

Third Report on the Situation of Commercial Sexual Exploitation of Children and Adolescents in the Americas 2002

Background

In fulfilling the mandate received in June 1991¹ by the General Assembly of the Organization of American States (OAS), the Inter American Children's Institute (IIN) delivers an annual report on the situation of Sexual Exploitation of Children and Adolescents in the Americas to be presented to the General Secretary. This is the Third Report, corresponding to the year 2002, providing an update on the progress made by Member States in the prevention and eradication of sexual exploitation within the framework of the "Commitment of Montevideo", a document derived from the "Governmental Regional Congress on Sexual Exploitation of Children" held in Montevideo, Uruguay, on November 7 to 9 2001 and sponsored by the IIN and UNICEF.

Participating in this Congress were representatives of 25 governments of the Americas as well as non-government international organizations, Agencies of the Organization of the United Nations (UN) and of the OAS and national non-government organizations. At the end of the Congress, the plenary approved the document titled: "Commitment for a Strategy against Commercial Sexual Exploitation and other forms of Violence against Children and Adolescents in the Latin American and Caribbean Regions". This document was presented as groundwork for the Second World Congress against Sexual Exploitation of Children held in Yokohama, Japan, on December 2001.

It is important to report in that although United States and Canada did not formally participate in the Regional Government Congress held in Montevideo due to the fact that North America had its own agenda in preparation for Yokohama, it was considered of vital importance to have the information on those two countries for this survey in order to have a panorama valid for all the Member States of the OAS. United States responded directly to the survey and Canada requested the use of its own sources of information (mainly the answers given in the 2001 report) to be incorporated into this Third Report, due to certain technical difficulties to provide formal answers to the survey of the IIN.

Results

Of the 34 Member States of the OAS, 14 answered the survey (41.2%). Shown here are the results obtained and the answers received.

¹ Resolution AG/RES. 1667 (XXIX-0/99) of June 7th 1999, third paragraph: "Entrust the Inter American Children's Institute with the preparation of an annual report to be submitted to the General Secretary of the Organization of American States with an update on the measures taken by the Member States to combat commercial sexual exploitation and any other type of exploitation of children and adolescents."

AREAS CONSIDERED IN THE COMMITMENT OF MONTEVIDEO

I. AREA OF COORDINATION AND COOPERATION

Of the 14 countries which answered the survey, 12 declared to have ratified Convention 182 of the ILO (85.7%) on immediate action to deal with and eliminate the worst forms of child labor. The following chart shows the countries which ratified the convention and the date of ratification.

Chart 1.
Ratification of Convention 182 ILO

COUNTRY	DATE OF RATIFICATION
Argentina	n/c
Canada	June 6, 2000
Chile	December 19, 2000
Costa Rica	August 31, 2001
El Salvador	1999
United States	December 2, 1999
Guyana	n/c
Honduras	n/c
Mexico	n/c
Panama	n/c
Dominican Republic	December 15, 2000
Uruguay	March 2001

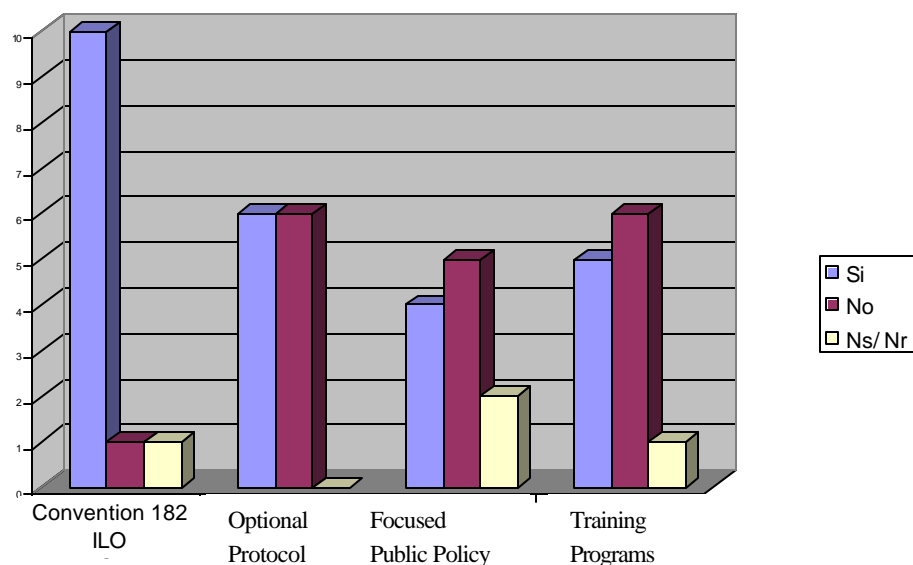
Bolivia has not yet ratified the Convention and Venezuela has the ratification document to be approved by the Ministry of Foreign Relations.

Of the 14 countries which answered the survey, seven have ratified the Optional Protocol of the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (Argentina, Costa Rica, Guyana, Mexico, Panama, Venezuela, Uruguay), six have not done it yet (Bolivia, Chile, El Salvador, United States, Honduras, Dominican Republic) and there is no information on the other country.

On the topic of the existence of a focused public policy specifically designed to provide children and adolescents with comprehensive protection against sexual exploitation, pornography and trafficking, four countries claim to have it in place (Costa Rica, El Salvador, Guyana and Uruguay) and eight do not have it (Argentina, Bolivia, Chile, United States, Honduras, Mexico, Dominican Republic and Venezuela). There is no information on the other countries.

In the area of public policies on children, six countries claim to have training programs for the people involved in the planing and decision making on Sexual Exploitation (Argentina, United States, Guyana, Mexico, the Dominican Republic and Venezuela) and six do not have them (Bolivia, Chile, Costa Rica, El Salvador, Honduras and Uruguay)

Chart 1
Ratification, Existence of Policies and Training Programs



Additional Comments on the previous topics:

BOLIVIA

The Protocol of the Convention on the sale of children, child prostitution and child pornography as well as the Project of Law against trafficking and sale of children and child prostitution is presently at the National Congress. It is expected that it will be ratified on April 16th of this year.

COSTA RICA

There are no Training Programs specifically directed to people dealing with children's issues but there are forums, workshops, etc. where political functionaries participate as part of their roles as advisers and coordinators.

EL SALVADOR

Several measures have been taken in order to sensitise functionaries on the issues and on the need to support comprehensive programs.

GUYANA

The country has organized educational programs to deal with abuse of children and adolescents. These programs are based on the Convention on the Rights of the Child and the Domestic Violence Act. The National Action Plan, that tries to implement the Convention on the Rights of the Child, deals extensively with physical and sexual abuse of children.

HONDURAS

From time to time training programs are implemented in minor courts, the Prosecutor's Office, the IHNFA and non-profit Organizations.

PANAMA

For the month of April 2002, planning activities have been scheduled to initiate training sessions on the topic as well as the implementation of a focalized public policy and plan of action against sexual exploitation.

DOMINICAN REPUBLIC

Presently work is being done on a National Plan for children in order to guarantee the rights of children and adolescents by decree of the Executive Power.

UNITED STATES

In spite of not having a single National Plan due to the Federal nature of the States, there are many training programs for service providers and professionals sponsored by State and local governments and by civil society. There are also programs dealing with the application of the laws already in force.

VENEZUELA

There are programs sponsored by non-government organizations.

Eight countries claim to have in place a National Action Plan against Commercial and Non-Commercial Sexual Exploitation of Children and Adolescents (Argentina, Chile, Costa Rica, El Salvador, United States, Guyana, Mexico and the Dominican Republic) and six other countries do not have yet such a plan (Bolivia, Canada, Honduras, Panama, Venezuela and Uruguay).

The following countries indicated the date of the coming into effect of the Plan of Action: Costa Rica, August 2001; Mexico, since 1998 and the Dominican Republic since 1999.

About the resources to implement and evaluate the Plan of Action, four countries (Argentina, Costa Rica, El Salvador and United States) claim they have them and five claim not to have them (Bolivia, Chile, Guyana, Mexico and the Dominican Republic) No information is available on the other countries.

In relation to financial resources, Costa Rica and the United States claim to have them while eight countries claim not to have them (Argentina, Bolivia, Canada, Chile, El Salvador, Guyana, Mexico and the Dominican Republic). Honduras, Panama, Venezuela and Uruguay do not have information on this.

With regard to human resources, five countries claim to have them (Argentina, Costa Rica, United States, Mexico and the Dominican Republic) and four claim not to have them (Bolivia, Canada, Chile, El Salvador and Guyana). There is no information on the other countries.

Four countries (Argentina, Costa Rica, El Salvador and Mexico) claim to have in place mechanisms for supervision and evaluation and four (Chile, Guyana, Panama and the Dominican Republic) claim not to have them. There is no information on the other countries.

The countries were requested to provide information on the way they handled the problem of sexual exploitation even if they did not have in place a Plan of Action. Here are their answers:

Honduras pointed out that there are specific measures taken by the Public Ministry and that the cases detected are reported by the minor courts to the Honduran Institute of Children and Family (INHFA).

Panama indicated that the Ministry of Youth, Women, Childhood and the Family (MINJUMNFA), intervenes in areas of investigation, protection, recuperation and rehabilitation, looking after victims and their families. It was added that there exists a group of Basic Rights as well as Special rights of children and adolescents in circumstances of vulnerability and social risk that are under the care of this Ministry.

Bolivia states that the topic is included in the National Plan for the Progressive Eradication of child Labor although they have already initiated investigations to develop a Plan of Action specific to Bolivia to eradicate Commercial and Non-Commercial Sexual Exploitation. They are also working on norms to benefit children and adolescents such as a project of Law to be ratified on the week of the 22-26 of April 2002.

In Venezuela, a multi-sector Commission was created and a work agenda proposed as a point of departure for the development of a Plan of Action with the participation of the State and Civil Society.

Uruguay is presently in the process of developing one of the stages of designing and executing a National Plan against sexual exploitation.

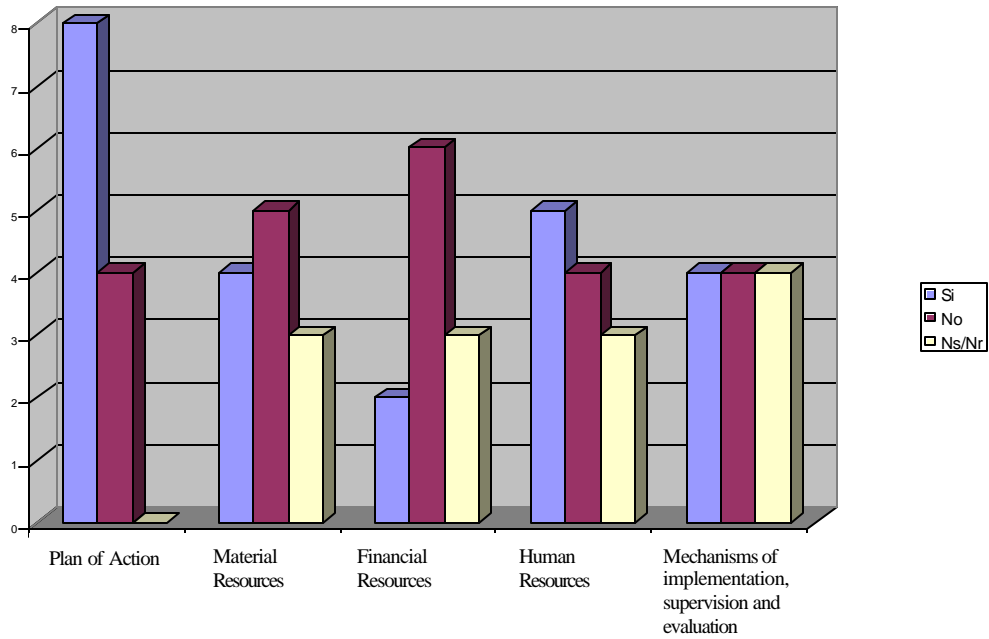
In the question about including in the Plan of Action a perspective of human rights, eight countries claim to have incorporated it (Argentina, Chile, Costa Rica, El Salvador, United States, Guyana, Mexico and the Dominican Republic). Honduras has not done so and four countries could not provide information on this point (Bolivia, Canada, Panama and Venezuela).

About the incorporation of a gender perspective, eight countries claim to have done so (Argentina, Chile, Costa Rica, El Salvador, United States, Guyana, Mexico and the Dominican Republic). There is no information on the other countries.

Another element of the survey was if the Plan of Action was backed by Public Social Policies looking after other social problems such as poverty. Six countries claimed to have such policies (Argentina, Chile, Costa Rica, El Salvador, Guyana and Mexico). One does not (the Dominican Republic). There is no information on the other countries.

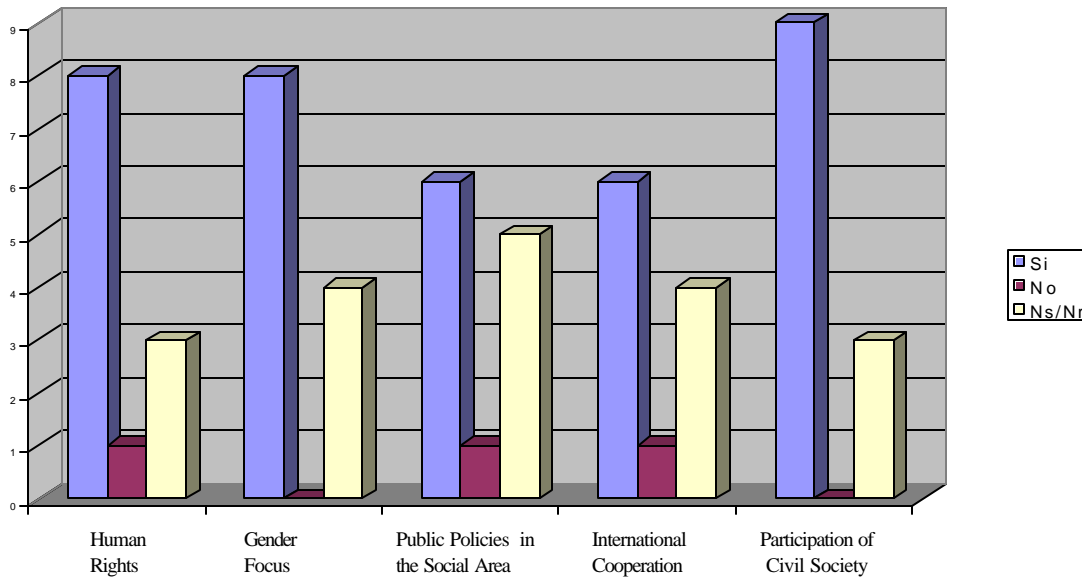
About the support of International Cooperation to attend to the problem of sexual exploitation, seven countries claim to receive contributions (Canada, Costa Rica, El Salvador, Guyana, Honduras and the Dominican Republic), two claim not to receive them (Argentina and Chile) and five could provide no information (Bolivia, United States, Mexico, Panama and Venezuela)

Chart 2
Plans of Action, Resources available, Mechanisms of Evaluation



Ten countries acknowledged having mechanisms in place for the participation of organizations of civil society in designing, executing and monitoring the Plan of Action (Argentina, Canada, Chile, Costa Rica, El Salvador, United States, Guyana, Mexico, the Dominican Republic and Uruguay). Four countries could not provide information (Bolivia, Honduras, Panama and Venezuela)

Chart 3
Approach to the Topic, Complementary Policies, International Cooperation and Participation of Civil Society



Additional Comments on the previous topics:

BOLIVIA

As mentioned before, Bolivia does not have a specific Plan of Action but is trying to develop one by the end of the year based on the results of the research being carried out. They will also take into account the questions of this survey.

CHILE

Presently SENAME and the Ministry of Labor are negotiating a project of co-operation to improve the system of registry for the worst forms of child labor.

COSTA RICA

The National Plan against ESCNNA of the Republic of Costa Rica, proclaimed by the Presidency of the Republic in August 2001, has among its Guiding Principles that "Sexual Exploitation of Children and Adolescents has many causes and therefore the fight to eradicate it implies the participation of social sectors that are key to the comprehensive development of minors, namely the home, the community, Organizations of Civil Society and the State". Also "all efforts must be framed within inter-sectorial, inter-institutional and interdisciplinary cooperation and respond to a holistic approach" (page 5 of the Plan).

The Code of Childhood and Adolescence, Law No 7739, in effect since February 6, 1998, constitutes the NATIONAL SYSTEM OF COMPREHENSIVE PROTECTION OF THE RIGHTS OF CHILDREN AND ADOLESCENTS in Costa Rica. Still the Plan of Action against ESCNNA needs a refinement to truly incorporate the participation of the organizations of Civil Society in its design, execution and monitoring.

EL SALVADOR

A network against Commercial Sexual Exploitation of children and adolescents has been formed with the participation of government and non-government organizations.

GUYANA

The Plan will be implemented shortly

MEXICO

Has difficulty with the coordination and attribution of the project.

PANAMA

Non-government Organizations and Civil Society are getting in contact to work in cooperation towards the well being of children in Panama.

DOMINICAN REPUBLIC

There is participation in the realization of activities but not in their planning.

VENEZUELA

The questions in this survey will guide the development of the plan of action.

II. AREA OF PREVENTION

With regard to the existence of policies for elementary and secondary education that would provide universal and quality access and coverage for all children and adolescents, nine countries answered affirmatively (Argentina, Bolivia, Chile, Costa Rica, El Salvador, Honduras, Guyana, Dominican Republic and Uruguay), two answered negatively (Panama and Venezuela). There is no information on the other three countries.

All the countries which answered the survey, except Bolivia, Canada and the United States (for which there is no information) claimed to have mechanisms in place to deal with school exclusion and abandonment.

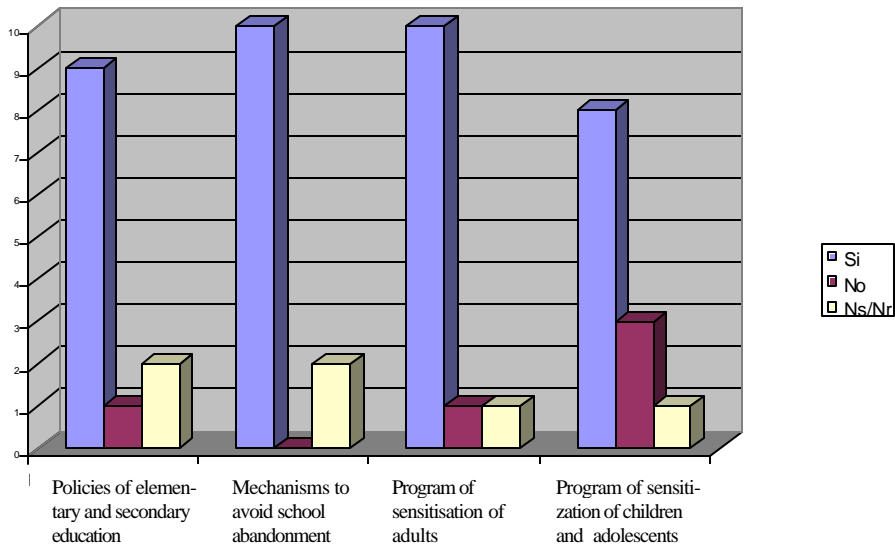
Within or without the framework of the Plan of Action, twelve countries claim to have programs for sensitization and education of adults to promote changes in the socio-cultural patterns of prejudice and discrimination directed to women and children and specially patterns of family violence. Bolivia claims not to have these kind of programs and United States could not provide information on this question.

Within or without the framework of the Plan of Action, nine countries claim to have programs of education and sensitization of children and adolescents on the risks of commercial and non-commercial sexual exploitation (Argentina, Costa Rica, El Salvador, United States, Guyana, Honduras, Mexico, Uruguay and Venezuela). Three do not have this kind of program (Bolivia, Chile and the Dominican Republic) and there is no information on the other two countries.

On the design of the preventive approach, 85.7% of the countries which answered the survey (12 of 14) indicated that they considered the customers and the demand for children as the source of commercial sexual exploitation of children and adolescents.

In the area of counteracting the invisibility of the phenomenon of sexual exploitation, 9 countries claim to have developed campaigns of sensitization and public information on this problem (Canada, Costa Rica, El Salvador, United States, Guyana, Mexico, Panama, Dominican Republic and Venezuela) and 5 have not developed them (Argentina, Bolivia, Chile, Honduras and Uruguay).

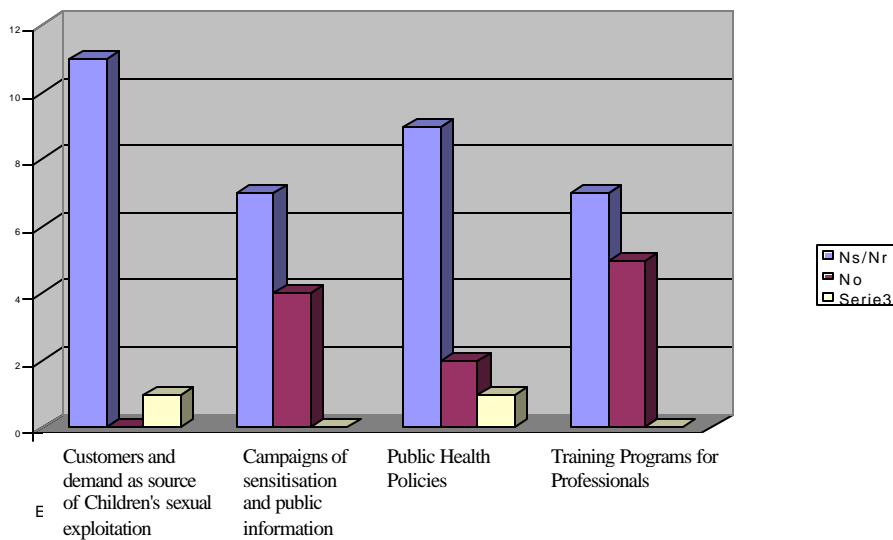
Chart 4
Educational Programs against school desertion,
Sensitization of Adults, Sensitization of Children



On the existence of Public Health policies that guarantee universal access to health services and family support, all countries except Bolivia, the Dominican Republic and Venezuela claim to have them in place. Canada could not offer secondary information on this question.

On the existence of training programs for professionals directly involved in services related to the detection of situations of risks and early intervention in commercial sexual exploitation (with or without a Plan of Action), nine countries claim to have in place such programs (Argentina, Canada, Guyana, United States, Honduras, Panama, Dominican Republic, Uruguay and Venezuela) and five do not have them in place (Bolivia, Chile, Costa Rica, El Salvador and Mexico)

Chart 5
Consideration of the Demand, Public Campaigns, Health Policies and Training Programs



Additional comments of the previous topics

BOLIVIA

There are health policies, such as the Free Maternal-Infant Care for pregnant women, children under five, senior citizens and indigenous people in rural areas. There are also some initiatives of NGO's and State institutions to train judges and institutional leaders, mainly in the area of sexual abuse.

COSTA RICA

In the area of health, there is a juridical framework and technical directives to deal mainly with non-commercial Exploitation. In the Costa Rican Fund of Social Insurance, all the personnel (from the basic teams of health care- EBAIS- to the National Hospitals) are trained for the prevention and care of child abuse, including sexual abuse. Also in each region and post of the CCSS there are people in charge of the follow-up and compliance with the Code of Children and Adolescents who received training and also make recommendations to improve the system.

Some NGO's provide this kind of training. The National Institute of Women (INAMU) has developed some activities and projects in this direction. Still there is the need for more training in the area of Commercial and Non-Commercial Sexual Exploitation. In the month of February, 80 trainees completed their course to develop training programs in ESC. This training was provided by leaders of the Evangelic Churches and the activities were coordinated by the "Fundación Esperanza" under the sponsorship of UNICEF and the National Agenda for Children and Adolescents. DNI is also developing programs in this area.

EL SALVADOR

Some training programs provided but still need coordination.

HONDURAS

Occasionally there are workshops and conferences for professionals, but a specific training program in this area is not in place

PANAMA

There are training and information courses directed to professionals, Judges, Minor Courts personnel and the Police. There are post graduate courses in the area of Childhood and Adolescence based on studies on the Rights of the Child.

DOMINICAN REPUBLIC

Needs systematization and widening of coverage in this area. Lacks resources and a organization in charge.

UNITED STATES

Some professional organizations and licensed state agencies offer programs for detection, treatment and prevention of risks. The National Government often participates in those programs.

VENEZUELA

The educational programs of sensitization and training in place are not held regularly or as part of a plan. They are usually offered by NGO's and have a limited audience.

III. AREA OF PROTECTION

The countries were asked if they had recently implemented legal reforms to combat commercial and non-commercial sexual exploitation based on the convention on the Rights of the Child and other international juridical instruments. All the countries responded affirmatively except Uruguay (which has not implemented reforms yet) and Panama which had no information.

Additional comments on the previous topics

BOLIVIA

One of the reforms is presented in the project of Law against trafficking and sale of children and child prostitution, to be ratified on April 16 2002. It incorporates new modifications.

CHILE

Presently SENAME and the Ministry of Justice are working on a new law protecting the rights of Children and Adolescents.

COSTA RICA

Please see document "Report of the Government of Costa Rica in Following the Plan of Action adopted during the World Congress against Commercial Sexual Exploitation of Children" (p. 20-24) and the National Plan against ESCNNA (pp. 12-15) annexed to this survey.

Costa Rica has had a leading role in legal advances with their Reform of the Penal Code and the resulting Law against **Sexual Exploitation of Minors**. Many fast and effective advances have been made. UNICEF has considered this experience "one of the 10 best practices" at the Latin American level. Still there is room for improving the knowledge and application of this legislation by all responsible institutions and by the citizenship at large in order to make proper use of it.

EL SALVADOR

Legal initiatives try to harden the punishment of exploiters and protect and care for the victims of exploitation in avoiding re-victimization.

HONDURAS

Improvements made through the Code of Childhood and Adolescence numerals 100, 123, 139, Convention 182 of the ILO, International Convention on the trafficking of minors, reforms in the 1996 Penal Code and the Law of Municipalities.

PANAMA

There exist a Legal Framework. Agreements. Law 38 of July 10, 2001 that reforms and adds articles on domestic violence and child abuse to the Penal and Judicial Code and cancel articles to Law 27 of 1995.

DOMINICAN REPUBLIC

Law 14-94 recently revised

UNITED STATES

The US models its legal reforms on the norms of the Optional Protocol of the Convention on the Rights of the Child and the IOL agreements.

VENEZUELA

The Organic Law for the protection of Children and Adolescents (LOPNA) that came into effect on April 1st 2000.

Eleven countries point out that the legislation in force de-penalizes children and adolescents, victims of sexual exploitation. Bolivia and United States do not do so and Canada could not provide information.

All countries except Mexico (that could not provide information) affirm that the legislation in force criminalize the exploiters.

Six countries (Canada, Chile, El Salvador, United States, Panama and Uruguay) contemplate the principle of extra territoriality and extradition for crimes of sexual exploitation. Five countries do not (Argentina, Bolivia, Costa Rica, Dominican Republic and Venezuela). Three other countries (Guyana, Honduras and Mexico) have no information.

Bolivia, Costa Rica, United States, Honduras, Mexico, Panama and Uruguay claim to have in place regional and international mechanisms of judicial cooperation for an effective investigation of crimes of sexual exploitation and the bringing to justice and punishment of exploiters. Four countries (Argentina, Chile, El Salvador and Dominican Republic) do not have such mechanisms. There is no information on the other countries.

All the countries which answered the survey (except Guyana, Dominican Republic and Venezuela that have no information) claim to have in place mechanisms of coordination with Interpol to combat the trafficking of children and adolescents and to adopt specific rescue programs of victims.

Six countries (Canada, Chile, Costa Rica, El Salvador, United States and Panama) claim to have adopted measures to appropriate and confiscate the benefits derived from illicit activities of sexual exploitation and to insure civil responsibility in favor of victims. Two countries (Honduras and Dominican Republic) have not done so and six countries (Argentina, Bolivia, Guyana, Mexico, Uruguay and Venezuela) have no information on this.

With the exception of Bolivia and Mexico that provided no information, all other countries penalize possession, production, distribution, exportation and commercialization, transmission and publication of child pornography and sex tourism.

Only Canada, Costa Rica, Mexico and United States claim to contemplate measures to block child pornography in Internet. Seven countries have not implemented such measures (Argentina, Bolivia, Chile, El Salvador, Honduras, Dominican Republic and Venezuela) and three have no information (Guyana, Panama and Uruguay)

Chart 6
De-penalization of Victims, Criminalization of Exploiters, Extraterritoriality and Regional Cooperation

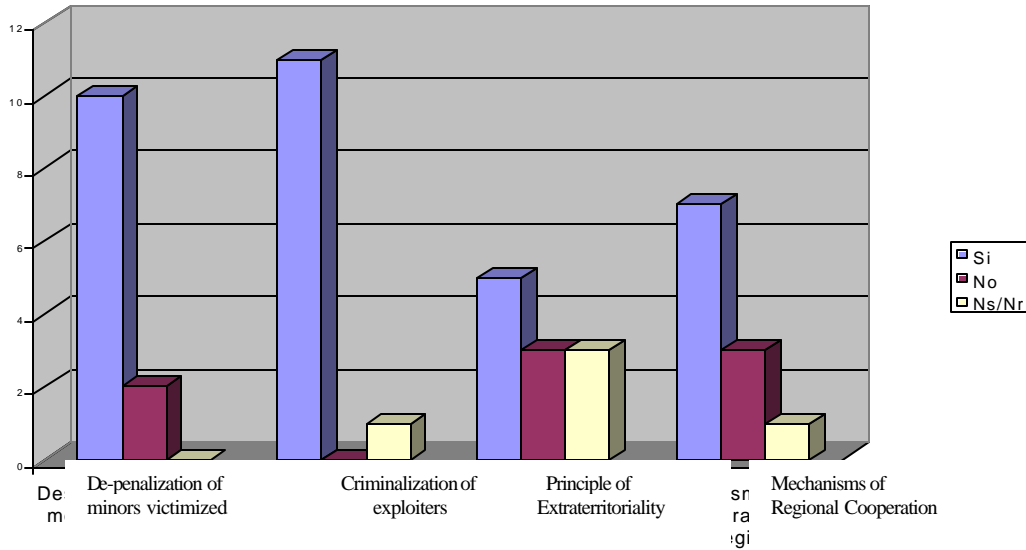
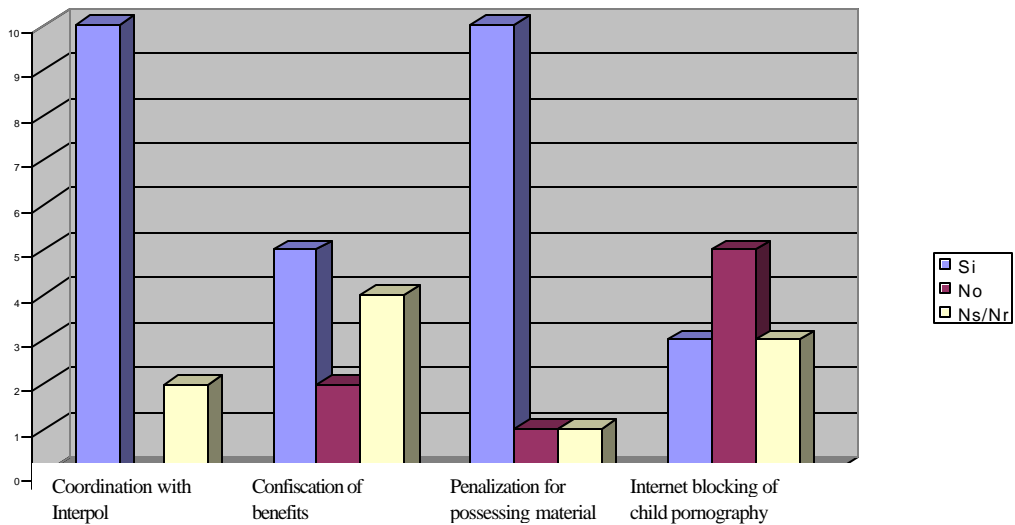


Chart 7
Coordination with INTERPOL, Appropriation of Benefits, Penalizing Possession, Pornography and Internet Blocking



Additional comments on the previous topics

BOLIVIA

All the topics highlighted are taken into account in the project of Law.

CHILE

In Chile extraterritoriality is a different principle than extradition. If the extradition of a foreigner who committed crimes in Chile is requested, it will be granted if it is sufficiently founded. On the other hand, if a Chilean commits sexual crimes in another country he/she is not punished by the Chilean law and therefore is not under the principle of extraterritoriality for Chileans concerning sexual crimes.

EL SALVADOR

Presently a project of law is being discussed to punish exploiters with mandatory prison terms.

MEXICO

Done by the PFP

VENEZUELA

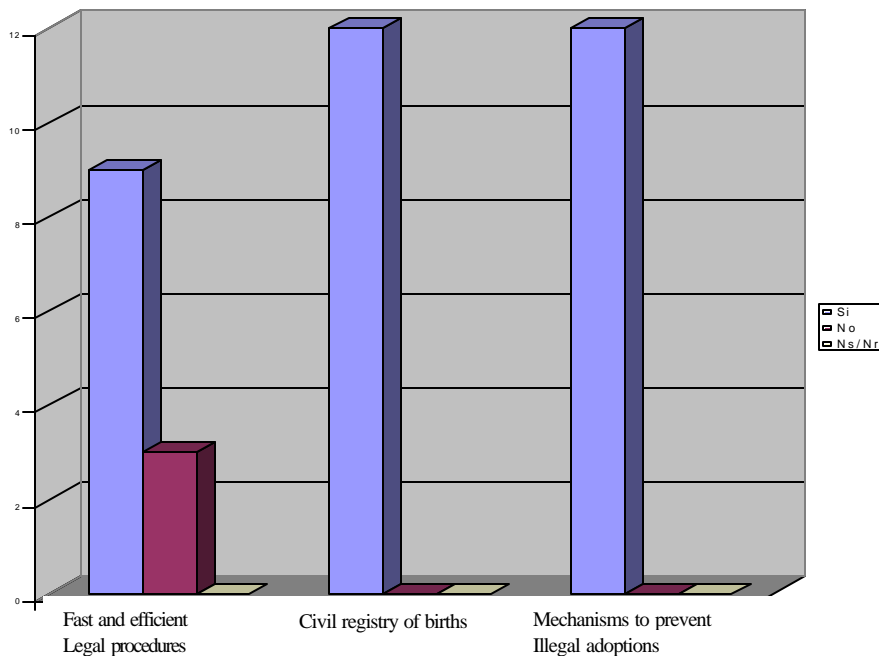
They are not implementing mechanisms.

In the area of administration of justice, all countries except Chile, Honduras and Mexico claim to have fast and reliable judicial procedures respecting the needs of children in function of their age and development.

All the countries that answered the survey claim to have procedures for the civil registry of births that are universal and free, thus respecting the right to identity and citizenship of their children.

All the countries also claim to have in place mechanisms to prevent illegal adoptions of children and adolescents.

Chart 8
Judicial Procedures, Civil Registry and Prevention of Illegal Adoptions



Additional comments on the previous topics

BOLIVIA

We have the mechanisms presented by The Hague International Convention, ratified by Bolivia. We also have signed Bilateral Agreements.

CHILE

With respect to question 31, five of the thirteen regions have already implemented a Penal Process Reform with fast oral court proceedings respecting the Rights of the Child.

COSTA RICA

The Declaration of the Rights of the Child was ratified by Costa Rica (Law 7184). Its article 21 rules on adoption in general. There exists also the "Convention on the Protection of the Child and Cooperation on International Adoptions" (Law No 7517). This instrument establishes guarantees for international adoptions and creates a system of cooperation between States to prevent the abduction, sale and trafficking of children. There is a central authority in charge of assuring compliance with this convention and in charge of procedures and decisions in the area of international adoptions. It is called the "National Council of Adoptions", whose legal base is the Organic National Law of Protection of Children (art 4 -0) in charge of all matters pertinent to children, adolescents and the family.

The Penal Code of Costa Rica specifies as crimes the trafficking of minors for adoption purposes, the non compliance with the established procedures for adoption, the illegitimate retention of minors for

adoption and the trafficking of minors for adoption. To this we must add the Family Code of Costa Rica that also regulates international adoptions.

EL SALVADOR

There is coordination at the institutional level with the mandate to punish exploiters and persecute the crime as well as to protect children victims of Commercial Sexual Exploitation.

HONDURAS

Article 171 of the Code of Childhood and Adolescence

PANAMA

Law of adoption No 33 of May 29, 1998. Law No 105 of December 1998 on conflicts in adoption laws. MINJUMNFA receives documentation on national and international adoptions.

DOMINICAN REPUBLIC

There is an administrative control, The Organism of Children Issues, and a judicial control carried on by the justice system.

UNITED STATES

The Act of International Adoptions regulates international adoptions in United States and each of the 50 States has their own regulations on adoptions.

VENEZUELA

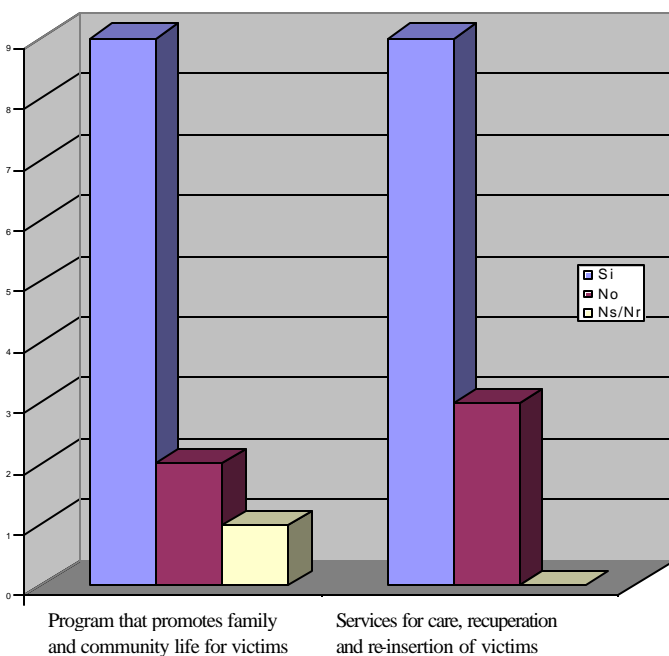
There are agreements on this subject such as the one signed between the National Institute of the Minor (INAM) and the International Social Service.

IV. AREA OF RECUPERATION AND REINTEGRATION

On the existence of programs or activities that promote family and community life for children and adolescents victim of commercial and non-commercial sexual exploitation, only two countries (Bolivia and the Dominican Republic) answered not to have them. United States had no information on this.

On the question of services to provide care, recuperation and reintegration of victims based on mechanisms of inter-institutional and inter-sectorial coordination, ten countries claim to have them. Bolivia, Chile, Dominican Republic and Venezuela do not have them.

Chart 9
Programs of Family and Community Promotion
Services for care and attention to victims



Additional comments on the previous topics

BOLIVIA

With the exception of some short term private initiatives such as the "Hermanas Adoratrices" there is no national program of recuperation and reintegration.

COSTA RICA

Points 34 and 35 refer to topics that require administrative and methodological support as well as monitoring and evaluation to assess the social impact obtained. The answers must be agile and to the point, with flexible institutional procedures to avoid bureaucratization. The mechanisms need better coordination. It is imperative to have minimal economic resources to offer quality services to victims and their families.

The National Institute of Learning (INA) in cooperation with the Foundation "Hogar Tía Tere" provides assistance in the area of their competence to children and adolescents in situations of risk.

The Foundation RAHAB has started a project for adolescents but there is still the need of inter-institutional and inter-sectorial coordination to offer quality services as well as follow up services, particularly outside of metropolitan areas.

EL SALVADOR

The programs of protection try to incorporate victims to initiatives supported by non-government organizations. They also expect the families to assume their protective role.

PANAMA

The Ministry of Health provides services carried on by interdisciplinary teams. MINJUMFA has a Department of Care and Protection. Orientations on prevention of Child Abuse are offered.

DOMINICAN REPUBLIC

In the process...

VENEZUELA

The existing programs of recuperation and reintegration are developed by NGO's with a minimum of reach and without permanent resources.

V. AREA OF PARTICIPATION OF CHILDREN AND ADOLESCENTS

The countries were asked - even if they do not have a plan of action - about the existence of programs that encourage the participation of children and adolescents as a way to guarantee one of their inalienable rights and as a key to eradicate commercial and non-commercial sexual exploitation. Only Chile indicated not to have implemented such programs and two countries (United States and Honduras) could not provide information on this area.

Additional comments.

BOLIVIA

Since last year (2001) we have the "Alianza Bolivariana por la Niñez y Adolescencia" that draws together 80 civilian Institutions with the participation of children and adolescents in areas of promotion and dissemination of their rights.

COSTA RICA

The National System of Comprehensive Protection of Children and Adolescents integrates the "Juntas de Protección de Niñez y Adolescencia" where adolescents have an active participation.

PANI, as a governing body in matters of children, adolescents and the family has the responsibility to call for the active participation of children and adolescents. There are also programs sponsored by NGO's and GO's that support adolescent networks and organizations and give them the opportunity to participate while fulfilling their rights and in their role as agents of social change. An example of this are the "Dirección Nacional de prevención de la Violencia y el Delito del Ministerio de Justicia y Gracia", the program of comprehensive care of adolescents (PAIA) of the Costa Rican Fund of Social Welfare, the foundation PANIAMOR in the defense of children and the program "Amor Joven y Construyendo oportunidades". Besides this, the National Movement of Youth develops programs and projects with the active participation of adolescents and young people within their communities.

EL SALVADOR

The program "PAIS JOVEN, TU FUTURO ES HOY" promotes the active participation of children and adolescents.

PANAMA

Article 297 of the Family Code and article 900 of the Judicial Code. Law No 40 of August 26, 1999. Pact for Youth, Youth Town Councils, International Children Committees.

VENEZUELA

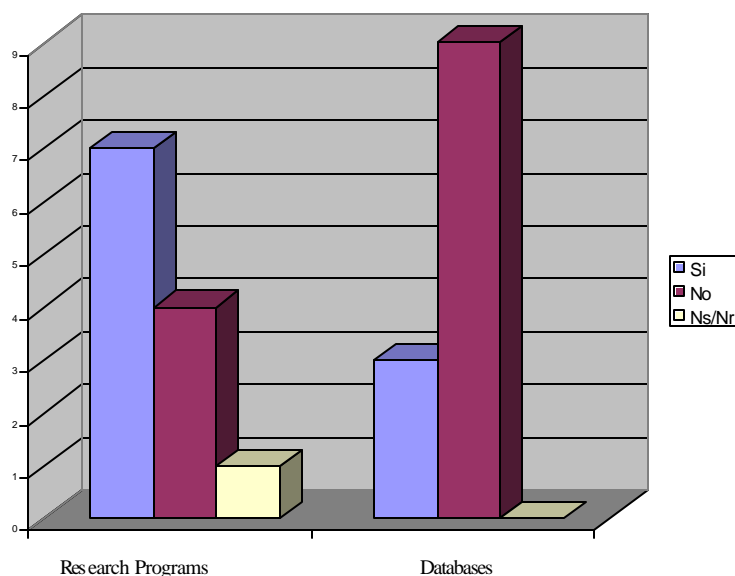
Up to the present the programs are developed by NGO's and with limited reach. Example CECODAP.

VI. AREA OF RESEARCH AND INDICATORS.

The countries were asked - even if they do not have a plan of action - about the existence of research programs that look for indicators to recognize and differentiate commercial and non-commercial sexual exploitation as well as indicators on risk factors that influence this problem. Five countries (Chile, Mexico, Dominican Republic, Uruguay and Venezuela) answered that they do not have such programs and United States could not provide information on this area.

Only Argentina, Panama and United States claimed to have databases with information on the different aspects of the problem that allow the monitoring, follow up and update of prevention programs as well as the help to victims and the punishment to the crime networks involved.

Chart 10
Research Programs and Databases



Additional comments on the previous topics

BOLIVIA

Presently two studies on Commercial Sexual Exploitation of Children are being conducted, taking into account the factors mentioned in the survey. One in La Paz and El Alto and the other in the cities of Cochabamba and Santa Cruz de la Sierra.

COSTA RICA

This is a serious deficiency that has been detected. There is no unified database. The institutions need to improve both their databases and their exchange of information. We need a system of indicators to detect and eradicate ESCNNA. Such system must make use - as established by the National Plan against ESCNNA in Costa Rica - of the information gathered by SIPO, administered by the Institute of Social Help, to follow minors in situations of risk due to poverty. There are still important efforts made, such as in the Health Sector, where all cases of abuse must be reported to the System of Epidemiological Surveillance. Also the National Patronage of Children has developed an information system in all their local offices.

EL SALVADOR

Several studies have been carried out on this topic, incorporating indicators, but to date there is no formal database available.

HONDURAS

Although there is a database, the SIP is not a specific system that would allow controlling or surveillance of this problem.

MEXICO

Indicators are being developed. There is a proposal.

PANAMA

Some Provinces, such as Bocas de Toro, Chiriquí, Colón and Darién, have been identified as the ones where the risk of Sexual Exploitation of children and adolescents is greater. Investigations and interventions are being carried out.

UNITED STATES

The Federal Bureau of Investigations and the National Center on Disappeared and Exploited Children are the organizations in charge of gathering information and incorporating it in their databases.

VII. MONITORING OF COMPLIANCE WITH THE AGREEMENTS AND PLANS OF ACTION

All countries, (except United States and Canada which did not formally participate in the Governmental Regional Congress on Sexual Exploitation of Children held in Montevideo in November 2001) manifested their will to follow up on the Commitment of Montevideo and set up a REGIONAL WORK GROUP composed of governments and international and non-government organizations, to define, promote and coordinate a regional strategy and to circulate the measures being implemented by each country.

The following is the list of people designated by each Government that answered our survey:

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Bolivia

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Costa Rica.

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Honduras.

Name: María Elena de Carbajal.
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México.

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República Dominicana.

Name: Sra. Isabel Mejía de Grullon o un representante.
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Venezuela.

Name: Dra. Noris Pérez Marcano

Position: Presidenta del Consejo Nacional de Derechos del Niño y del Adolescente (CNDNA). Cargo Rotativo cada 6 meses.

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CONCLUSIONS.

1. It should be acknowledged the interest and political will demonstrated by the government representatives who participated in the Governmental Regional Congress on Sexual Exploitation of Children held in Montevideo from the 7th to the 9th of November 2001 to find a comprehensive and inter-sectorial way of handling this grave violation to the rights of children and adolescents.
Regrettably this interest has not been ratified in the IIN's survey, since in 2002 we did not get information from 58.8% of the Member States of the OAS. Even adding the answers of the 2001 survey, we still have no information on 41.2% of Member States of the OAS.
Even though through secondary sources we know that some of the countries which did not answer the survey have taken some steps to prevent, combat and eradicate sexual exploitation, the general state of the region remains uncertain and the advances do not seem to be substantial. An example of this is that only 10 States between 2001 and 2002 seem to have a Plan of Action in place and this represents only 29.4% of the Member States of the OAS.
2. In the 14 countries which answered the 2002 Survey of the IIN, it could be detected a slight tendency to set Plans of Action since 8 (57.1%) have developed them. As a counterpart, the main problem to implement the Plans seem to be lack of resources, specially material and financial ones.
3. It is in the area of Coordination and Cooperation that the topic of resources play an important role. There is a need to improve the planning processes so that the Plans of Action will count with proper financing from their inception. Only two countries have sufficient financial resources to carry on their Plan of Action.
4. In the area of international cooperation, half of the countries which answered the survey had received some form of help.
5. The area of Prevention seem to be one of the strongest, even without a Plan of Action. Of great importance is the development of mechanisms of participation of civil society organizations in the creation of preventive measures. Also policies of elementary and secondary education of universal coverage.
There is a number of sensitization and education programs for adults as well as programs of public information directed to promote awareness and changes in the response of the population to the problems of sexual exploitation.
6. The area of Protection also shows a positive tendency towards normative adjustments in the light of the Convention of the Right of the Child. There are important advances made in the penal codes for crimes related to commercial sexual exploitation, pornography and sex tourism.
7. One example of adjustment to the international norms is the fact that 12 of the 14 countries which answered the survey (85.7%) claim to have ratified Convention 182 of the ILO on prohibition and immediate action for the elimination of the worst forms of child labor.
8. The area of Recuperation and Reintegration shows that, independently of the quality and reach of the services, 10 of the 14 countries that answered the survey provide care, recuperation and reintegration services to the victims based on mechanisms of inter-institutional and inter-sectorial coordination.
9. The area of Participation also shows a positive tendency to generate mechanism that promote active participation of children and adolescents in the prevention and eradication of commercial and non-commercial sexual exploitation.
10. The area of Investigation and Indicators continues to show certain weaknesses due to the absence of databases that systematize and disseminate the information gathered on this topic and allows to monitor its development.
11. Finally, with respect to the follow up to the "Commitment of Montevideo"², there is a group of government representatives of twelve countries, elected by the national authorities, whose mandate is to develop a common work agenda that would lead to the development of a regional strategy for the prevention and eradication of sexual exploitation of children and adolescents. This group will work in coordination with the Inter American Children's Institute (IIN) and with UNICEF.

² See Annex 4

Annex 1

Relation of Countries which answered the Survey and Plans of Action

COUNTRY	Answers the Survey?	Has Plan of Action?
Antigua and Barbuda	NO	
Argentina	YES	YES
The Bahamas	NO	
Barbados	NO	
Belize	NO	
Bolivia	YES	NO
Brazil	NO	
Canada	YES	NO
Chile	YES	YES
Colombia	NO	
Costa Rica	YES	YES
Dominica	NO	
Ecuador	NO	
El Salvador	YES	YES
United States	YES	YES
Grenada	NO	
Guatemala	NO	
Guyana	YES	YES
Haiti	NO	
Honduras	YES	NO
Jamaica	NO	
Mexico	YES	YES
Nicaragua	NO	
Panama	YES	NO
Paraguay	NO	
Peru	NO	
Dominican Republic	YES	YES
St. Kitts and Nevis	NO	
Saint Lucia	NO	
Saint Vincent and The Grenadines	NO	
Suriname	NO	
Trinidad and Tobago	NO	
Uruguay	YES	NO
Venezuela	YES	NO

Annex 2

Relation of Answers in 2001 and 2002

COUNTRY	2001	2001	2002	2002
	Answers?	Plan of Action?	Answers?	Plan of Action?
Antigua and Barbuda	NO		NO	
Argentina	SI	SI	SI	SI
The Bahamas	NO		NO	
Barbados	NO		NO	
Belize	NO		NO	
Bolivia	SI	SI	SI	NO
Brasil	SI	SI	NO	SI
Canada	SI	NO	SI	NO
Chile	NO		SI	SI
Colombia	SI	SI	NO	
Costa Rica		SI	SI	SI
Dominica	NO		NO	
Ecuador	NO		NO	
El Salvador	SI	SI	SI	SI
United States	SI	SI	SI	SI
Grenada	NO		NO	
Guatemala	SI	NO	NO	
Guyana	SI	NO	SI	SI
Haití	NO		NO	
Honduras	SI	NO	SI	NO
Jamaica	SI	NO	NO	
México	SI	SI	SI	SI
Nicaragua	SI	NO	NO	
Panamá	SI	NO	SI	NO
Paraguay	NO		NO	
Perú	SI	NO		
Dominican Republic	SI	SI	SI	
St. Kitts and Nevis	NO		NO	
Saint Lucia	NO		NO	
Saint Vincent and The Grenadines	NO		NO	
Suriname	NO		NO	
Trinidad and Tobago	NO		NO	
Uruguay	SI	NO	NO	
Venezuela	SI	NO	SI	NO
PLANS OF ACTION DECLARED IN THE TWO SURVEYS				10

Annex 3

DATA ON THE ORGANIZATIONS THAT ANSWERED THE SURVEY

NAME OF THE ORGANIZATION	ADDRESS	CITY	COUNTRY	PHONE	FAX	NAME OF PERSON IN CHARGE	NAME OF PERSON WHO ANSWERED THE SURVEY	E-MAIL
Consejo Nacional de Niñez, adolescencia y Familia	Presidente Perón 524	Buenos Aires	Argentina	(5411) 43385851	(5411) 4*421584	Norberto Ignacio Liwski	Maria del Carmen Roggi	Presidencia@cnmyf.gov.ar
Viceministro de Género, Generacionales y Familia	Av. Mariscal Santa Cruz No 1092. Edificio Ex Comibol 4to piso	La Paz	Bolivia	(591-2) 2311888	(591-2) 2311781	Lic. Maria Machicado Terán	Ivana Mendez Villamor.	Vaggf@coord.rds.org.bo
Childhood and Youth Division, Health Canada	Jeanne Mance Bldg., PL 1909C2, Tunney's Pasture	Ottawa, On K1A 1B2	Canada	(613) 9522908	(613) 9462324	Brian Ward	Lil Tonmyr	Lil_Tonmyr@hcs.gc.ca
Patronato Nacional de la Infancia	De A y A paseo de los Estudiantes 200 este y 50 sur	San José	Costa Rica	(506) 2228620	(506) 2331015	Virginia Rojas	Ingrid Porras	panide@racsa.co.cr
Instituto Salvadoreño de Protección al Menor	Col. Costa Rica, Av. Irazú, Final Calle Santa Marta # 2	San Salvador	El Salvador	(503) 2704142	(503) 2701348	Ismael Rodríguez Batres	Maris Aracely Ramos de Monge	
U.S Mission to the OAS		Washington	United States			Daniel Cento		
Instituto Hondureño de la Niñez y la Familia	Clinicas médicas- Blvd Morazán	Tegucigalpa	Honduras	(504) 2325746	(504)2322078	Barbara Mejia	Barbara Mejia	Drftome@sigmanet.ho
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Sistema Nacional para el desarrollo Int de la Familia	Congreso No 20, col Itlalpan, CP 14000	Distrito Federal	México	56553003	55132332	Angelica Elizondo Riojas	Rocio Murillo	
Ministerio de la Juventud, la Mujer, la Niñez y la Familia	Via Ricardo J. Alfaro, Edificio Edison Plaza 4° Piso	Panamá	Panamá	(507) 2604088	(507) 2604088	Alba Tejada de Rolla	Maribel de Lobo	
Secretaría de Relaciones Exteriores	Av. Bolívar N° 856, zona UASD	Santo Domingo	República Dominicana	(809) 7325533	(809) 4734101	Carmen Bergés de Amaro	Equipo Consultado	Depridam@codetel.net.do
Ministry of Labour, Human Services And Social Security	1 Water & Cornhill Streets	George Town	Guyana		(592) 2271308	Bibi Shadick	Bibi Shadick	
Consejo Nacional de Derechos del Niño y el Adolescente	Av. Francisco de Miranda, Edif Mene Grande, Piso 2	Caracas	Venezuela	0212-4152877		Noris Pérez Marcano	Área de Relaciones Internacionales	
Instituto Nacional del Menor	18 de Julio 1516 6to piso	Montevideo	Uruguay	02-4005257	024005257	Martin Marzano	Martin Marzano	Mmliname@hotmail.com

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