

Uruguay

Uruguay and Sexual Exploitation of Children and Adolescents

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1.1 NATIONAL CHILDREN'S INSTITUTE

Brief description of the agency

Section 1 of the Code of Children defines the National Children's Institute as "the agency overseeing all aspects of life and welfare of minors from conception until their majority". The Institute was created by law 15977 dated 14 September 1988 as a legal decentralized service domiciled at Montevideo.

That same law, the Code of Children and further amendments provide for the Institute's tasks.

- a. To care for and protect morally and economically abandoned minors from their conception until majority of age;
- b. To carry out all activities aimed at preventing economic or moral neglect and anti-social behavior of minors;
- c. To take joint actions with other specialized agencies, to protect handicapped minors, even if they are not neglected;
- d. To cooperate with parents, guardians and educators to improve moral, intellectual and economic conditions of minors;
- e. To survey minor's work conditions, notwithstanding the competences of the Executive Power;
- f. To implement security measures as provided by competent judges in order to achieve rehabilitation and education of criminal minors; and

- g. To support non-profit private legal organizations with similar goals.

Institutional vision and mission

To Provide Children and Adolescents with suitable environments for their moral, ethical and job development, adequate community insertion and familial integration framed in the Integral Protection Doctrine.

To organize, design, implement and carry out policies for children and adolescents ensuring the rights of the child/adolescent at national level. To lead promotion and prevention processes, to guarantee, care for and protect their rights.

The Institute's divisions are:

- Shelter and Cohabitation,
- Community Prevention and Promotion,
- Family Assistance,
- Inspectorate, Training and Job Hunting for Adolescents,
- Studies and Referral Center,
- Agreements,
- Training and Studies Center,
- Health,
- Education,
- Social Care,
- Socio-economic support (DASE),
- Information on children (SIPI),
- Technical Institute for Juvenile Rehabilitation (INTERJ),
- Executive Secretariat of Care for children and Families Centers (CAIF Program),
- Departmental Police.

2. ONGOING PROGRAMS OR STRATEGIES TO PREVENT AND FIGHT AGAINST SEXUAL EXPLOITATION

The Institute has varied strategies to tackle the issue.

2.1 Prevention

The Board of the National Children's Institute, in session of 15 March 2001 passed the creation of an Inter-institutional Committee to Prevent from and Protect Children against Sexual Exploitation.

The Committee is chaired by INAME, and has delegates of the Ministry of Education and Culture, Ministry of Home Affairs, Ministry of Foreign Affairs, District Attorney's Office, BICE, National Statistics Institute, Supreme Court of Justice, Inter-American Children's Institute and UNICEF.

The Committee conducts studies on Sexual Work of minors and designs and implements strategies and methodologies.

The following are some of the Committee's achievements:

2.3 To this date the Committee has held several meetings that have allowed us to visualize the issue's dimensions. Obtaining information on related institutions, their resources, intervention methods, studies conducted and financial resources allocated to different programs have been essential.

2.4 The Committee has also endeavored to gather information regarding the legal framework and experiences in other countries.

2.5 The Committee has conducted a preliminary survey of political-institutional

goals and objectives of existing policies regarding children at social risk.

2.6 The Committee has started planning focalized public policies (held a workshop on 22 March 2001) and preparing a 5 year action plan on prevention and care for victims of commercial sexual exploitation.

2.7 The Committee has conducted a preliminary survey of its activities.

2.8 The Committee has strived to prioritize the Stockholm maxim "sexual exploitation of children is an multimillionaire international industry, abuses power and violates human rights, ... one of the worst forms of child labor and sometimes even slavery".

2.9 The Committee has worked on Neide Castanha's documents for conceptualization of sexual exploitation ("Towards a definition of a Norm on Sexual Exploitation and Abuse of Children and Adolescents in the Americas" IIN/OAS, Montevideo, 2001).

2.10 The Committee has participated in the homogenization of supra-national criteria that will enable governments of different countries to work with scientific rigor, realism and efficacy when fighting against these practices.

2.11 ILO's Convention 182 was ratified.

2.12 Childcare

NGOs

INAME has prioritized working through specialized NGOs.

The NGOs that have already signed an agreement are: Arco Iris, El Faro, Somos, Juventud para Cristo – Programas Claves and Centro de Educacion Popular de Las Piedras.

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Common goals are as follow:

- To provide integral care for children and adolescents in situations of family violence, ill treatment and sexual abuse, as well as for the adults serving as referral figures to this children, promoting their reflecting on cultural guidelines of violent education its consequences and effects.
- To develop training programs for interested individuals.
- To provide legal support to the enforcement of the principles contained in UN's International Convention on the Rights of the Child.
- To raise public awareness via mass media campaigns.
- To coordinate preventive actions and direct childcare activities with government agencies or NGOs.

These institutions have different approaches:

- to define indicators,
- to conduct diagnosis studies,
- to forecast,
- to define intervention strategies,
- to assess results,
- to conduct research.

"La Línea Azul": support hotline for ill treated children

On 26 February 1999, INAME created La Línea Azul in order to provide for abused children.

The National Children's Institute, administrative agency for children, is authorized to act on behalf of the Convention on the Rights of the Child, whose Section 19 specifically stipulates:

State Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while

in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

The project's goals are aimed at ensuring enforcement of aforementioned Section.

Main goal:

"The hotline's goal is to provide assistance free of charge so as to document, inform, orientate and rapidly intervene in situations of ill treatment, threat or violation of the rights of children and youths."

Specific objectives:

- To offer immediate information, orientation and support via a hotline specifically intended to receive calls from ill treated children and adolescents and informations from relatives or qualified third parties.
- To give the suffering child the right to be heard and cared for by INAME's technical service.
- To provide rapid and personal responses of an operator in specific reports.
- To offer the child or adolescent the most adequate protection by the technical team.

Intervention protocol

" a qualified officer receives calls".

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Intervention requests are received from different social actors, relatives, other people, institutions – mostly those in the educational system (schools, kindergartens, etc.); the health sector (clinics, public and private health care centers); and from the security and surveillance system (police departments, courts), etc.

The child, as actor and key player when supplying information on abuse, is seldom heard, a fact that might be related to the lack of formal implementation of information on the Program in educational institutions, sports centers, health care providers, etc. where the child participates, or else he/she is still unaware of his rights and the behaviors are considered as ill treatment.

“Information, orientation, and referring problems”.

Not all calls received mean violations of the rights of the child. On a daily basis, the hotline answers a high percentage of requests for orientation and support in problems regarding family structure and dynamics; or information on inter and intra-institutional resources. These requests are not included in the Program's objectives and the hotline refers the inquirer to other institutions or to community resources.

“When deemed necessary immediate presence of a social worker at the location”.

The hotline seeks to pledge actors of greatest incidence in secondary networks, the educational system and health care providers; in order to build a supporting network for children, a network that serves as a social regulator.

Hotline operators may provide the response to some requests, whereas some other requests are referred to private or public institutions.

“Specialized institutions that allow a psychophysical and social follow up of the child and his/her cohabitation partners”.

Technical team that works in the institutions where the child participates.

The Judicial Power (we have permanent communication to agree to solutions for each particular case).

Ministry of Home Affairs:

- summons via police department,
- action coordination, when at the same time, the informer has reported the happening to the police,
- the social worker when visiting the domicile is requested for company, considering the risky situation and the informer's description.

Psycho-social care by the Division's technical team

Coordination with other Institutions:

- Juvenile Courts of Second Instance,
- Primary School Diagnosis Center,
- Ministry of Home Affairs,
- Pereyra Rossell Volunteer Group,
- Specialized NGOs,
- Faculty of Medicine (Department of Legal Medicine).

Requests for intervention in sexual abuse cases

Intervention occurs based on two basic premises:

- The family does not make a request, and
- There is presumption of sexual abuse and the resulting need to work on specific approaches that take into account this presumption.

Furthermore, since sexual abuse is not limited to a given economic or cultural group, we

have to assess each case and design a specific methodology for intervention.

Secrecy, denial, participation of persons who are close, emotionally or biologically, result in resistance and tension that impact the child and his/her family.

Therefore, sometimes when intervening for the first time, the family elucidates who the informer is and the child is relegated. Sometimes, the child may be victimized further because he has been unconsciously charged with the responsibility of a conflictive familial situation.

From the moment the request for intervention in sexual abuse cases is received, we can try and obtain a personal interview with the informer at the hotline's headquarters. We are therefore able to meet personally the informer him/herself, obtain information on the abuse and inform him/her of the procedure to follow should he/she proceed with the report. Furthermore, the informer is urged to take his/her time to think about it before submitting a formal request.

When the request is submitted, there is a meeting with the expert who will proceed with the intervention, the methodology is set and each case is regarded as a unique and complex issue. The organization believes in professionalism and always bears in mind that its intervention is aimed at finding the truth on whether there was abuse or not.

In some cases, families are approached at home, where the preliminary evidence to file a claim is gathered. If our actions have positive results and the family is motivated, we refer them to specialized teams who will confirm or not the abuse.

In other cases, where the family shows reticence, and the acting expert believes that there was sexual abuse, the case is referred to the Judiciary.

We know that in some cases the Judiciary has tried the accused, however there is no way of quantifying the number of cases as the Judiciary does not always provide this type of information. In other cases, the Judiciary has coactively ruled that the whole family should seek treatment in public or private specialized organizations.

3. SUCCESSFUL PROGRAM OR PROJECT IN SELECTED AREA

Uruguayan specialized institutions fulfill their tasks with responsibility, professional rigor and effectiveness when treating victims of these types of aggressions.

3.1. INSTITUTIONAL PROJECT/PROGRAM: TARGET POPULATION

Ill-treated or abused children and adolescents are the target population of these institutions.

3.2. RESULTS

The Institute's Surveillance Teams of the Agreements Division assess achievements, utilizing a multidisciplinary set of criteria (i.e. educational, social, psychological, health and ethical).

3.3. FUNDING

The National Children's Institute - with allocations by the Executive Power in the national budget, funds activities.

Organizations seek funding from other sources, i.e. foundations, governments, international organizations, donations, etc.

3.4. RELATIONSHIP BETWEEN URUGUAYAN SUCCESSFUL EXPERIENCES AND THE STOCKHOLM ACTION PLAN

It is worth noting that through the activities of different Institutions related to the issue, Uru-

guayans have gained awareness, slowly but effectively, a fact that has created an adequate environment for the different intervention types.

The achievements of the Committee have already been mentioned – it has played a key role allowing inter-sectoral coordination that would have been unthinkable a few years back.

The Stockholm Action Plan has been our guide to allocate resources that enabled us to act with more rigor.

3.5. OBSTACLES THAT HINDER IMPLEMENTATION OR DEVELOPMENT OF THE STOCKHOLM ACTION PLAN

The lack of a shared vision, of identical conceptualization that would enable actors to study, analyze, understand and participate on the basis of a shared paradigm that would enhance scientific methods for these issues is one of our obstacles.

3.6. IDENTIFYING PROBLEMS AND LACUNAE THAT FOSTER DIFFERENT TYPES OF COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN AND ADOLESCENTS AND ITS GROWTH

Definitions of deontological and legal aspects may prove obstacles in our way. Rigid systems of sexual values and the high levels of sexual “illiteracy” are negative factors when aiming at successful actions regarding the issue.

4. CONCLUSIONS

We would like to stress the relevance of sharing information with other countries and the creation of alliances that favor intervention instances positive results.

We agree with the proposal to define a regional strategy, in accordance with national ones, and to on-going evaluation of achievements that would enable us to define intervention programs at short, medium and long term, thus resulting in synergy between resource allocation and efforts.

5. RECOMMENDATIONS

We agree with the proposal to continue strengthening alliances within borders and at international level conducive to precise definitions of childcare criteria and action plans for the various approaches to sexual abuse of children.