and in organizing sex tours.

7.2.2. Child Sex Exploiters who visit Goa on a regular basis

“ Some paedophiles visit Goa for a few months every year, usually in the months corresponding with winter in their country of residence. They often stay in hotel or in cheap guesthouses on the beach. They often call children to their room during the day. In some cases, a child lives with the paedophile in his room, with the knowledge of the proprietor of the hotel or guesthouse.”

7.2.3. Casual Visitors

This group includes tourists who visits Goa and then find out that in Goa children are easily reached, while there is also another category of casual visitor who visits Goa knowing that children are easily accessible. This includes tourists visiting India on a one to two week package tour or others that travel on their own and stay for a longer duration.

7.2.4. Traditional Sex Exploiters

Local men, migrant workers and seamen represent an established group of sex exploiters.

7.2.5. Hardened Sex tourists, Paedophiles and Preferential Child Sex Abusers:

There is a reason to believe that a small number of men who might be described as ‘hardened’ sex tourists have identified Goa as a site for sexual gratification. The term ‘hardened’ sex tourist is used to refer those tourists repeatedly travelling to a variety of places where they know that sex is commodified and is extremely cheap.

7.2.6. Preferential Paedophiles

There are also paedophiles and preferential child sex abusers who travel independently to Goa. These men may sometimes make use of red light area where they know there needs will be catered to. Sometimes, they approach beach seller children and make them direct offers, or they can obtain access to such children through an intermediary.

If these people are living in private accommodation rather than in hotels, then the whole process of child abuse is conducted in almost complete privacy. While it is difficult to estimate this mode of exploitation and abuse, it was reported that in 1995, the Department of Forensic Medicine at Bambolm received nearly 60 cases of sexually abused children, mostly pubescent boys from the tourist coastal areas.

7.2.7. Male Homosexual Sex Tourists:

Like heterosexual sex tourists, homosexual sex tourists who have no specific or focussed sexual interest in children may become 'situational' child abusers due to anonymity that tourism brings to the traveller.

7.2.8. Female sex tourists

"In Goa it is possible to observe female tourists who use their greater economic power in such locations in order to indulge racial sexual fantasies with local men or boys". (Davidson and Taylor 1996).

8. RECOMMENDATIONS

The need for intervention with regard to children those are commercially and sexually exploited is enormous. To aid in designing such interventions, we have attempted to lay out in as much as details possible, a sample intervention model and a list of demands to combat tourism related commercial sexual exploitation of children. This was one of the primary goals of the research project that would enable interventionists and organisations working on child right issues to look at various suggestions that have emerge from the study.

8.1. Tourism Authorities

1. To develop mechanism that would help create a framework under which the “commitment to benefit local communities” could be dealt with (in partnership with local NGOs, community and Dept. of Women and Child Development).
2. To conduct social auditing.
3. To report annually on the situation of women and children in tourism areas (in Annual report).
4. Developing networks and processes for sharing information on CST and developing interventions in collaboration with tourism industry and the department.
5. Penalties against hotels and tourism service providers who continue to permit hotels rooms to be used for purposes of CST.

8.2. Tour Operators and/or Hoteliers

1. To train the personnel in the country of origin and travel destinations (In partnership with dept. of tourism, Dept. of Women and Child Development; Ministry of Information and broadcasting and NGOs).
2. Create a system for tour operators in sending countries to check m\names on passenger lists against known list of paedophiles.
3. Providing information to tourists on CST and request them to help dealing with the problem by informing if they see any doubtful behaviour of tourists accompanying children.
4. Establishing contact with user hotels requiring them to prevent unregistered children (in the register book while check in) being taken into tourist's room
5. Developing an ethical policy regarding trafficking and commercial sexual exploitation of children.
6. To introduce a clause in contracts with suppliers, stating a common repudiation of trafficking and commercial sexual exploitation of children (In partnership with Dept. of Tourism).
7. To provide information to travellers by means of catalogues, brochures, in-flight films, ticket-slips, home pages, etc.
8. To provide information to local "key persons" at the destinations (in partnership with NGOs).

8.3. NGOs

1. Developing watchdog cells to monitor child exploitation in tourism.
2. Establish a process to monitor and review the implementation and effectiveness of the ethical policy.
3. Conducting awareness programmes and capacity building exercises for law enforcing agencies, state protection services and tourism industry.
4. Pressure judiciary services for new legislation to address CST in India.
5. Lobbying with Home Department and Department of Tourism to have tourist police in each tourist state with extended mandate to look at child safety in collaboration with DWCD.
6. Running extensive media campaign to inform tourists that CST is not acceptable in partnership with Tourism Industry and Department of Tourism and Culture.
7. Empowering local-self government to critically look at tourism development in their area to put the monitoring mechanism in place with the active participation of stakeholders such as hotel and tour operators, local authorities and communities to monitor safety of children.

8.4. State Protection Services

8.4.1. Judiciary

1. A comprehensive policy on Trafficking and Commercial Sexual Exploitation of Children should be worked out for providing clear actions against perpetrators, rehabilitation package for child victims and to have proper schemes for prevention.
2. Developing policies and laws that protect the best interest of the child.
3. Bringing in change to the “Evidence Act”
4. Ensuring criminal trial proceedings to be child friendly by developing child friendly legal procedures.
5. The Indian Penal Code should be reviewed, revised and harmonized with the UN convention on the Rights of the Child and other International instruments to address CST.

8.4.2. Department of Women and Child Development

1. To develop monitoring mechanisms in partnership with local self-government and local NGOs to enforce code of conduct.
2. To assess and evaluate the impact of such implementation on the local situation (whether there is a change in situation) in partnership with Dept. of tourism, local self-government and local NGOs.
3. To lobby with tourism industry and the Department of Tourism for adequate rehabilitation package for adversely affected stakeholders to obtain redress through exercising rights;
4. To put pressure tourism industry to adopt resolutions passed in international forums against child sex tourism (CST).

5. To ensure legal liability for corporate breaches of national social laws and of international laws or agreements.
6. Adequate rehabilitation of victims of child trafficking (in collaboration with NGOs, industry and other government departments).

8.5. Law Enforcement

1. Strict enforcement of existing legislation.
2. Implementing JJA, 2002 to establish a special cell for child protection and deputing special police for the same.
3. Special units within the police and expanding the mandate of tourist police for monitoring and reporting CST by tourists should be established.
4. Immediate steps should be taken to adopt extra territorial laws and initiate appropriate action to ensure that no offending foreign tourist escapes punishment by leaving this country.
5. Existing legal framework should be strictly enforced and appropriate legislation be immediately initiated to make sexual abuse and commercial sexual exploitation of children a serious crime and to impose deterrent punishment on the offenders, Indian and foreign.

APPENDICES

i. Relevant NGOs in Kerala

Name of the Person	Designation	Organisation
Fr. Philip Parakkat	Director	Don Bosco Nivas , Thampanoor, Thycaud P.O., Thiruvananthapuram PIN 695014
Dr. K. G. Vijayalekshmy	Director	Women Empowerment and Human Resource Development Centre of India (WHI) , Aswathy, TC 50/678(2), KSRA - A - 15, Kulathara Junction, Kalady, Karamana P.O. Thiruvananthapuram PIN 695002
Mrs. Aleyamma Vijayan	Director	Sakhi Resource Centre for Women , TC 27/2323, Convent Road, Thiruvananthapuram PIN 695001
Mr. Satheeshchandran	Asst. Director	SOMA ,
Dr. Jacob Thomas	Asst. Transport Commissioner	Transport Bhavan
Ms. Sreedhanya Adv. Prais Joseph		Darshan , MIG -474, Panampally Nagar, Ernakulam PIN 682036
Justice K. John Mathew	President	People's Council for Social Justice
Mrs. M. Kamalam	Chair Person	Kerala State Women's Commission , Ambikavilassam, TC 15/1489, Minchin Road, DPI Junction, Thiruvananthapuram PIN 695014
Mr. Vipin		Childline
Mr. Sunil C. Kuriyan	General Secretary	Sishu Kshema Samithi
Dr. Joe Joseph		Kerala State AIDS Cell
Mr. Kovalam Radhakrishnan	Correspondent	Mathurbhoomi, Kovalam
Mr. James Vadakkumcherry	Criminologist	Police Training College, Thycaud
Mr. Rajan Singh	City Police Commissioner, Thiruvananthapuram	Trivandrum
Mr. Prakash	Mathurbhoomi	Trivandrum
Mr. Venugopal	Kerala Kaumudi	Trivandrum
Mr. Venu	New Indian Express, Correspondent	Kovalam, Trivandrum

ii. Relevant NGOs in Goa

Name of the Person	Designation	Organisation
Nishta Desai	Director	Children's Rights in Goa , F -5 Meera Bldg, Near Gomantak Bhavan, St Inez, Goa, 403001, India
Albertina Almeida		Bailancho Saad ,
Niranjan Kanvinde		ARZ , MHN 27/1, Behind Anthony Bar, Baina Beach Baina, Vasco Da Gama, North Goa District GOA 403802
Mrs. Bernei/ Mr. Greg	Director	Jan Ugahi , Margoa
Mr. Reggie	Director	INSAF , 3rd Floor, Mahalaxmi Housing Society, Near Hotel Palacio de Goa, Sant Inez, Panjim, Goa

iii. List of Relevant Tourism Bodies

First Name	Last Name	Job Title	Organisation
Pradip	Madhavji	President	Travel Agents Association of India (TAAI)
Harkripal	Singh	Delhi Representative	Travel Agents Association of India (TAAI)
Badri	Bajaj		Indian Association of Tour Operators (IATO)
Subhash	Goyal	President	STIC Travels Pvt. Ltd.
Sarabjit	Singh	President	Indian Tourist Transporters Association (ITTA)
			Pacific Asia Travel Association (PATA)
Atul	Sinha	Chairman	Pacific Asia Travel Association (PATA)
M. P. Purushothaman		President	Federation of Hotel and Restaurant Association of India (FHRAI)
S. S. H.	Rehman	President	Hotel Association of India (HAI)
			Conferderation of Indian Industry (CII)
Ravi	Bhootalingam	Chairman	CII National Committee on Tourism

First Name	Last Name	Job Title	Organisation
Pradip	Madhavji	Chairman, Tourism Committee	Federation of Indian Chamber of Commerce & Industry (FICCI)
Kapil	Bhatia	Chairman- Tourism Committee	Associated Chamber of Commerce & Industry in India (ASSOCHAM)
Vikram Dev	Dutt	Secretary	Goa State Tourism Development Corporation
Manohar T	Azgaonkar	Chairman	Goa State Tourism Development Corporation
		Managing Director	Kerala State Tourism Development Corporation

iv. List of Relevant State Services

Department of Women and Child Development
 Department of Social Welfare, Central
 Home Department, State
 Department of Labour
 Department of Education
 Department of Tourism and Culture

iv. Cases of Paedophilia in Goa

1. *Freddy Peats case:*

Profile:

In April 1991 Freddy Peats, 71 years old Anglo-German holding Indian passport was arrested for sex crimes against young boys in Goa. He ran a shelter home for children called 'Gurukul Orphanly' at his flat in the South Goa town of Margao. It is reported that he was connected with charity work in Calcutta before he came to Goa. He enjoyed the respect of the people of Margao for his supposed dedication to the welfare of poor children. Little is known about his past life. (Desai, 2001) Peats was managing and running a boarding house. He also used the boys in the production of pornography and prostituted them to foreign paedophiles. (Davidson & Taylor, 1996).

How the case came into light:

A young boy complained to his family members of pain in his testicles after visiting Peats' *Gurukul*. A complaint was lodged by boy's father in the police station, which resulted in a raid of the orphanage. The Police then discovered the gruesome details of the organised sexual exploitation of young children by Peats and a group of foreigners. Following this raid, Freddy Peat was arrested on 3 April 1991.

2,305 pornographic photographs, 135 strips of negatives, syringes, medications, and narcotic substances were seized from his evidence. Records of his bank accounts showed deposits made by foreigners. In spite of the huge quantum of evidence seized, Peats was released on a bail amount of Rs. 8,000 on 15 May, less than 45 days after his arrest. However with the efforts of social workers and various NGOs handling the issue, he was convicted in year 1996. Today, Peats is in Goa's Aguada Jail serving a life sentence. He is old (in his 80's), blind and sick.

Accomplices of Peats:

All of them are over 60 years old. Accomplices of Peats include ECM (New Zealand), WWI (Australia), NOJ (Sweden), RV (UK), ZJA alias Yogi (German) and DS (France). The last accused was earlier arrested in Delhi in 1998, but managed to jump the bail from Goa and flee the country by February 2000.

The nature of abuse subjected to children

The children stated that they were encouraged by Freddy Peats to roam around in the homes nude. He himself would sleep in the nude amidst all of them. "Children testified the fact that Peats administered injections in their testicles which caused enlargement of the testicles and pain: and he used to pay Rs. 5 to Rs. 20 to the children for taking injections.

The boys were asked to suck Peats' penis and were also asked to masturbate him. The boys were also made to do the same thing with the foreign nationals who came to the Gurukul or took the boys to their hotel rooms. It was also reported by the children that they were clicked in different poses by Peats. Boys even as young as three years old have been photographed performing sexual acts.

Though the State of Goa tried to play down the Freddy Peats case as an isolated one, but the cases unearthed clearly reflects that the problem of paedophilia has its roots throughout India. During the period March 1996 to March 1998 there have been string of cases involving paedophiles of British and other European origins unearthed by the press and local NGOs working in Goa. Some of these cases are:

2. DR: A 59-year-old British National, by profession a Chemist from Hertfordshire and a respected businessman and a former Justice of peace was suspected to be a paedophile. In Goa his dark side was exposed by a British investigative reporter for the News of the World newspaper. His article “Sick Brits Turn Paradise into Child Sex Hell”, was dated March 10th 1996.

3. DV: British National – 54 years old, setup his own travel business in Candolim. DV was a representative of the British holiday operators ‘Inspirations’, but now he runs his own tour company. He is also an active member of the Lions Club a charity organization. After the undercover investigation by a journalist it is clear that DV was involved in promoting and selling Child Sex Tours.

4. KC: A British National. A first Information Report was filed by an 18-year-old boy from Visakhapatnam (in Andhra Pradesh) in October 1996 against KC, for being sexually abused by the foreigner. On 12th April 1997 the Colva Police arrested him for his alleged involvement in a sodomy case for possession of illegal drugs, following raids on a hotel and his rented cottage in Colva. KC was charged under section 372 and 377 of the Indian Penal code for unnatural sex under section 20-B (possession of Chars) of the Narcotics Drugs and Psychotropic Substances (NDPS) Act.

The boy who was working as a waiter in a hotel in Colva was first befriended, then repeatedly propositioned and finally sodomised by KC on some occasions in the latter’s cottage. The boy complained that KC subjected him to anal sex on several occasions and have been offered money by the accused. Police also found photographs of 24 boys in the same age group from the Kenneth’s cottage.

Unfortunately, no NGO seems to have kept track of this case and it is unclear what happened, since there is no report that KC was convicted for this offence.

5. EJF: A Swiss National aged 52. In December 1996, UMED, a NGO in Goa received complaint against EJF who had brought a nine-year-old girl from Pune, with whom he was residing in Calangute. It was found out that he had been visiting Goa for previous three years, and he always brought different children with him. UMED brought this case to the notice of the local police. The girl accompanying him at the time of had reportedly been with him for almost a year visiting various parts of India and not going to school. However, EJF was allowed to leave the country on 12 March 1997 as the local police station were apparently unable to find evidence of sexual abuse. But later he was found roaming with the said girl’s seven-year-old sister.

The girl reported to Mrs. Mohini Giri, the then Commissioner of national Commission for Women, that the ‘ Swiss uncle would bathe her every morning and at night he showed her blue films and patted her on her face’ and he would put her to sleep

'kissing her everywhere'. However these sensational and shocking revelations did not result into any concrete action and its been reported that EJF continues to visit Goa.

6. YRW: Belgian National. In March 1998 a case was registered by the Calangute police station against a 67-year-old man , YRW for sexually abusing a 15 year old handicapped boy, under sections 373, 377 and 294 of the Indian penal code. However on May 13th 1998, YRW was found dead in his room

7. DS: He was a Frenchman, aged 61, at the times of his arrest in 1999, an alleged associate of Freddy Peats. He is a holder of two postgraduate degrees and a writer of bestsellers in French. He was caught at Delhi Airport, where he was in transit on his way to Thailand. He absconded in February 2000 and continues to abscond.

8. HB: A German aged 53, was a suspected paedophile found to be guilty of having sex with a minor male. The Assistant Sessions Judge convicted him for unnatural sexual offences and was sentenced rigorous imprisonment for six years. Brinkmann was later acquitted on appeal by the Additional Sessions Judge on seemingly technical grounds. HB managed to leave the country within the appeal period in spite of a 'Look Out Circular' against him, owing to lapses on the part of the immigration authorities.

9. JM: A 71-year-old Britisher was arrested on 19 March 2001 from a guesthouse in Benaulim, the coastal village in South Goa, where he was found with two Nepali children. JM has been visiting India for the last five years. He has been charged with sodomy for sexually assaulting and having forceful intercourse with two minor boys from Nepal, aged between 13 and 14 years. He had come down to Goa with these boys eight days before he was arrested. These children were brought by JM from Nepal. Jan Ughai and Childline, Goa reported that JM had a previous conviction for sodomy with a child in New Zealand. While no evidence was found against him, the parents took away their children stating they had willingly sent their children. JM was released on bail on 23rd March 2001.

"JM was seen masturbating these children on the beach" alleges D'Souza, adding further that police did not even record statements of the witnesses.

"The police are not handling the cases in a professional manner not realizing that the victims here are innocent children", alleges Bernie D'Souza belonging to Jan Ughai, who alerted the Police about 71- year old. (Sandesh Prabhudesia, Goa News, 3 April 2001)

LF: A 63 year old Goan, local retired government servant, was arrested by the Goa Police on 19th March 2001, for halving forceful anal sex with a 16 year old contract labourer in his residential house. This arrest followed a personal complaint lodged by the boy at the police station that he was sexually assaulted by LF. Later LF also admitted of having involved in the unnatural act by initially luring him with chocolates and money. The boy from Orissa was part of a group of labourers working at LF house for over a week. The police also filed a case of wrongful restraint and outraging modesty against him, besides sodomy.

ECM: 63 years, ECM from New Zealand, has been convicted in Goa for his involvement in a child abuse racket that was busted in the tourist state in 1991. ECM - were sentenced to seven-year rigorous imprisonment each by the district court in Goa on 22nd July 2002 here, for running child prostitution racket in the coastal area here. (Seven-year RI to Peats, McBride, Sandesh Prabhudesai, Goa News, July 22, 2002)

Other Suspected Cases:

1st February a complaint was given to the Calangute Police Station regarding the case of a German National, around 59 years living with a 10 year old boy, with details of his address. (Desai, 2001)

On 2nd July 1997 a complaint was made about the case of a foreign tourist, approximately 55 years old, living with two minor girls in Calangute. Apparently no investigation was conducted in this matter.

On 20th January 1998 some residents of Candolim and Calangute lodged a complaint against two suspected paedophile with the Calangute police station. One case was of a 63 year old British man, who visited Goa each year for a period of three months. He was regularly seen with adolescent girls.

The other case was of an elderly British man, married to an Indian, who seemed to prefer boys in the age group of 8-13 years.

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ⁱ EQUATIONS paper for Campaign Against Child Labour- Karnataka

ⁱⁱ Note that actual figures could not be found from Government statistics after 1999; thus, projections were used for 2000 onwards.