

Latin America and the Caribbean Regional Meeting in preparation for World Congress III against Sexual Exploitation of Children and Adolescents

Summary report from the Argentinian Government

Buenos Aires, 20-21 August 2008

The Regional Preparatory Meeting was held in Buenos Aires, bringing together participants from 22 different countries from the region. After two intensive days of debates, participants made the following recommendations from the region to the World Congress III.

This document briefly outlines the obstacles that impede compliance of commitments by the States, and it aims to offer actions that will be presented as the Regional proposal for World Congress III in Rio de Janeiro. These recommendations bear in mind the commitments from the two previous preparatory and follow-up meetings (which took place in Montevideo (2001) and San Jose de Costa Rica (2004)) since the Second World Congress.

I. Pending assumed commitments from previous Preparatory Meetings.

During the previous two World Congresses and their respective preparatory meetings, it has been difficult for Governments to address various issues in order to eliminate the sexual exploitation of children and adolescents in the region. These issues were the starting point for discussion at the preparatory meeting.

The status of action in the region varies widely from country to country. Despite agreements, some countries have not yet developed a National Plan of Action to eliminate the sexual exploitation of children. In addition, some countries that already have National Plans of Action have encountered great difficulties in implementing them. This is mainly due to the fact that it is difficult to implement policies without the necessary budgetary resources.

Participants also observed that there was a need for raising awareness and acknowledging the problem. Thus, lack of public campaigns, limited information and lack of activities to promote awareness and sensitization.

Deep-rooted cultural practices in regards to exploiters' behavior was also discussed. In terms of prevention, it was pointed out that States must work on education.

Another issue was the lack of information and statistics from each State and also from the Region. Such data would permit the design of intervention strategies and a effective monitoring.

In addition, it is important to mention that some legal gaps still persist, for instance the lack of regulation of child pornography and child sex tourism in some States.

Finally, the difficulties in carrying out assistance to victims was apparent.

II. Conclusions and Recommendations

Conclusions and recommendations that have emerged from the two days will be presented under five themes at World Congress III.

1) Dimensions of Sexual Exploitation of Children and Adolescents

The following recommendations arose based on case studies on: commercial sexual exploitation, child prostitution, child abuse imagery, information communications technology and child trafficking.

- Issues related to gender must be addressed, especially through educational and communications policies.
- Commercial sexual exploitation of children as survival strategies for poverty-stricken families must be addressed.
- Strategies to protect potential victims and re-integrate victims must be developed.
- Incentives for providing training to address issues such as child pornography and other such crimes using new internet technologies must be developed.
- Using research on trade routes, develop an effective criminal policy that coordinates local strategies (consular, migratory) and international cooperation.
- To review repatriation agreements and migratory procedures to guarantee safe voluntary returns with the necessary local assistance and reintegration measures to avoid victims falling again into traders and exploiters' hands.
- Rethink strategies for border zones, taking into account not only procedural differences but also social diversity. In this regard, there is a worry about the "demonization" of some of the Regional border zones, which could conceal other issues regarding local or national sovereignty.
- Conduct qualitative research to gain a better understanding of exploitation methods.
- Work on adolescents and young offenders' treatment.

2) Private Sector Efforts and Corporate Social Responsibility

- To encourage corporate social responsibility as a means of preventing and eradicating the sexual exploitation of children, especially in the travel and tourism industry.
- To promote employee training for the tourism sector.
- To incorporate the concept of "responsible and sustainable tourism," which includes children and adolescents' fundamental rights.
- To increase the regulation and control of technology access and use, especially at cyber cafes and through public telephones but also through mobile and internet supplier companies.

- To encourage State actions with the private sector on corporate social responsibility initiatives.

3) Challenges and Limitations in the Application of National Legal Frameworks

- To speeding up judicial investigations and ensure appropriate sentences. To eradicate deep-rooted cultural practices that result in the acceptance of sexual exploitation/exploiters.
- To promote relevant domestic legislations.
- To work on processes to avoid re-victimization and criminalization of children and adolescents.
- To collect statistics in a database on sexual exploitation-related crimes in order to design specific public policies.
- To promote the CDN Facultative Protocol. It has been pointed out it is not well-known, probably due to the fact that cooperation agencies promote the Palermo Protocol without taking into account that both are complementary.

4) Inter-sectoral Strategies for the Protection and Guarantee of Rights

- To support the implementation of a National Plan of Action, in each of the States, which is a national policy that receives sufficient resource allocation for its implementation and sustainability.
- To plan integrated actions that are effective and that receive ample economic allocations.
- To reinforce local systems of protection through training to prevent crimes, as well as ensure resources within communities, in addition to central government services.
- To ensure that judges, public prosecutors, etc. implement legislation against child sexual exploitation.
- To assure that professionals who work in this area have the right training.
- To encourage inter-institutional and inter-sectoral coordination, and models of intervention to assist victims.
- To create safe reporting mechanisms.
- To encourage the construction of specialized refuges for children and adolescents victims of trafficking.

5) Regional cooperation

- To promote the circulation of information on strategies for sub-regional cooperation.
- To hold sub-regional meetings to encourage the exchange of successful experiences and practices.

- To promote international collaboration and agreements of MERCOSUR and Latin American parliaments.
- To communicate the efforts of the security forces in the Region to fight these crimes.
- To review repatriation agreements and specific legislations on deportation of people and to develop multilateral mechanisms that guarantee the rights and the safe and voluntary return of children and adolescents victims of these crimes.
- To reinforce private companies' regulations and control of new technologies when relevant to eliminating the sexual exploitation of children.
- To develop regional answers to fight a global crime like the sexual exploitation of children and adolescents by means of agreements for cooperation.

In addition, the following **general proposals** were recommended:

- To take this issue into account within socio-economic policies with the goal of greater social equality and equitable redistribution of the income. as the adults.
- To question terminology that conceals or distorts the issue, such as "clients or consumers" instead of "exploiters or traders."
- To promote the active role of young people in tackling this issue through initiatives such as guides for adults in Rights protection mechanisms. Youth have also proposed the creation of a Code of Conduct for mass media, a means of participation that allows youth proposals to be considered when public policies are being formulated by the government. In such forums young people must have equality with other actors.
- To promote prevention by incorporating sex education at an early stage in the formal education curriculum of each State.
- To create a Code of Conduct for mass media, not only aimed at press, but also to mitigate the consumption of child sex abuse imagery.
- To raise awareness and sensitization through public campaigns and activities.
- To encourage the creation of security forces offices and units specialized in taking responsibility for and persecution of such crimes, encouraging different sectors of the State to develop systematic interventions.
- To build capacity of immigration bodies. • To include training on assistance to crime victims in the curriculum of relevant professionals.
- To promote national and regional mechanisms for monitoring commitments and actions carried out to fight these crimes.

- To promote the safe use of new technologies by children and young people, as well as a tool that offers solutions addressed at adults and parents.

For further information contact:

niniosur@ derhuman.jus.gov.ar

vmartinez@ derhuman.jus.gov.ar

adgrosso@ derhuman.jus.gov.ar

Webpage of niniosur www.niniosur.jus.gov.ar

(This contains a legislative database on Sexual Exploitation of Children and Adolescents and MERCOSUR countries trade)