

**Keynote Address by**  
**Dr. Kittipong Kittayarak**  
**for an opening of the Workshop**  
**“A LEGAL FRAMEWORK FOR COMBATING CHILD SEX TOURISM”**  
**UNODC Regional Centre for East Asia and the Pacific**  
**UN Conference Centre, 27 February 2012**

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Mr. Gary Lewis, Regional Representative of the UNODC,  
Distinguished participants,  
Ladies and gentlemen,

It gives me great pleasure to be here to address the Legal Workshop on Child Sex Tourism. First of all, I would like to thank UNODC and INTERPOL for their continuing support to member countries in the region in our effort to enhance the effectiveness of the criminal justice response to serious crimes including child sex abuse. Today’s workshop – which constitutes one key component of the *Project Childhood* – is a unique effort aimed at bringing together scholars and legal practitioners to create a common ground for reviewing and reforming our legislative and regulatory frameworks as well as the enforcement mechanisms from the perspective of protecting our children from the perpetrators of sexual abuse and exploitation. I would like to also extend my appreciation to the government of Australia, through the AusAID, for providing financial support for the project.

*As a serious form of the violation of the basic human right of the child*, sex abuse and exploitation of children signify a serious concern and call for serious actions by the legal and criminal justice agencies. Stories about children being abused and molested often appear

on the front page news, and they are a constant reminder of this particularly challenging aspect of the crime. In certain cases, the perpetrators are those who travel to their destinations with a sole purpose of engaging in child sex tourism. The cross-border aspects of the crime, coupled with the fast moving pace of development in the information technology such as the internet make the problem increasingly challenging. Also, one particular challenge lies in the fact that weak responses or loopholes will not only put our children at risk, but they could attract more perpetrators who take advantage of the weak law enforcement. Thus, the negative factors can be reinforced and the vicious cycle of this crime significantly worsened.

As with other crimes, child sex abuse has specific nature, actors and implications, which requires, among other things, good intelligence on the all concerned parties in order to capture its very nature and come up with truly responsive actions while having the victim-centered perspective at the core of the operation. *Responsive laws and effective enforcement are key infrastructure, and we can never achieve both in good measure without specific understanding of the crime and its dynamics.* This is why the Ministry of Justice whole-heartedly supports the **Project Childhood** and would like to invite all participants to bring their expertise and knowledge of the problem to this forum and be open for the comments and recommendations as a result of our discussion.

While Thailand needs to continue our effort to join the international community by ratifying the **United Nations Convention against Transnational Organized Crime and the two protocols on smuggling and trafficking**, we have come a long way in terms of

legislative development. The **Anti-Trafficking in Person Act of 2008** provides key legal framework to criminalize all forms of exploitation of trafficking victims, with special emphasis on sexual exploitation. The law provides framework for the investigation and prosecution of the perpetrators as well as the protection, rescue and rehabilitation of the victims.

Efforts have been made in the area of the enhancing the capacity of the law enforcement agencies by addressing the management aspects of their works, often characterized as weak in coordination and information sharing. During the year 2009-2010, the Ministry of Justice hosted a series of workshops, inviting key criminal justice agencies to brainstorm for a way to effectively coordinate their responses to child sex offenders who are of foreign nationals. The consultations culminated in the development of guidelines called the *Protocol on Criminal Justice Response to Child Sexual Exploitation*, which encompasses a set of recommendations for the police, the public prosecutors, the judges, as well as immigration officers and the consular officers within each foreign embassy located in Thailand, to follow in their respective roles in the interplay to prevent the foreign offenders from escaping their bails and repeating their crimes. The concrete steps range from investigation and making arrest, to the use of discretion in placing the charge against as well as granting provisional release to the suspects.

While this represents a modest effort to respond to the pressing issue at hand, the series share the core values with that of our workshop today -- that we are stronger working together and that we can develop the clearer focus on the problem by sharing our experiences and lessons. Also we can benefit greatly from the help from our friends in the

international community, not only in the form of technical assistance but also in helping create the visibility for the issue, which often help secure the political support for reform in difficult areas such as the laws.

It is my hope that representatives of key criminal justice agencies as well as members of the civil society organizations will make the full use of this workshop. The finding on the review of the legal framework by the expert consultant of the Project will be of great use for us to begin looking for effective ways to comprehensively address the issue. The assessment of situation, both from the angles of the crime as well as the responses and prevention, will provide us with the objective inputs to review our current situation. The current status of the implementation of protocols I mentioned earlier will also provide a good starting point to build the necessary momentum for our discussion today.

The Ministry of Justice remains committed to promoting coordination among criminal justice system, particularly at the policy level, to enhance its effectiveness and responsiveness to the serious challenges of crimes, while adhering the rule of law and respect for the basic human rights of all concerned. It is my sincere hope that our collective effort today will mark a concrete step toward identifying the practical and legal obstacles which lie in the ways of our work in dealing with child sex tourism in Thailand. The combined perspectives of the “inside-out” based on those of criminal justice personnel who are directly involved in the operation, as well as the ‘outside-in’ from international experts and practitioners, will certainly bring us closer to identifying key steps necessary to achieve our long-term goal of having a legal framework in addressing child sex tourism.

It is also my sincere hope that this workshop will be just the beginning of a long-termed collaboration. The Ministry of Justice stands ready to do whatever it takes to make it happen. We will continue to work closely with our domestic and international partners in order to ensure effective response by the criminal justice system against the offenders of the child sex abuses.

Again with my sincere thanks to the colleagues at the UNODC Regional Centre for East Asia and the Pacific and the Interpol, whose support is indispensable for realization of the meeting today, and also with my sincere thanks for all participants from key agencies both public and civil society organizations, I conclude my remark by wishing you all the fruitful discussion throughout the meeting.

Thank you very much.