

Costa Rica

National Plan against Commercial Sexual Exploitation of Children and Adolescents

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"When facing exploitation we have to take sides, taking a neutral stand always helps the oppressor, never the victim. Silence stimulates the executioner, not the sufferer."¹

I. CONTEXTUALIZING THE PROBLEM

Throughout the world and in all societies, violation of the rights of children and adolescents through commercial sexual exploitation (CSE) is gathering proportion and complexity daily. Costa Rica is no exception. The issue is complex and there are limitations to the availability of information on its magnitude and effects on the life of its victims, it thus requires society to make an effort and face the issue.

Pursuant to existing research, the peak of "sex industry" is strongly linked to several factors, among which the organization of "sex tours", and distribution of pornographic material throughout the world are found. Other factors include a society that fosters a patriarchal culture, where adult centered views of life are strengthened, thus legitimating authoritarianism and the use of power against children and adolescents; anonymity and impunity of clients, pimps and middlemen, as well as the existence of a strong criminal international organized network that protects and encourages these practices. It is worth noting that in the report entitled "Looking backwards, thinking about the future" by ECPAT 1999 - 2000, Costa Rica was awarded three stars out of four, thus positioning the country as one that makes efforts against CSE, above the United States and other countries with more resources.

Several risk factors contribute to such scourge in Costa Rica, factors such as:

- Homes below poverty lines,

- Insufficient surveillance of social risk factors, for example school drop outs, intra-family violence and sexual violence,
- The weak mechanisms of prevention and of the community.
- Society as a whole does not fully acknowledge sexual exploitation of children and adolescents,
- Ever growing proliferation of networks and "businesses" dedicated to commercial sexual exploitation of children and adolescents, and
- Deterioration of moral values and excessive consumption.

Our starting point is to acknowledge that commercial sexual exploitation of children and adolescents is a violation of their basic rights, a forced and destructive activity that generates income, a type of abuse that implies sexual victimization of the minor by somebody else, victimization linked to a commercial transaction that may be settled in cash or kind.

There are three different types of sexual exploitation: utilization of children for sexual intercourse, utilization of children for pornography, and utilization of children for sex shows.

There are four modalities of sexual exploitation: local exploiters, sex tourism, trafficking in children for exploitation purposes and spreading pornography via the Internet.

The achievements are significant, but may and should be strengthened. Along this line, and in accordance with the guidelines provided by the first World Congress against Commercial Sexual Exploitation of Children, held in Stockholm, the Government decided to prepare a national plan for fighting against Commercial Sexual Exploitation of Children and Adolescents. The goal is very clear: the

¹ Elie Wiesel, 1986 Nobel Prize for Peace.

Government shall fight intently all places where CSE of children and adolescents is practiced or promoted, shall take repressive action against all organized groups that promote recruitment of children and adolescents for this despicable business, shall coordinate police and judicial actions to destroy networks participating both directly and indirectly in CSE: pimps, cab drivers, owners of hotels, bars, salons, street vendors, relatives and clients, shall promote reforms of the legal and criminal framework in force in the country, shall develop integral social reinsertion actions to ensure that all victims of CSE enjoy their rights.

II. GUIDING PRINCIPLES

- All actions taken within the frame of this Plan shall ensure the rights of children and adolescents as recognized by International Conventions and national legislation.
- Children and adolescents shall never be blamed for the acts exploiters forced or induced them to commit .
- Develop a "zero tolerance" culture for all forms of exploitation of children and adolescents, culture that will aim at modifying deep-rooted cultural patterns that justify authoritarianism, discretionary, arbitrariness shown by adults to children and adolescents.
- The State is obliged to provide minors with protection against Sexual Exploitation. Causes and solutions, however, are related to all actors. The State is not the sole institution to be held liable, and least of all for the victims, their families, or their immediate social environments, the efforts of society as a whole are therefore necessary.
- When children and adolescents are sexually exploited, many other rights are violated as well (rights to physical and mental health, to education, to family life, to play and recreation), consequently, these rights shall also be enforced (*Regional Workshop for the prevention and eradication of commercial*

sexual exploitation of children and adolescents, ILO IPEC, August 2001).

- Children and adolescents shall be regarded as victims of those who benefit either directly or indirectly from commercial sexual exploitation, and of those who tolerate this state of things.
- Commercial sexual exploitation of minors is not only related to the composition of society. It is found in all sectors of society, but those groups below poverty lines are more vulnerable and preferential attention shall be given to them as far as prevention is concerned.
- Commercial sexual exploitation of children and adolescents has several causes; the fight to eradicate it implies therefore the participation of key sectors of society participating in the integral development of minors, mainly in homes, the community, organizations of society and the State.
- Actions taken shall be framed within inter-sectoral, inter-institutional and multi-disciplinary coordination and shall have a holistic approach to the issue.
- The institutions in charge of putting the Plan in practice shall commit themselves to permanent interaction so that they conform an only team with specific and differentiated roles.

III GENERAL OBJECTIVE

To develop systematic and on going efforts aimed at attacking structural causes on one hand, and at modifying the most immediate environment that generates commercial sexual exploitation of children and adolescents in the country.

The main goals of the National Plan are to prevent CSE, to eradicate the problem and to allow victims to enjoy their rights once again.

IV STRATEGIC AREAS FOR ACTION

As already mentioned, commercial sexual exploitation of children and adolescents has multiple causes and multiple approaches. Its

eradication shall be tackled with actions in several different fields, fields that for operative purposes have been grouped using a systemic approach into three main areas:

- Prevention

A group of systemic and on going efforts based on information, sensitization, effort pooling, organization, education, training, participation and mobilization of persons, homes, community organizations, and public and private institutions, aimed at tackling structural causes and at transforming the immediate environment that generates commercial sexual exploitation of children and adolescents in the country.

- Legal

The area is divided in legal reforms and repression

- a. Legal Reforms

They include formulating proposals aimed at revising and modifying the national legal framework so as to ensure that the necessary regulations that allow us to repress those who profit and use children and adolescents for commercial sexual exploitation purposes in Costa Rica are in force.

In order to achieve this goal, the four modalities shall be taken into account, namely, prostitution, child pornography, sex tourism and trafficking in minors. So as to carry it out and successfully, actions as far as prevention and caring for victims shall be taken.

- b. Repression

This group entails enforcing those regulations contained in Costa Rican legislation aimed at eliminating commercial sexual exploitation of children and adolescents, and to legally repress exploitation actors.

It is worth noting once again that repressive actions shall be aimed at those fostering these practices and not at victims, both children and adolescents.

- Caring directly for victims

Direct care is understood as the measures the State takes to reduce bio-psycho-social and spiritual effects of any type of sexual exploitation on minors, and to enforce the victims' rights.

Direct care shall be complemented with legislative, repressive and preventive proposals all aimed at ensuring the integral protection the State is supposed to provide.

This intervention mechanism comprises development of interdisciplinary and multi-sectoral actions towards caring for children and adolescents victim of commercial sexual exploitation.

Additional actions start with detection and imply a holistic approach that contemplates bio-psycho-social and spiritual aspects of strategies such as therapeutic approach of the minor, financial support, specialized treatment according to his/her specific needs (drugs, pregnancy, advanced sexual exploitation), medical treatment, educational reinsertion, all of these in the frame of the family and the community.

International plans incorporate additional areas such as participation of children and adolescents and a research component, for this Plan in particular, these elements are considered as a transverse axis.

V DEVELOPMENT OF ACTIONS

5.1. PREVENTIVE ACTIONS

Prevention of commercial sexual exploitation practices, calls for the development of social and political coordination of personal processes, of the family, the community, multi-sectoral, institutional and political efforts, systemic, systematic and on going, based on a national commitment to protect the Rights of Children and Adolescents, trying to influence structural causes on one hand, and detecting risk factors and anticipating everyday situations that result in the violation of the basic rights of Costa Rican children and adolescents.

Prevention should therefore be based on a guarantee of human rights than enables the full development of Costa Rican children and adolescents. A National Plan, the legal framework and integral protection practices are therefore mandatory both at national and local level, in accordance with new social ethics aimed at improving the quality of life of all those human beings.

The different forms of commercial sexual exploitation of children and adolescents found at district, canton, province and national levels require the participation of different social sectors to prevent and eradicate the different and multiple factors that lie at their roots.

A basic item in prevention processes is training of social and institutional actors, training aimed at protecting children and adolescents against ill-treatment, sexual abuse and commercial sexual exploitation, as an effective strategy to curb and address actions of exploitation networks.

The enforcement of the doctrine of protection of children and adolescents is fairly recent, the police and courts should prioritize, as they are doing nowadays, the need to train their officers so as to deal effectively with commercial sexual exploitation, and at the same time enable them as construction agents of protection of the family's psychology, community processes and child care mechanisms, aimed at supporting children and adolescents at risk of commercial sexual exploitation.

The inter-institutional, inter-sectoral and community linkage acts as part of a permanent research strategy that enables us to supply information to prepare and manage preventive actions.

Specific objectives

- To design and coordinate plans and programs at local, national, regional and international level, since this Plan is aimed at benefiting children and adolescents throughout the national territory,

providing support to vulnerable families, including the issue in municipal government agendas and carrying out information campaigns,

- Prioritize childcare in specific geographical locations but in the frame of national care programs.
- To create cooperation channels between countries to combat and put a stop to this issue that has gone beyond borders (ILO - IPEC, Regional Workshop against CSE, August 2001).
- To support training programs of key social actors in the integral development of children and adolescents.
- To contribute with social communication, sensitization, and information and education processes on how to prevent commercial sexual exploitation of minors.
- To facilitate the creation of networks to detect, monitor and assess on an ongoing basis the dimensions of the impact of commercial sexual exploitation with the aim of preventing these practices.

Strategies

- Team work and incorporation of rights and gender issues into the approach. CSE of minors can only be faced with coordinated participation of the social and judicial sectors governmental institutions involved in the issue. Our goal as a Government is aimed at coordinating their actions through different institutions of civil society: families, communities, unions, associations, businessmen, churches and mass media.
- Decentralized nation wide management. This is the central strategy aimed at an integral tackling of prevention and eradication of CSE tasks, and to ensure protection of the rights of children throughout our territory (ILO – IPEC *Regional CSE Workshop*, August 2001). In this line, provide support through “Surveillance Centers” to local initiatives aimed at identifying, denouncing and exposing risky situations that may contribute to the occurrence of commercial sexual exploitation of children and adolescents. The creation of these “Surveillance Centers” is

aimed at promoting and strengthening the ongoing participation of the community for prevention of the issue, supporting as well the inter-sectoral, inter-institutional and citizens skills and intervening potential.

- Training of teachers, parents, curators of students; police and judicial authorities and officers, owners, managers and personnel of hotels, restaurants, bars, and cab drivers.

Identification of actors and critical paths for commercial sexual exploitation of children and adolescents has enabled us to prove that educational institutions are key scenarios. Preventive actions can be implemented from educational centers; in particular due to the interrelationship established with families and homes of students with the students themselves. Ongoing training of police personnel is also considered vital since they keep contact with commercial sexual exploitation situations that enable them to signal out those situations that may be prevented. Judicial personnel training is also necessary, a training that will enable them to acquire knowledge of the issue's implications, and aimed at a fair enforcement of laws so that both police and judicial actions are systematically coordinated with preventive actions. Training modules for tourist-related actors, hotels, restaurants, bars and cab drivers, shall also be expanded.

- Preventive communication to people. Aiming at increasing awareness of people in general as to their chances of contributing with preventive actions against CSE of children and adolescents, preventive campaigns on protection of the rights of children and adolescents on TV, radio and written press shall be implemented. The ultimate goal of these campaigns is to contribute to change those ideas, attitudes and practices of Costa Rican society that are nowadays fostering commercial sexual exploitation of children and adolescents.

- Preventing the offer of children and adolescents at risk.

School dropouts and children working on the streets shall be provided with follow up and support, as well as for brothers and sisters

of victims of CSE. Children from disintegrated families or with parents or guardians that are unable to provide their children and adolescents with a good education shall also receive follow up.

- Preventing demand. (Exploiters, middlemen and others) National campaigns on the illegality of CSE of children and adolescents will be launched.

Goals

- Train educators of public and private schools on the prevention of commercial sexual exploitation.
- Train parents and guardians on how to identify, handle and denounce vulnerable situations that commercial sexual exploiters may take advantage of.
- Ongoing training of law enforcement and judicial personnel that will enable them as agents to the elaboration of community prevention, protection and support processes against commercial sexual exploitation.
- Constant update of the curricula of the Basic Law Enforcement Course and of training programs of judicial law enforcement officers, analysis of the issue of Commercial Sexual Exploitation of Minors, their legal obligations and alternatives to the different modalities of CSE.
- Inform society as a whole of CSE prevention.
- Incorporate teachers, parents, guardians, law enforcement and judicial officers to CSE prevention networks.
- Incorporate delegates of local organizations and citizens in general to processes of social auditing of rights, promoting joint actions of all existing organizational institutions within communities.
- At local level, when planning preventive actions consider violations of the rights of children and adolescents.
- Implement a sensitization campaign for the whole population aimed at preventing commercial sexual exploitation of minors.

- Promote the incorporation of the issue to the curricula of tourism related education.
- Launch a training program for tourism sector personnel within the framework of the program "Change is in your hands".
- Use educational software to encourage prevention of CSE.

Target population

- a. Children and adolescents in socially vulnerable situations and their homes:

Homes of children and adolescents victim of domestic violence.

Homes of children and adolescents socio-economic vulnerable.

Homes of children and adolescents victim of drug abuse.

Homes of children and adolescents where the sex market is the main source of income.

- b. Children and adolescents not attending the formal educational system and their homes:

This group is closely related to poverty and there are no institutions that contact them as a group. Therefore it is important to locate them through EBAIS, Adolescent Clinics, Count on Me line and other institutions.

- c. Children and adolescents within the formal educational system (public and private schools) their teachers and homes:

Training and developing sensitization of this group is key as it impacts on all Costa Rican social groups, from a formative perspective supplying information for prevention and detection and the creation of alerting systems.

5.2. LEGAL ACTIONS

Starting point

The Costa Rican legal framework guarantees the rights of children and adolescents, in particular those relating to their mental and physical integrity. International conventions and local laws and decrees compose that framework, all of which have a no toler-

ance base as far as CSE of children and adolescents is concerned.

Since 1990 several important instruments that strengthen the process of taking actions with reference to this issue have been incorporated to the legal framework in force:

- Convention on the Rights of the Child, Law 7184 of 18th July 1990,
- Organic Law of the National Board for Children, Law 7648 of 9th December 1996,
- General Law on the Protection of Adolescent Mothers, Law 7735 of 19th December 1997,
- Code of Childhood and Adolescence, Law 7739 of 6th January 1998,
- Law against Sexual Exploitation of Minors, Law 7899 of 3rd August 1999,
- Ratification of International Convention No. 182 on the prohibition of the worst types of child labor and taking immediate action for its complete elimination, Law 8122 of 17th August 2001

With reference to commercial sexual exploitation of minors, law 7899, - drafted in accordance with international instruments and paradigms for protection and promotion of Human Rights of Children and adolescents - has meant substantive progress in Costa Rican legislation. For its drafting, several key players joined efforts and using professional criteria via the Executive Power and the National Board against Commercial Sexual Exploitation of Children and Adolescents (CONACOES) and the Legislative Assembly, proved the ineludible need to act upon the issue, an issue that calls for social mobilization.

This law was a milestone for juridical change since it amended ideology, language and concepts of several sections of the Criminal Code and created a new classification of crimes with reference to commercial sexual exploitation that achieved legislation in huge lacunae. However, after being in force for two years, and as result of ongoing analysis performed by different institutions of the Administration of Justice and in several analysis fora of the practical enforcement of law 7899, there is an imperative need to re-

visé and amend many of its sections and other crimes provided for in the Criminal Code, Chapter on Sexual Crimes. These revisions and amendments are aimed at giving the law an ampler operational scope, ensuring the absence of impunity for those who break the law.

Specific objectives:

- a. To Strengthen existing legal instruments whose main purpose is to sanction those that promote commercial sexual exploitation of children and adolescents.
- b. To draw from international experiences in order to strengthen and update Costa Rican legislation.

Substantive actions

Initial actions in this field shall be aimed at:

- a. Promulgating executive decrees providing for the creation of a Central Office against Exploitation of children and Adolescents and the National Board against Commercial Sexual Exploitation of Children and Adolescents in Costa Rica (CONACOES).
- b. Passing the Optional Protocol to the Convention on the Rights of the Child with reference to the Sale of Children, Child Prostitution and the Utilization of Children in Pornography.
- c. Amending law 7425, Record, Sequestration and Examination of Private Documents and Tapping Communications. File number 13.858 so as to allow tapping communications in investigations of crimes related to commercial sexual exploitation of minors.
- d. Approving the project on Strengthening the Fight against Sexual Exploitation of Minors, through amendment to existing and addition of new sections of the Criminal Code, law 4573 of 4 May 1970, and amendment of several sections of

the Code of Criminal Procedure, law 7594 of 10 April 1996. This project was elaborated with the Presidency, Ministry of Justice, Office of the Public Prosecutor for Sexual Crimes and society as a whole.

- e. Adding a second paragraph to Section 174 of the Criminal Code of the Republic of Costa Rica, law 4573 of 4 May 1970, File No. 13.909, to penalize distribution of any pornographic or erotic material containing minors or their image.
- f. Adding a fourth paragraph to Section 6 of the Criminal Code (project on repression of extraterritorial sexual crimes against minors), File No. 14.204.
- g. Promulgating decrees that curtail access of tourists with criminal background in Commercial Sexual Exploitation of Minors.
- h. Amending existing legislation on the arrival of foreign minors to the country, so as to regulate their entry when there are signs of their being at risk of Commercial Sexual Exploitation.
- i. Amending the law on incentives for tourist development, law 6990 of 30 July 1985 to sanction with the loss of benefits and tourist incentives those tourist enterprises that utilize or tolerate the utilization of their facilities for Commercial Sexual Exploitation of Minors.

Amendments to Criminal and Criminal Procedure Legislation

There follows a detailed description of the amendments proposed in the project on Strengthening the Fight against Commercial Sexual Exploitation of Minors through amendment and addition of several sections to the Criminal Code, law 4573 of 4 May 1970 and amendment of several sections of the Code of Criminal Procedure, Law 7594 of 10 April 1996:

- a. Amendment of Section 156 of the Criminal Code so that violation is

- defined as sexual intercourse with a person under 13 years of age. Likewise, violation also comprises sexual intercourse with a person of any gender when it occurs taking advantage of the victim's vulnerability. Furthermore, the inclusion of zoophilic elements in the criminal classification is considered relevant.
- b. The amendment of the criminal classification of violation with regards to age (from 12 to 13 years) results in the amendment of sections 159, 161, 169 and 171 of the Criminal Code necessary for harmonization purposes.
 - c. In characterization of crimes kinship is defined more precisely, as well as relationships of power and trust (that is the case of section 157, 159, 161, 162, 168, 170 and 171 of the Criminal Code).
 - d. Corruption as defined in Section 167 of the Criminal Code, is also amended and punishes those that facilitate this crime; terms such as perverse, premature or excessive sexual acts are reintroduced. This last amendment addresses the need to introduce elements that will enable improved law enforcement, based on jurisprudential and doctrinal studies in the matter, since the existing definitions therein contained leave unpunished several manifestations of this crime.
 - e. Section 170 of the Criminal Code defining pimps and his/her activities, is also amended punishing those who facilitate committing this crime.
 - f. Section 173 of the Criminal Code is amended so that production of erotic material using minors is also punished. Section 174 referring to circulation of pornography, is amended to the same purposes. In the latter case, there is a proposal to punish possession and exhibition or circulation through any means of pornographic or erotic material containing minors or their image.
 - g. Those sections of the Criminal Code referring to kidnapping are derogated, on the basis that the tutelary juridical characterization has already been protected by other characterizations of the Criminal Code, such as crimes against curtailing of freedom. Furthermore, much of its content and language reflect socio-cultural patterns that are no longer valid.
 - h. Considering that sexual exploiters amass fortunes with sexual exploitation of children and adolescents, and in order to fight this scourge, there is a proposal to add five sections to Chapter Three: Sexual Crimes of the Criminal Code. In particular, Sections 170 bis and 174 bis, that will enable confiscation of property belonging to sexual exploiters and destined to committing crimes.
 - i. Amendment of Section 18 of the Code of Criminal Procedure so that the right of minors to denounce, as stipulated in paragraph 104 of the Code of Childhood and Adolescence, is not curtailed. Paragraph 104 guarantees their subjects the right to denounce any act perpetrated against them and to proceed with the corresponding civil actions via a representative of the State Attorney.
 - j. Lastly, Section 33 of the Code of Criminal Procedure is amended on the grounds that its present wording fosters impunity, since prescription terms are reduced to half from the moment the first formal accusation is filed against the defendant.

B. REPRESSION

Starting point

The Specialized Unit against Sexual Crimes and Intra-Family violence of the State Attorney's office was created in January 1998. Its competence is limited to the First Judicial Circuit of San José and national competence is only exercised upon delegation of

the General District Attorney of Costa Rica. It deals with all crimes related to intra-family violence, such as attempts on somebody's life, sexual crimes, patrimonial crimes, as well as sexual crimes by third parties.

Furthermore, by the end of 1999 the Unit against Sexual Exploitation of Children and Adolescents in the Ministry of Public Health was created, that same year the OIJ's special unit was established.

At present, work is being carried out as far as coordination of the different investigation stages of the issue, design of the impact of repressive measures, and on the follow up of cooperation efforts between the governments of the United States and Costa Rica aimed at training police and judicial authorities. Repressive operations are being carried out where commercial sexual exploitation occurs.

Between 1998 and August 2001 and as a result of police and judicial actions, the District Attorney's office for Sexual Crimes has filed 506 accusations, and 17 of them have already filed an action. As a result, 53 persons have been tried (16 foreigners, 37 locals), 23 of them have been sentenced, 9 have been placed under preventive detention, and 8 are subject to precautionary measures.

Specific objectives

- a. Improve reciprocal enforcement of repressive systems reducing obstacles standing in the way of increased cooperation so as to achieve the desired impact of such measures.
- b. Check the adoption of new measures against commercial sexual exploitation at community level.
- c. During repressive operations, ensure the protection of minors.
- d. Strengthen the tasks of the District Attorney's Office and the police against domestic violence and sexual crimes, when enforcing the law

against sexual exploitation of minors.

Goals

- To create an ongoing training program for system users at national level. The program is aimed at facilitating an adequate approach to the issue and at contemplating research and implementation strategies of police and judicial procedures to apprehend, prosecute, sentence and/or extradite perpetrators of commercial sexual exploitation.
- To train for research purposes and perform follow up assessments of sex tourism on the Internet.
- To create a national network of District Attorney's offices, as well as with the different divisions of the Police Department working on the issue, with access to Public Records, Vital Statistics Records and Immigration Department.
- To establish a specialized unit for investigation of the use of Internet for CSE related crimes, adjacent to the Central Office against CSE crimes.
- To establish cooperation channels among the different police departments and the district attorney's office.
- To strengthen international contacts with police entities (such as Interpol, FBI, etc.) and special district attorney's offices dealing in the issue, so as to exchange information and unify investigation procedures.
- To promote investigation and implementation strategies of pertaining police and judicial procedures so as to ensure arrest, prosecution and sentencing and/or extradition of persons involved in CSE of minors.

5.3. CARING FOR THE VICTIMS

Starting point

At present there are 2 shelters for girls victim of CSE, Hogar Mi Tía Tere and El Cambio, there are as well other initiatives supported by civil society organizations.

Having assessed the proposal of joint work, implemented in Sixaola and in the frame of the project Contribution to Eradicating Commercial Sexual Exploitation of Children,

Adolescents and Women in the Metropolitan Area of San Jose, the proposal was accepted and used as a model for other projected shelters.

Specific Objectives

- a. To generate the necessary conditions to effectively and immediately detect and assess the condition of victims of sexual exploitation.
- b. To protect and provide integral care for the victims of sexual exploitation at their initial stage aimed at withdrawing them from CSE altogether.
- c. To protect and provide integral and specialized care to the victims of commercial sexual exploitation at advanced stages, aiming at offering them better social and family environments that contribute to their integral development.
- d. To establish care and specialized protection centers of CSE victims where the victims feel cared for, and receive integral care, considering the biological, psychological, social and spiritual perspectives.

Model of Direct Care

The direct care proposal is based on the basic principles of acknowledging the condition of children and adolescents as citizens, that is to say, to consider this population as subject of civil, social and political rights, and the principle of Superior Interest that should be understood as a guarantee for the effective fulfillment of all their rights; in accordance with the obligations assumed by Costa Rica when subscribing the International Convention on the Rights of the Child.

The direct care model identifies two stages for action, detection of CSE victims and caring for them strictly speaking.

- Detection

All government institutions, in accordance with the provisions of the Code of Childhood and Adolescence shall develop internal strategies to detect CSE victims.

When deportation of foreigners is concerned, Immigration authorities are a key link in detecting those foreigners that stay in the country carrying out activities related to sexual exploitation.

In order to ensure each minor that the State will answer to his/her needs, regardless of age and place of residence each detected minor shall be evaluated by a specialist. This evaluation will enable the institution to have an immediate feedback as to the minor's condition and will be of great help in determining protection needs for that specific case.

This assessment shall be supported by a Protocol on Integral Care for Children Affected by CSE, it shall also be used to evaluate the different care alternatives for each victim.

Personnel in charge of direct care shall be trained in all subjects related to integral care models and contact strategies in crisis situations for those under 18 years of age affected by CSE.

- Care

1. The assessment service shall determine the relapse risk for each minor and the amount of family support available.

During off duty hours, the minor shall remain within the premises of the evaluation center, until his/her parents are located. Should his/her parents be unavailable the minor shall be sent to a specialized care center while PANI decides on the necessary protective measures.

2. Those minors that are identified in this evaluation procedure shall be placed under PANI's competent local office, in the subsequent working hours, so that the necessary protection measures are taken.

3. Analysis of the measures to be taken: PANI's local office shall assess and study the bio-psycho-social case of each detected minor and the necessary protection measures shall be taken:

- Therapeutic support for the minor and his/her family,
- Design of community support,
- Intervention lapses,

- School insertion,
 - Treatment of addictions,
 - Treatment of parents,
 - Financial support for the family,
 - Medical treatment for the minor,
 - Placement in an Adolescent's Clinic,
 - Insertion in a specialized program for care of CSE victims.
4. PANI's local office shall furnish the family with a legal warning on the minor's frequenting high-risk scenarios and the family's obligation to protect that minor. The office shall make a close follow up of protection measures employed by the family. In those cases where parents fail to provide protection, the local office shall request the court for sanctions.
 5. If there is drug abuse, PANI's local office shall immediately take steps towards the mandatory confinement of the minor in a detoxification and treatment center as a protective measure.
 6. In those cases where the initial assessment shows a family that is unable and non-operative to protect the minor in question, and there is no other relative to resort to, the minor shall be sent to a protection center.
 7. Therapeutic approach for the minor and his/her family: PANI's local office shall develop individual or group therapies for children victim of CSE, as well as for the adults in charge of their protection, be it at their own headquarters or contracting the services from specialized NGOs.
 8. Steps taken by other institutions: PANI's local office shall coordinate all necessary actions to guarantee the minor's reinsertion in the educational system (MEP), health care (C.S.C.S.S.). Support against extreme poverty or financial support in certain situations (IMAS), and other necessary actions. These actions shall be coordinated based on the PLANOVI networks against violence. Whenever necessary, PANI shall take measures within its legal capacity.
 9. The MEP shall design contention strategies in the educational system with advise and feedback from the Interdiscipli-

nary Team of Psycho-social Care in those schools that have it, or else directly with the teacher.

10. Boards for Protection of Children and PANI's local office shall promote the implementation and initial support of a network for community protection, both for the minor involved as well as for other potential victims.

Creation of a specialized care for CSE victims shelter

There is a need to establish a specialized shelter where children and adolescents victim of CSE are cared for without having them interact with other minors with different problems.

This shelter shall provide children and adolescents victim of CSE with integral health, psychological, spiritual and educational support, as well as the chance to learn a trade, measures all that will prevent the minor from relapsing.

VI. ASESMENT AND FOLLOW UP

- Implementing this Plan calls for the establishment of a governmental agency to control coordination and implementation of its actions. That agency is the proposed Central Office for CSE.
- Follow-up mechanisms are also necessary for each area of the Plan: Prevention, Legal and Direct Care.
- Creation of a System of Surveillance Indicators with reference to commercial sexual exploitation is a basic need that will help us measure the impact of the steps taken to tackle and eradicate commercial sexual exploitation of children and adolescents.
- Said system shall use the data collected by the Information System on Target Population, under IMAS, and thus will follow up groups of children and adolescents that due to their poverty are socially vulnerable.

- The System of Surveillance Indicators shall also provide the tools to make an individual follow up of CSE victims already incorporated into the Direct Care Model herein proposed.
- The support of specialized university institutions is necessary for assessment. These instances shall carry out evaluation research on the social impact of the steps taken within the frame of this Plan.