

Child Sex Tourism: Commercial Sexual Exploitation in Indonesia and Singapore

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Abstract

This paper aims to elucidate the mechanisms through which this crime occurs and persists. This research employs an analysis of Political Economy and Market Analysis, focusing on the impacts of the crime. This study originates from the issue of Commercial Sexual Exploitation of Children (Sex Tourism) between Indonesia and Singapore. This research is a qualitative study that emphasizes a literature review. It employs Political Economic Analysis (PEA) theory and Theories of Change as analytical tools. The findings of this research indicate that the crime discussed in this study is caused by multidimensional factors, including political, economic, and market-driven aspects. Additionally, the impacts of this crime result in damage to institutions, particularly in the political aspects, as well as to individuals and society, affecting social, economic, and physical dimensions. Child sexual tourism crime is a part of CSEC, which is a crime against human rights and human exploitation. There is a need for serious collaboration to address and mitigate this issue.

Keywords: Children, Exploitation, Sex

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INTRODUCTION

Recently, commercial sex exploitation of children (CSEC) has caused much unrest. The international community has recognized and become concerned about this type of crime since the declaration of resistance to CSEC (ECPAT International, 2008). Due to their vulnerable nature, sexual exploitation of women and children happens in many forms, such as human trafficking, modern slavery, sex tourism, and organ trafficking (Paoli, 2014). It has been identified that there are several risk factors for CSEC, such as demographics, criminal activity, poverty, and parental influence (Franchino-Olsen, 2021). In other words, they can be classified into two big groups: economic and non-economic. Poverty contributes to most cases, while the non-economic factor can be identified as the escape from path dependency (Ehrenreich & Hochschild, 2003).

The nature of CSEC varies depending on the specific type of crime under discussion. Sex tourism is a relatively straightforward example of CSEC. Human trafficking involves a more complex pattern of crime due to the crossing of national boundaries by both perpetrators and victims. Sex tourism can ultimately evolve into human trafficking. The formation of sexual tourism itself is

shaped in some particular ways. As discussed earlier, economic and non-economic factors trigger CSEC. In the case of sex tourism, a part of CSEC, the market is driven by the same motives that led to the formation of CSEC. Vulnerability to women and children, especially in low or poor economic conditions, can turn them into exploitation commodities (Brooks & Heaslip, 2019b). This results in a transactional flow that facilitates the exploitation of children and women by sex tourists, both local and foreign (Oppermann, 1999). In the context of sex tourism, travelers act as the primary perpetrators and brokers, while women and children are the victims of the human trafficking crime known as sex tourism.

Global Trends of Commercial Sexual Exploitation (Sex Tourism) of Children

This section will highlight the global trend of a type of CSEC: child sexual tourism. Child sexual tourism is a worldwide phenomenon. The illustration of the international trends in sexual tourism can be seen in Figure 1.

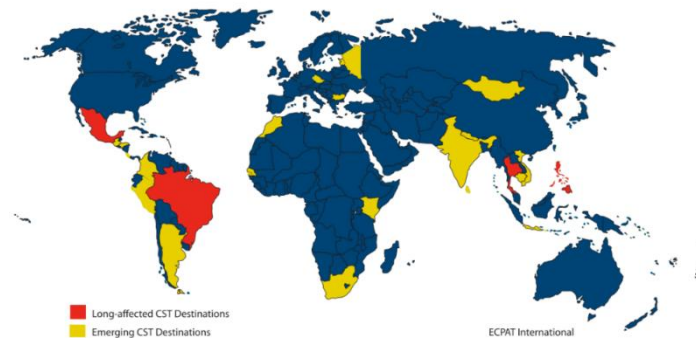


Figure 1. International trends in sexual tourism (ECPAT International, 2008)

Based on Figure 1, it is evident that the incidence of child sexual exploitation is still on the rise. Globally, women and children are the primary victims of exploitation. Based on ECPAT International (2008), the Asian continent, especially Southeast Asia, has a high rate of growth in sex tourism, especially in children.

The distribution of sex tourism victims varies, ranging from low-income to high-income or more prosperous areas (Brooks & Heaslip, 2019b). It has a reverse trend compared to the perpetrators and brokers looking for ‘customers’ from regions that are said to have lower market prices than their home regions (Oppermann, 1999). A notable incident occurred in Aceh post-tsunami in 2005. The traffickers had successfully brought an opportunity to sexually exploit children even though the Indonesian government had tried to prevent it (Cotter, 2009).

The growth of the child exploitation sex industry is exceptionally high in countries like Cambodia and Thailand, which are considered to have the most favorable prices in the ASEAN region (Cotter, 2009). For example, in the ASEAN region, poor women and children in northern

Thailand are moving to more economically promising areas, such as Bangkok or Pattaya (Oppermann, 1999). Some of these migrants volunteer as commercial sex workers, but most of them are unaware of being exploited sexually (Ehrenreich & Hochschild, 2003). Against this case, the ASEAN region, in particular, continues to improve its performance in battling CESC by creating regulations that aim to stop and deter the growing trend of sex tourism (ASEAN, 2015).

Indonesia–Singapore Commercial Sexual Exploitation of Children Case

Child sexual tourism occurs in several areas of Indonesia. The most famous child sexual tourism is in Bali and Batam (Sakulpitakphon et al., 2011). Batam is an island located at the border between Indonesia and Singapore, as seen in Figure 2.



Figure 2. Map of the island of Batam (Studies, 2016)

Figure 2 shows Batam at the forefront line of Indonesia from Singapore’s standpoint. This region experiences the most formidable challenge of International criminal cases, such as child sexual tourism. Data shows that almost 3000 tourists from Singapore and Malaysia travel to Batam every week for sexual tourism. Interestingly, children are the preferred demographic of sex workers for these travelers (Sakulpitakphon et al., 2011). Singaporeans prefer sex tourism in Batam for its cheaper price compared to prostitution in Singapore. The Singaporeans who visit Batam are mostly middle-class workers with average incomes seeking an escape from reality (Lyons & Ford, 2008).

Child sex tourism is also linked to trafficking and sexual exploitation. Based on the Indonesian regulation of Child Protection Act Number 61 in 2016, children are defined as “...someone who is under 18 years old, including children who are still in the womb...” (Presiden Republik Indonesia, 2016). The incidence of child sexual tourism in Indonesia fluctuates. Children Trafficking and Children Sexual Exploitation 2011-2016 can be seen in Figure 3.

Figure 3 (see p.193) shows the varying trends each year. The declining number of crimes involving children in 2016 is thought of as an effect of the tight enforcement of the regulation on women and children protection at both national and regional levels. Since its establishment as an autonomous region in 2002, Batam has been known as the hotspot for the sex industry in Indonesia (Bah, 2022). The victims of sexual exploitation originate not only from Batam but also from other

provinces in Indonesia (Sakulpitakphon et al., 2011). Combined with the flow of sex travelers from abroad, especially Malaysia and Singapore, this is seen by the brokers as an opportunity to run their illegal business by exploiting children and becoming traffickers. The growth of the internet also brings a new modus operandi in child sex exploitation; for example, sex travelers from Singapore use the keyword 'Sammyboy' to look for the 'Batamnese' children for sex before their arrival to Batam (Williams et al., 2008). Due to the evolving pattern of modus operandi, child sex tourism can now be divided into online and offline categories.

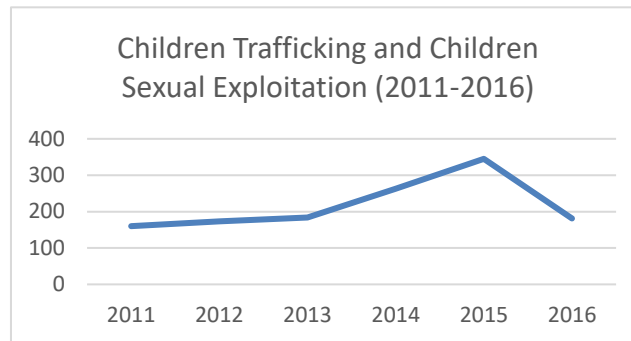


Figure 3. Children Trafficking and Children Sexual Exploitation 2011-2016 (National Commission for Women and Children Protection, 2016)

The previous study conducted by Tanielian (2013) explored the sexual exploitation of children in ASEAN, including Thailand, Philippines, Vietnam, Cambodia, and Indonesia. However, there is no review or research to compare the sexual exploitation of children in Indonesia and Singapore. Therefore, based on the background, this review aims to explore the transactional sexual exploitation of children between Indonesia and Singapore.

DISCUSSION

Indonesia–Singapore Children Sexual Tourism

Political and Economic Analysis

Political and economic factors are crucial in analyzing sex tourism cases in Indonesia. Strategically, political and economic analysis examines how an event or phenomenon can occur. In practice, there are three stages of analysis. It consists of the analysis of the macro-level or country scale, followed by sectoral analysis, and the smallest study is the analysis of the problem itself.

Indonesia's economic growth has been rising spectacularly. Since 1999, Indonesia has been nominated as a member of the G20 (Samosir, 2024). However, this contrasts with the economic disparities among Indonesian provinces due to the differences in resources owned by each region. For example, the wealth of the wealthiest area can be up to ten times that of the poorest province (Resosudarmo & Vidyattama, 2006). Given this inequality, Batam, one of the leading industrial

regions in Indonesia due to its strategic location near Singapore (the Golden Triangle), has attracted people from other provinces to migrate to this city (Hewat, 2010). However, the victims of sex exploitation originate not only from different regions but also from Batam itself. Another factor is the low education level of the victims.

Furthermore, some victims live in displaced communities, which shape their values differently from their original society (ECPAT International, 2008). Perpetrators, who mostly come from Singapore, choose Batam as their primary destination for sex tourism because the value of the Singaporean Dollar (SGD) has strengthened almost five times compared to the Indonesian Rupiah since the 1997 monetary crisis (Hewat, 2010). Therefore, spending money in Indonesia is more cost-effective (Lyons & Ford, 2008). In addition to these factors, the geographical position and the ease of travel between countries, including transportation and visa-free policies, facilitate these ongoing transactions.

At the regional level, ASEAN has enacted a law to prevent child sexual exploitation (ASEAN, 2015). Indonesia has implemented several laws to combat this issue, including the National Child Protection Act Number 61 of 2016. At the local level, the municipality has also enacted laws to prevent human trafficking and sexual exploitation (Studies, 2016). The main challenge for the Indonesian government is the lack of officials' ability to enforce the law. Furthermore, the laws enacted by municipalities often fail to respond promptly to the actual situation on the ground and lack enforcement, resulting in ineffective implementation of the rules (Studies, 2016).

Market Analysis

Market analysis should describe the market's maturity, cost, international possibilities, and development implications, focusing on five key areas. It consists of price, ease of market entry, level of violence, the extent of protection, and the legitimacy of the criminal market (Shaw et al., 2016). The demand and supply of the service determine the market price of sex tourism in Batam City. The average cost the perpetrators spend to look for victims is around \$42 (Rp 250,000) per night (SonicGear as Cited in Williams et al., 2008). Compared to the cost of sex tourism in Singapore, there is a significant price difference, with Singapore costing \$445 (S\$650) per night (South China Morning Post, 2017). The considerable price disparity is a significant factor in why perpetrators choose Batam for sex tourism over Singapore.

In the market entry analysis, it is apparent that victims can quickly become entangled in this market. Due to a lack of education and the need for income, victims can easily fall into the vicious cycle of sexual exploitation. It is also supported by networks such as 'Sammyboy' or online sex service provider websites (Lyons & Ford, 2008). These factors, coupled with weak regulation enforcement, contribute to the stability and growth of the child sex tourism market in Batam as the demand from Singaporean foreigners and the supply of Indonesian children increase.

The low level of violence that perpetrators use against authorities indicates that the level of violence associated with sex tourism is low. This is because the perpetrators operate on a 'one-stop service' basis, making a single visit and stopping without forming a robust criminal network (Williams et al., 2008). Moreover, the perpetrators use the system to share information on the website and never directly meet the perpetrators and 'potential perpetrators'. From the victims' perspective, they rely solely on their intuition and stories from previous migrants who had been to Batam or intentionally ignored the actual situation in Batam (Hewat, 2010).

Violence, the lowest form of protection, is a factor in this crime (Shaw et al., 2016). Thus, it is evident that state oversight of this crime is still low. Although local and regional policies have been enacted to minimize the incidence, bilateral agreements are needed to strengthen prevention efforts. Until now, there is no specific bilateral agreement related to the exploitation of children between Indonesia and Singapore (Kafrawy, 2014). Furthermore, it is widely known that some law enforcement, particularly in the criminal justice system, helps these illegal businesses by hindering proper victim protection, case prosecution, and investigation (Moses, 2022). With those two factors, illicit activities can continue to increase. Sex tourism is considered deviant by local communities in Indonesia. This is reflected in a recent incident where the local community, in collaboration with the government, attempted to dismantle a notorious sex tourism area in Batam (Batam Pos, 2020).

Doctrinal Analysis

Doctrinal analysis is a legal research method focused on existing legal rules and how these rules are interpreted and applied by courts (Pradeep, 2019). Doctrinal research shows the gaps and ambiguities in the law and provides the foundation for legal reform and policy development (Hutchinson, T. & Duncan, N., 2012). It thoroughly examines statutes, case law, regulations, and other legal sources to understand how the law operates. This type of analysis seeks to clarify the meaning of legal texts, identify principles and doctrines, and assess how these legal elements are implemented and enforced by judicial and administrative bodies.

National Laws

Both Indonesia and Singapore have a national law to prevent and combat child sexual exploitation. Indonesia has Child Protection Law No. 35 of 2014 (Republic of Indonesia, 2014) and Presidential Regulation No. 61 of 2016 (President Republic of Indonesia, 2016), while Singapore has Penal Code (Amendment) Act 2019 (President of Singapore, 2019).

Implementation and challenges

Indonesia

Child Protection Law No. 35 of 2014 (Republic of Indonesia, 2014) and Presidential Regulation No. 61 of 2016 (President Republic of Indonesia, 2016) collectively enhance child protection in Indonesia. However, the challenges related to the need for coordination between government agencies and non-governmental organizations (Kosandi et al., 2017).

Singapore

The law enforcement in Singapore is more effective. However, the main challenge is solid bilateral cooperation with neighboring countries like Indonesia (Windari, 2019).

The Child Sexual Exploitation in Indonesia and Singapore Detrimental Effects

The crime of child sexual exploitation can be analyzed from the perspective of the perpetrators and its impact at the state, community, and individual levels. The harm factors under examination include political, social, economic, and physical harm (Shaw et al., 2016).

Political Harm

Child sexual tourism has prompted the establishment of various international, regional, and local-level legislations. The bilateral relationship between Indonesia and Singapore, particularly in resolving this issue, is complex. Indonesia has implemented municipal and national laws (Kosandi et al., 2017). The Indonesian and Singaporean governments have adopted international and regional policies ratified and agreed upon by ASEAN countries. However, differing views between Singapore and Indonesia on this issue suggest a lack of trust from Singapore in Indonesia's ability to collaborate effectively to resolve this issue (Kafrawy, 2014). This mistrust has led to suspicion from the Indonesian government towards Singapore. As a result, the Indonesian government has postponed every bilateral Defence Security Act (DSA) cooperation proposal submitted by Singapore in the last decade, as they believe the contents to be more beneficial to Singapore (Kafrawy, 2014). These circumstances have hindered the enforcement of laws against child sex tourism crimes and human trafficking.

Social Harm

The social impact of child sexual exploitation manifests as a negative stigma towards the child victims (ECPAT International, 2008). Children victimized by sex tourism risk developing deviant behavior (Greenbaum et al., 2018), which could potentially lead them to become perpetrators of exploitation crimes. The community or the surrounding environment can also marginalize these victims (ECPAT International, 2008). On the perpetrator's side, exposure to their crime can change social status, resulting in societal ostracization (Lyons & Ford, 2008). This can also negatively impact the reputation of those in the 'Sammyboy' community, who provide information about sex tourism

in Batam (Williams et al., 2008).

Economic Harm

The economic impact on the destination country of the crime includes the creation of economic distortion (Shaw et al., 2016). The presence of an illegal market for sex tourism makes it challenging for the government to measure the success of development in Batam due to the distorted underground economy (Simon et al., 1982). However, it is worth noting that the economic losses incurred in the effort to eradicate sex tourism are relatively minor compared to other crimes, given its classification as a crime against humanity.

Physical Harm

This crime inflicts significant physical and mental harm on its victims. Sex tourism is a traumatic experience for children, leading to depression, suicidal ideation, discomfort, and anxiety. These experiences can result in future behavioral changes. Additionally, the emotional manipulation by the offender can create a complex bond that allows the offender to control the victim (Greenbaum et al., 2018). Victims of sexual exploitation also face an increased risk of contracting sexually transmitted diseases such as HIV/AIDS (ECPAT International, 2008).

Response to the Issue and Theories of Change

Three stages can be employed in responding to direct, indirect, and mitigating responses (Shaw et al., 2016). Both the Indonesian and Singaporean governments have responded by bolstering legislation related to human trafficking and child exploitation. This direct response to the existing sex tourism crime involves the establishment of an Intergovernmental Commission on Human Rights (AICHR) collaboration, which forms direct regulations for the prevention and enforcement of child sexual exploitation crimes (Sakulpitakphon et al., 2011). The primary aim of this collaboration between countries is to minimize the risk of such crimes occurring in the future and reduce the harm caused by ongoing ones. Indonesia has taken stringent steps by creating preventive regulations from the municipal to the national level.

In contrast, Singapore, which has better control of exploitation crime (State, 2019), did not participate in ratifying the UN agreement on human trafficking and human exploitation protocols. However, a specific bill has been prepared and passed since 2014 to strengthen the existing penal code in Singapore to suppress existing sex tourism offenders (Yea, 2015). With the application of BFWI, the activities of foreign travelers visiting the destination country can be quickly recorded and supervised.

An indirect approach to preventing crime is strengthening ASEANAPOL, the inter-state police organization in the ASEAN region, to exchange data and information through the Treaty on

Mutual Legal Assistance in Criminal Matters (Sakulpitakphon et al., 2011). There are also education centers for law enforcement apparatuses that aim to understand the modes of transnational crime, namely schools for law enforcement in ILEA Bangkok and JCLEC Semarang (Gordon, 2019).

In the mitigation phase, the response must involve policies that educate the public, such as education or counselling by the Indonesian Ministry of Social Affairs targeting vulnerable segments of society. The activity aims to prevent events leading to sexual exploitation that target children and women (Probosiwi and Bahransyaf, 2015). Thus, focusing on cutting off the supply in the community will be more effective by directly involving the community and increasing the society's knowledge and awareness about this matter.

Cases of child sexual exploitation crimes have spurred the government and society to collaborate to prevent this crime. Two main programs can be implemented. The first is to minimize the potential for crimes and reduce harm by establishing regional agreements, national regulations, joint work units, and Joint Educational Institutions. The second is to minimize supply channels for these crimes by using education and counselling for society, especially women and children from low socio-economic backgrounds. Besides that, awareness campaigns and school programs can be established to equip children with knowledge about their rights and how to protect themselves.

The sex tourism market, which has generated financial benefits, is suitable for dealing with theories of change deterrence. The increased surveillance of these crimes will raise the costs of these crimes, so the offenders will no longer benefit (Midgley et al., 2014). The deterrence method is expected to identify possibilities or assumptions (hypotheses) (Midgley et al., 2014). This method begins by identifying the perpetrators of this crime. Knowing that most of the offenders are Singaporean males and the victims are Indonesian, a transnational law enforcement approach is needed. The formation of legislation at the regional level, such as ASEAN and the bilateral cooperation between Indonesia and Singapore, which has yet to be agreed upon, will significantly influence the decline in CESC rates. Declined demand due to border controls through BFWI will also reduce market value and automatically reduce the supply of victims from regions in Indonesia. In the next sector, criminal justice reforms such as education, training, and cooperation in JCLEC and ILEA will significantly accelerate the paradigm shift in the government apparatuses combating this crime. The essential point of deterrence is the emergence of a sense of vigilance in every community where the law is present (Midgley et al., 2014). Thus, this collaboration is expected to increase the deterring effect on offenders, minimize supply, and decrease CESC rates.

Child Sexual Tourism: A Global Issue

Addressing child sex tourism is not confined to internal problems in Indonesia or Singapore alone. It has evolved into a bilateral, regional, and even global issue. The process of child sexual tourism involves multiple layers of organizations and society, necessitating a collective effort to

combat this problem (ECPAT International, 2008). International ratification by the UN, regional agreement by ASEAN, and support from transnational NGOs such as ECPAT and other organizations have significantly contributed to raising awareness and creating a deterrence effect for child sexual tourism cases. The anticipated outcome is a reduction in child sexual tourism cases in Indonesia (Batam).

Key initiatives, including direct, indirect, or mitigating responses to criminal activities and their projections in deterrence theories of change, will be highly effective if they are proportionately combined and implemented. The complexity of child sexual tourism demands a comprehensive response that will be highly effective if applied at any level and type of crime related to child sexual tourism, such as forced labor and human trafficking. The methods and theories used in enforcing the laws can also be applied to similar types of criminals worldwide. Essentially, the more complex the crime, the greater the need for strength and cooperation between institutions and countries to eradicate it (Shaw et al., 2016). In other words, cooperation, coordination, and problem analysis are at the heart of identifying and resolving these issues. The practical arguments supporting combating the issues are Strengthening Bilateral Cooperation, Increasing Law Enforcement Capacity, Public Education and Awareness, and Support for Victims.

CONCLUSION

Child sexual tourism is a part of Commercial Sexual Exploitation of Children (CSEC), which is a crime against human rights and constitutes human exploitation. The growing trend of child sexual tourism in Indonesia and Singapore has experienced a setback, particularly following several international and regional conferences. Consequently, the number of child sexual tourism crimes has decreased since 2016.

Responses such as coordination in ratifying international, regional, and national regulations must be optimized to achieve the best results in directly addressing these issues. Similarly, the coordination of the regional police and Joint Educational Institutions can expedite the reform of law enforcement apparatuses in Southeast Asia and support the projections of the deterrence effect to minimize existing CST crime. Moreover, the theory used to analyse this problem is applied at multiple levels. It can also be applied to issues directly related to child sexual tourism crimes as long as they fall within the CSEC domain.

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