

BLAMING CHILDREN FOR THEIR OWN EXPLOITATION: THE SITUATION IN EAST ASIA

by Amalee McCoy



Artwork by: Chaturika, PEACE, Sri Lanka

In Japan, it is a phenomenon that has been prevalent for more than a decade and which is typically found in classrooms and openly marketed. In Thailand, transactions are brisk online through highly visible chat rooms, and the trend is gaining ground in South Korea through 'phone-tings' and 'ticket teahouses'. The commodity in question is not the latest cell phone technology, nor a fashion fetish. Rather, the item for bid is sex – with schoolchildren. A lack of knowledge and understanding about children caught up in this form of commercial sexual exploitation, broadly labelled as *enjo kosai* for the purposes of this analysis, has resulted in serious misconceptions. The tendency not to perceive these children as victims of exploitation has fuelled indifference about their right to protection and a propensity to punish and/or blame the children involved.

There is a general public perception that child victims of commercial sexual exploitation dwell in developing countries, are vulnerable to exploitation due to poverty and a lack of education and/or viable work opportunities, and belong to ethnic minority groups. They are believed to have been subjected to or enveloped in an environment of familial abuse or sexual violence, and/or to have been physically forced or coerced into prostitution. However, the prostituted children in East Asia who are the focus of this article can be found in developed and emerging countries across the region, are frequently from middle or upper-middle-class families, and are commonly good students and school leaders. Both basic groupings comprise children who are sexually exploited, at risk of physical and psychological damage, and who experience a violation of their human rights as enshrined in the United Nations

Convention on the Rights of the Child (CRC). Both are vulnerable to sex exploiters seeking to manipulate this susceptibility and power imbalance – albeit due to different factors and dynamics. However, a failure on the part of societies at large to understand that all children who engage in commercial sexual transactions are victims of exploitation, whatever their circumstances, has led to the widespread view that some children ‘choose’ to endure exploitation and its physical and psychosocial repercussions, and thus surrender their rights as children to protection.

The discrepancy in attitudes and international, regional and local actions to counter this form of commercial sexual exploitation of children highlights a lack of common understanding on the factors that facilitate CSEC and a failure to recognise and accord all children the protection due to them under the CRC. Although evidence indicates that the prostitution of children in the guise of *enjo kosai* prevails around the world, the following analysis will focus on its occurrence in East Asia, where a worrisome trend has emerged.

THE PHENOMENON OF ENJO KOSAI

The term *enjo kosai*, or ‘compensated dating’, is used to describe the trend as it emerged in Japan more than 10 years ago. It encompasses the practice whereby ‘dates’ with children, frequently involving sex, can be purchased by adults – usually via an organised medium such as telephone registries and Internet sites. The term itself is a misnomer, implying a mutually beneficial relationship between consenting persons and overlooking the predatory nature behind it, whereby exploiters use such mediums to groom or contact vulnerable children for sexual purposes.

Although *enjo kosai* publicly first surfaced in the region in Japan, where the practice became a hot topic in the media in the early 1990s¹ and subsequently gained international notoriety, similar practices have appeared in many parts of East Asia, from affluent cities to relatively small towns. News reports from countries such as China, South Korea, Singapore, the Philippines and Thailand have revealed cases where schoolchildren have been caught – and often punished and labelled as ‘prostitutes’ or ‘sex workers’ – for arranging meetings with ‘clients’ for the purposes of sex.

The typography of the children themselves is comparable across countries. Most are ‘typical’ teenage students, usually girls, from middle-class families and with few outwardly perceivable social or financial problems. ‘May’, a 16-year-old girl from Thailand caught for involvement in a lucrative escort business, had been selected previously to lead an anti-drug advertising campaign and was a well-known student at a leading educational institution.² In Japan, girls practising *enjo kosai* are virtually unidentifiable; they are usually from ‘decent’ families,³ not particularly rebellious nor trouble-makers, and they are as concerned as the next student with common teenage preoccupations such as music videos, boyfriends, fashion and college placement.⁴ Many, however, experience family dysfunction and a lack of communication with their parents, or they feel overprotected and stifled. They tend to be unable to exercise self-restraint, act impulsively, and feel lonely.⁵ A survey conducted by the Asian Women and Children’s Network in Yokohama in 2001 determined that many girls involved in *enjo kosai* had not received adequate sex education that taught self-respect, and were negatively affected by a conformist education lacking in human rights consciousness.⁶ The pull factors behind children’s involvement in *enjo kosai* vary somewhat: curiosity, a search for affection in the absence of attention at home, loneliness, an effort to join what may be a fashionable school trend, and a way of earning gifts and extra spending money to supplement living expenses, buy consumer goods, cover nights out with friends or pay for hobbies and trips.

The characteristics of the adult exploiters who perpetuate the existence of *enjo kosai* are less well-known due to limited research and the difficulty in accessing those involved. The majority, as is the case for child sex exploiters in general, are men – married and single, paedophiles and those who are sexually indiscriminate, and from a variety of respectable professions. In Japan at least, high-profile cases have exposed teachers, police officers and judges as *enjo kosai* partakers.⁷ However, a main reason why the behaviour of men is not questioned, and subsequently unscrutinised, is because they are rarely blamed for this exploitation of children and are not perceived as a causal factor in *enjo kosai*. In addition, such men tend to exist in societies where young partners are considered highly desirable and where the image of the ‘schoolgirl’ is exceedingly sexualised. In Thailand, for example,

such symbols are easily found. In the beachside town of Pattaya, one bar dresses its teenage strippers in school uniforms,⁸ and some adult sex workers in certain red-light areas of Bangkok dress as students in order to attract and deceive men looking to exploit young students.⁹ In Japan, many of the images used in the child pornography industry (which produces the vast majority of the world's child pornography)¹⁰ feature girls in school uniforms, while the storyline of “schoolgirl seeks older man for experience” is immensely popular.¹¹ Brothels devoted to the schoolgirl theme are also common in most Japanese ‘soapland’ red-light areas.¹²

Across the region, there is a clear bias in public perceptions and attitudes concerning children engaged in *enjo kosai*, which is evident in media and public surveys and which revolves around the concept of ‘consent’. Media reports often lump *enjo kosai* cases together with issues of promiscuity and loose morals, depicting the children involved as spoiled, greedy and motivated by a desire for the latest mobile phone or BMW Series 5 sedan. Such reports rarely shed light on the perpetrators, the likely psychological damage to the child, the vulnerability to sexually transmitted infections, or the grave and sometimes fatal physical danger that accompanies liaisons with strangers. This lack of empathy is particularly evident in the Japanese media. Articles titled “Slanted Sex Culture Stoking Deviant Desire in Schoolgirls”¹³ and reports referring to girls in *enjo kosai* as “prepubescent prostitutes”¹⁴ appear alongside descriptions of youth that typically mention their “delinquency” and “decadence”.¹⁵ These portrayals have undoubtedly contributed to the widespread opinion in Japan that ‘compensated dating’ is a result of girls’ ‘sexual deviance,’ and is the responsibility of the girls who engage in it.¹⁶

The issue of consent is at the crux of the perception that children involved in *enjo kosai* have ‘asked for it’ and are therefore accountable, while children who are impoverished or more obviously coerced into prostitution are deserving of protection and sympathy. The perception that children ‘voluntarily’ sell their bodies to supplement consumerist desires encourages the misguided belief that such children consent to engage in an illegal activity and thus to their own exploitation, and that they therefore deserve legal punishment or sanction. This view fails to recognise that people under 18 are considered, under the terms of the CRC,

to have need for special protection while they developmentally acquire the experience and knowledge required to appreciate fully the physical and psychological ramifications of adult roles and responsibilities. Thus, children cannot consent to their own sexual exploitation. Despite this, there is limited community or government-led action to protect and decriminalise children involved in *enjo kosai*. A further cause for concern is that despite the growth of this phenomenon in East Asia, action to enforce the law and punish those responsible for such crimes is rarely taken.

The condemnation of and prejudice shown towards children involved in *enjo kosai*, alongside media glamorisation of the practice, completely overlooks Article 34 of the CRC and the Stockholm Declaration and Agenda for Action. The CRC affirms: “States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent ... (b) The exploitative use of children in prostitution or other unlawful sexual practices ...” Further, the Agenda for Action calls for states in cooperation with national and international organisations and civil society to “criminalise the commercial sexual exploitation of children ... and condemn and penalise all those offenders involved, whether local or foreign, while ensuring that the child victims of this practice are not penalised”. As evident in both instruments, no distinction is made between the typography of children engaged in prostitution or the reasons and circumstances behind their engagement – whether due to outright force or to complex and less overt factors.

ADDRESSING DEMAND

Any effort to protect children from *enjo kosai* or other forms of commercial sexual exploitation must necessarily show greater concern for the ideas and influences that inform the actions of exploiters, and seek to confront and undermine the beliefs that “deny, justify, humanise or naturalise” their behaviour.¹⁷ Sex exploiters often view the procurement of sex from a child as a type of commodity exchange in which they do not feel morally compelled to investigate the child’s capacity for giving ‘consent’. The perception that there is an exchange of goods – x amount

of money for y sexual benefit – enables exploiters to convince themselves that a legitimate market-oriented transaction is taking place. Other rationalisations to articulate this view include assertions that a child instigated sex through solicitation, ‘consented’ to sex by accepting money or in-kind benefits, and that the child has not been harmed because he or she is accustomed to such transactions.¹⁸

These rationalisations operate across various societies and are founded on the commonly accepted assumption that men are, by nature, subject to strong sexual urges or appetites. In contrast, women are regarded as naturally sexually passive and receptive. Prostitution is generally regarded in many parts of the region – and the world – as a necessary evil that helps to rectify this so-called imbalance of inherent gender traits, allowing men to satisfy their greater sexual needs while protecting the ‘respectable’ majority of the female populace. Girls and women involved in prostitution, however, are subject to a double standard whereby they are deemed to have forfeited their rights to respect, belonging and protection within the wider community. This demarcation underlines why men convicted of sexual offences against children in prostitution are usually, across the world, treated more leniently than those who commit offences against children not involved in the sex trade. In this way, the representation of a child victim as ‘prostituted’ supersedes his or her primary status as a child.¹⁹

THE CASE OF JAPAN

In Japan, the initial medium for *enjo kosai* was the telephone club, a service whereby the phone numbers of adolescent girls were made available and men interested in ‘dates’ could arrange meetings. According to police reports, it was at this time, around 1974, that the number of teenagers involved in prostitution began to climb.²⁰ Today, *enjo kosai* is so commonplace that 13% of respondents in a recent survey of junior high school students in their final year admitted to practising it.²¹ Girls can still list their phone numbers with an operator, or they can register online with a *deai-kei*, or match-making, site.²² A 2002 National Police Agency report indicated that teenage prostitution and pornography was the most common Internet crime, with 408 cases encountered in that year alone. The prostitution of teenagers via Internet dating

accounted for 268 of these cases, a 230% increase from 2001.²³ In response, the Diet passed a bill in early 2003 to ban minors from entering *deai-kei* sites and to fine them for doing so, essentially penalising children.²⁴ The bill was backed by widespread public approval.

Against a social backdrop of inaccurate information regarding sex, a tradition of commercialising sexuality, and a gender-biased social rubric tolerant of men’s purchase of sex but critical of women and girls who sell it,²⁵ *enjo kosai* occurs in cities and *inaka* across Japan. Girls as young as 13 use cell phones to arrange dates via video-display, making it easier for them to screen prospective men. According to a 16-year-old from a western Tokyo suburb, “If he doesn’t have a kind face, I don’t have to see him. That’s why having a picture first is so cool.”²⁶ There are apparently many men from whom to select. A reported 60% of Japanese married men have affairs,²⁷ and many believe that “the younger their partners are, the better”.²⁸

A recent shift by the Government signifies recognition of the need to move from the debate on the ‘delinquency of youth’ to a re-evaluation of Japanese society, and to address *enjo kosai* by targeting men. A 2002 ordinance on juvenile welfare penalises adults who pay for sex with minors aged under 18 or who assist them in engaging in such acts. The penalty may be a fine of ¥500,000 and up to a year in prison. A recent government-supported awareness-raising campaign on the theme “Accepting Adult Responsibility – Give Youth a Future” is a step in the right direction. But difficulties in enforcing legislation – with anonymity imparted by ‘love hotels’ and facilitated by cell phones and pagers – indicates much more needs to be done outside the realm of the law.

THE CASE OF SOUTH KOREA

In Korea, *enjo kosai* is known as *wonjo kyojae*, meaning “aid for association”. According to a Seoul Socho police officer, two to three students in every middle and high school class, typically consisting of 40 to 50 children, are believed to engage in prostitution.²⁹ Statistics for 2000 show 222 girls aged 18 or younger were caught by police for engaging in *wonjo kyojae*, with

girls aged under 16 accounting for 62.6% of cases. Most of the arrangements for meetings were made through online chats (53.5%) and phone conversations through ‘phone-tings’ (22%).³⁰

It is no wonder that the Internet has become an essential medium for facilitation of *wonjo kyojae* in Korea; as of 2001, Koreans spent more time on the Internet than citizens of any other country.³¹ Almost all Korean Internet portal sites have chatrooms frequented by teenagers. One search of a portal’s chat service revealed 869 individual chat sites, with some obscurely titled “friends of the other gender”, where men can meet girls and arrange to provide them with money in exchange for sexual relations.³² After locating girls online, men usually meet them at subway stations and then proceed to inns or hotels.

The 2000 Act on Protection of Youth from Sexual Crimes seeks to address specifically the sexual exploitation of youth and children, as prior legislation prohibiting prostitution did not take age into consideration in sentencing – leading to appallingly low jail times and fines for perpetrators of *wonjo kyojae*. It should be noted, however, that although the Act declares child victims of sexual exploitation to be exempt from criminal prosecution, young people can be incarcerated for up to one year in “child protection facilities”. Further, the statute applies only to females who are not “habitually immoral”, which is open to interpretation. A more recent endeavour by the Government has been to make public the names of child and youth sex exploiters. Much effort and public debate has focused on this registry, which has a dubious capacity to reduce *wonjo kyojae* and the prostitution of children at large. Systematic interventions to prevent such prostitution in the long term are markedly absent, while appropriate and effective services for the reintegration of child victims of prostitution have begun to emerge only recently. In 2000, a 16-year-old girl was caught working at a ‘ticket teahouse’, a type of brothel, in South Chungchong province; she returned to the teahouse two months after leaving a rehabilitation centre, claiming she had nowhere else to go.³³ The relative lack of attention to initiatives other than legal reform and offender registries, such as public awareness-raising and psychosocial services for child victims, indicates that *wonjo kyojae* is likely to endure in South Korea.

THE CASE OF THAILAND

According to Ke, a Thai girl who has earned money through the sale of sex since high school, “people earn money this way at all universities ... it’s normal”.³⁴ A survey released by Chulalongkorn University in early 2003 found that many students provide sexual services through Internet Relay Chat (IRC), a form of real-time text communication via the Internet. It allows students and prospective ‘clients’ to communicate in Thai and set up chatrooms with names such as “High School Girls for Sale”, “Hi-So[ciety] Girls for Sale” and “Hi-School Gay Room”. Adults looking for sex with students often ask for their phone numbers and a digital photo. A seminar organised by students at Rajabhat Institute Suan Dusit to discuss student prostitution included men who used the Internet to procure sex, with one man claiming he had used the Internet for such purposes six times – and linked up with a schoolgirl each time.³⁵

The Chulalongkorn survey found that many children engaged in prostitution were boys who attracted both male and female clients. They tended to regard the sale of sex as an easy source of income, and many were from middle-class or well-to-do homes. Paithoon Kaewthep, a procurer turned volunteer activist, acknowledged that the part-time sale of sex by boys had become fashionable among students in high schools, vocational colleges and universities, with newcomers to the practice including primary school boys. “They think guys have nothing to lose by selling sex,” he said. “Some try it for the experience. But most want the money.”³⁶ A 16-year-old schoolboy involved in prostitution via the Internet indicated that he earned more than 200,000 baht (US\$5000) over two years, after being introduced to the activity by his elder brother. His elder brother and his brother’s girlfriend also traded sex for money in this way.³⁷ Despite infrequent crackdowns on escort businesses and red-light areas frequented by students (typically at the university level), such as Suan Oi, the fact that most IRC servers are located overseas and ostensibly outside government control means that those who sexually exploit children are hardly impeded in finding available students online.

RECOMMENDATIONS

Recent indications point to the fact that several countries in East Asia face a serious problem with *enjo kosai*, and that all have fallen far short of developing and implementing adequate and targeted responses to curb demand and prevent the practice. A few critical initiatives need to be undertaken in order to restrain this trend.

ACTIONS FOR PREVENTION

Awareness-raising: The deliverance of correct and appropriate information and messages on *enjo kosai* to children, parents, teachers and the public at large is essential. Awareness-raising campaigns that target the media, emphasising its social responsibility to portray children involved in *enjo kosai* as victims of commercial sexual exploitation rather than as prostitutes and criminals, are vital to changing public perceptions. In addition, campaigns that focus on conveying information to men on the physical and psychological harm done to children who are commercially sexually exploited, as well as the illegality of engaging in sex with children, also need to be implemented.

Sex education: Sexual and reproductive health education, focused on the provision of life skills, the right to protection from sexual abuse and exploitation, and the cultivation of self-respect and self-protection from sexual harm, should be incorporated through developmentally appropriate school curricula at all levels.

Treatment and relapse prevention programmes for child sex offenders: Good treatment and relapse prevention programmes have proven to reduce recurrent offences among adult men convicted of sexual crimes. According to a study conducted in Los Angeles in the United States, only four of 1400 men attending a ‘john school’ recommitted sexual offences, compared with an average of 60% recidivism where such treatment programmes were not available.³⁸ The requirement that men involved in *enjo kosai* undergo similar programmes could help to reduce repeated sexual exploitation of children, as well as serve as a deterrent for would-be exploiters.

Research: With the exception of Japan, little research has been conducted on *enjo kosai* in East Asia. National and local-level studies, conducted through partnerships between governments, non-government organisations and educational institutions, should investigate issues such as the mediums through which *enjo kosai* operates, the typography of children and adults involved, the nature of pressures that create vulnerability among children to such exploitation, a longitudinal study of the psychosocial impact on children, and the application of relevant legislation. The findings will serve to inform governments and NGOs on appropriate interventions for protection, prevention, cooperation and collaboration, recovery and reintegration, and child participation.

ACTIONS FOR PROTECTION

Legislation: Legislation against *enjo kosai*, on its own, will not suffice to prevent the practice and protect children. Even so, laws dealing with the prostitution of children must proscribe and enforce harsh penalties for adults who have sex with children, regardless of how the encounter was arranged, who initiated the contact, and whether or not the child is deemed to have consented. Children found to have engaged in *enjo kosai* should be treated as victims and not penalised. Furthermore, adequate witness protection is needed to ensure the successful prosecution of exploiters and the safety of the children who expose them.

ACTIONS FOR CHILD PARTICIPATION

Internet-based hotlines for reporting: The establishment of online child-friendly reporting systems can provide a means for children to participate in their own protection. Hotlines could become venues for children to identify chatrooms where *enjo kosai* proliferates, provide information on inappropriate sexual advances from adults (both online and in person) and report on locations where children in prostitution typically arrange to meet with adult ‘clients’.

ACTIONS FOR COLLABORATION AND COOPERATION

Code of conduct for Internet Service Providers: National and regional codes of conduct for ISPs should be formalised and promoted – ideally through regional forums – in order to encourage a sense of social responsibility among ISPs, and to map processes for ISPs to contact relevant law enforcement authorities when necessary. The codes should outline steps and focal points for ISPs to report evidence of *enjo kosai* on websites and in chatrooms. ISPs should be brought into the legal framework that protects children from sexual exploitation, where they would have clear responsibility for shutting down sites upon proper notification.

ACTIONS FOR RECOVERY AND REINTEGRATION

Services for child victims of sexual exploitation: Children who have been involved in *enjo kosai* deserve access to medical and psychosocial services, and shelters if necessary. In order to facilitate the proper provision of such services, service providers should be given information and appropriate training on children involved in *enjo kosai* and their needs. Tailored training can be incorporated into wider programmes on care for child victims of commercial sexual exploitation. School counsellors should be equipped with the capacity to identify signs of involvement in *enjo kosai* among students and to provide appropriate counselling when necessary.

Hotlines for information and counselling provision: Phone hotlines should be established whereby children involved in *enjo kosai* can seek immediate preliminary counselling and referrals for psychosocial and medical services as appropriate. These hotlines could be advertised through ISPs on websites where chatrooms proliferate and through school teachers and counsellors.

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