

## SUMMARY

In short, the Tourism Offences Act 2003 considers any of the below mentioned actions as sexual abuse of a child and are therefore punishable with a heavy fine or imprisonment, or in some instances you can get both a fine and imprisonment:

- Making sexual advances towards a child
- Having sex with a child
- Asking or forcing a child to have sex with someone
- Forcing a child to become a prostitute
- Making a child pose or perform for pornographic pictures or videos
- Distributing, showing or publishing pornographic pictures of children
- Showing pornographic pictures to a child
- Showing your private parts or sexual organs to a child
- Touching, fondling or kissing the private parts of a child
- Performing sexual acts with an animal in the presence of a child and/or forces a child to have sex with an animal

PLEASE REPORT ANY CASE TO THE  
RESPONSIBLE AUTHORITIES

For any information, comments, questions, partnerships  
or providing more leaflets, please contact CPA.

## So, ... ..

IF YOU WITNESS OR KNOW OF ANY OFFENCE BEING COMMITTED AGAINST A CHILD, DO NOT KEEP QUIET and/or IF YOU WITNESS ANY SUSPICIOUS INTERACTION BETWEEN TOURISTS (& NON-GAMBIANS) AND CHILDREN DO NOT KEEP QUIET. PREVENT CHILDREN IN YOUR ENVIRONMENT FROM ANY HARMFUL PRACTICE.

## SILENCE IS NOT THE ANSWER

WE WANT OUR TOURISM INDUSTRY TO FLORISH AND OUR CHILDREN TO GROW TO THEIR ADULTHOOD IN HAPPINESS AND SECURITY.

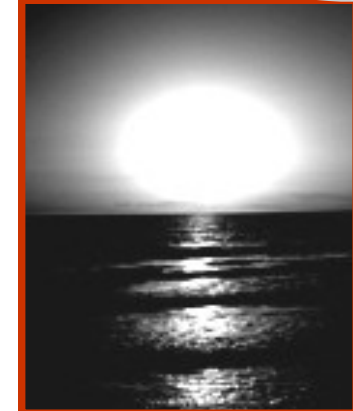
CHILD SEX TOURISM SHAMES THE GAMBIA, ITS GOVERNMENT AND ITS PEOPLE.

WE ALL NEED TO BE RESPONSIBLE AND ACT TO ROTECT OUR CHILDREN, OUR FUTURE AND OUR TOURISM INDUSTRY.

## TOURISM OFFENCES

### ACT (2003)

#### AT A GLANCE



This leaflet is produced and printed by the  
Child Protection Alliance (CPA)

*For the Protection of Children From Commercial and Sexual Exploitation in Tourism*

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UNDER THE GAMBIAN LAW  
THIS ACT HAS BEEN  
ADOPTED IN 2003  
LEARN ABOUT IT

—Educational Material 2008—  
FOR ANYONE WORKING AND/OR LIVING WITH  
TOURISTS & NON-GAMBIANS

## Introduction Tourism Offences Act 2003

CPA is a Gambian advocacy organisation which aims to raise the level of protection of Gambian children. This leaflet is to inform you as a person working or living with tourists and/or Non-Gambians. CPA would like to inform you about Gambia's statutory efforts to protect children from sexual exploitation and abuse in tourism. It is in the interest of our children, the Gambian society and its tourism industry to educate the public and professionals about this.

Tourism plays a vital role in the socio-economic development of the country. It contributes about 16% to the country's GDP and employs over 10,000 Gambians directly. However, the negative social factors involved with tourism must be considered a risk. Just as children are involved in tourism, children are also partners in the development of this country; they are the future leaders of this "Smiling Coast". **We need to ensure that the Gambian tourism industry is safe for children; so that both tourism and our children can flourish together.**

The Tourism Offences Act 2003 aims to limit the social impact of tourism by law. An important part is dedicated to the protection of children from sexual exploitation by tourists and Non-Gambians. It is applicable all over The Gambia and extra-territorial legislation is supporting this act abroad. In the following you can learn more about the sections which protect children from sexual exploitation in tourism under the Gambian law.

## DO YOU KNOW THAT UNDER THE GAMBIAN LAW AND ITS TOURISM OFFENCES ACT ... .. ?

- > A child is defined as anyone under the age of 18 years.
- > A tourist or any other person who makes an unlawful sexual advance towards a child can be imprisoned for up to two years or be fined D20,000. (Section 5)
- > A tourist who sexually abuses a child can be imprisoned for 14 years. (Section 6)
- > The proposition of the act is that a child cannot agree to or give his or her consent in any sexual activity and merely assuming that a child is over 18 years cannot be used as an excuse to sexually abuse that child.
- > Any person who get or finds a child so that he or she can be sexually abused by another person or so that the child can be used as a prostitute can be imprisoned for 10 years. (Section 7)
- > A tourist or any other person who engages in child pornography– the taking, distribution or publication of indecent pictures of children– can be imprisoned for 5 years. (Section 8)
- > A tourist or any other person who is in the position to exercise power or control over the life of a child such as a teacher, guardian or caregiver or a person on who the child is dependant,

such as a parent, relative or older siblings, and who requests that child to touch him or her in a way that gives sexual pleasure can be imprisoned for nothing less than 5 years. (Section 9)

> If you allow your premises or any premises you manage to be used for the sexual abuse or prostitution of a child you can fined D50,000 or more, or be imprisoned for 5 years or more. (Section 11)

> A tourist or any other person who exposes his or her private parts or sexual organs to a child, in public or private, in order to get sexual pleasure or with the intention to sexually abuse that child can be fined for D10,000 or more, and also be imprisoned for 2 years or more. (Section 12)

> A tourist or any other person who brings in or takes out a child from The Gambia with the intention of either buying or selling that child can be fined D100,000 or more and also imprisoned for 5 years or more. (Section 13)

> If you join, help or advise another person to commit or even attempt to commit child sexual abuse, exploitation or trafficking, you will be punished in the same way and manner as the person who commits the offence. (Section 14)



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