

ILO
**Protecting children and adolescents against commercial sexual
exploitation in Central America, Panama and the Dominican Republic.**

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The "First international Congress against commercial sexual exploitation of children" held in Stockholm five years ago, was successful in putting this type of abuse on the public agenda, both at international and national levels.

The Congress contributed to increasing awareness in every country of issues such as protection of children victim of this kind of violence and exploitation. Despite the fact that the Convention on the Rights of the Child passed by United Nation's General Assembly explicitly indicated that all human beings under 18 years of age have the right to be protected from sexual exploitation, few countries had carried out systematic efforts in this regard. The fact that commercial sexual exploitation does not only affect isolated sad cases of minors vulnerable because of varied family and socio-economic contexts, had not been visualized either. In fact it is an infamous business carried out by pimps and exploiters, who attracted by the benefits and encouraged by a culture disrespectful of others, selfishly use children for this type of activities.

Since the First International Congress, Governments have shown increased awareness of exploitation, an essential requisite for its eradication, and have adopted many measures towards its eradication. However, a culture where all public and private sectors and all citizens feel obliged to do everything in their hands to prevent sexual exploitation of children is still lacking.

Countries are still facing huge challenges to fight against the impunity of exploiters and to enforce and guarantee the rights of all minors who have been used for sex trade by irresponsible adults. Along these lines, the fact that several institutions request the adoption of concrete and effective measures to put a stop to the problem is positive.

In June 1999 and with unanimous approval, ILO's Conference voted Convention 182 concerning the worst forms of child labor. This Convention proved a decisive effort of ILO to join the fight against commercial sexual exploitation of children. Convention 182 adds to Convention 138 that requests Governments to design and implement a national policy that guarantees effective abolition of child labor and stipulates minimum age requirements for employment. Convention 182 urges Governments to adopt all necessary measures to ensure implementation of action plans aimed at immediate elimination of the worst forms of child labor, and to establish effective sanctions that help enforce the stipulations therein contained. The Convention defines the worst forms of child labor as forced labor, prostitution, pornography, and several types of dangerous and exploitative work, for instance the utilization of children for illicit activities such as selling drugs and drug trafficking, as well as other labor that due to their nature jeopardize child health, security or morality. In a record time 100 countries ratified the Convention.

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Approval of ILO's Convention 182 is relevant in terms of involvement of new actors in the fight against commercial sexual exploitation. Considering ILO's tripartite character, in each member State both employers and employees undertook obligations through this agreement. Another important actor is the US, country that has not ratified the Convention on the Rights of the Child but is very interested in the enforcement of Convention 182. The Convention, is also important because it reminds States of their duty to protect from exploitation all those under 18 years of age without discrimination, a duty that is also stipulated in the Convention on the Rights of the Child.

During 2001 and thanks to financing from the US Department of Labor, ILO's International Program for Eradication of Child Labor was able to start a regional project aimed at collaborating with Central American countries and with the Dominican Republic for the eradication of commercial sexual exploitation of children. Within the frame of this project, IPEC has coordinated the conduction of seven studies in total, one in each country of the region. In each country, renowned research institutions conducted these studies (mentioned in the Bibliography). In coming months all studies shall be finalized and their results published. In the following paragraphs I will present some of the preliminary information collected via exploratory studies,

studies that used a methodology of quick evaluation for data collection. In each country, legislation and the existence of plans, policies or specific programs related to the issue were analyzed. Effective responses to the issue, both at national and local levels, were also explored. A common questionnaire with over 100 questions was prepared for six of the seven studies. In each country that same questionnaire was given to approximately 100 children victim of commercial sexual exploitation. At the same time, another questionnaire was prepared to evaluate the perception of adult population. This questionnaire was given to 200 persons in two towns or cities of each country. It is worth noting that the information gathered is not statistically representative of the whole country. The following data was collected from interviewed persons. Bear in mind that this is preliminary data and that the Guatemalan study is still unfinished, thus there is no data on that country. El Salvador used a different questionnaire so that country has not been included in the following tables.

As of today there are 612 interviewed minors. This figure is important. Despite the fact that only two towns per country were surveyed and the issue is hidden, the small research team managed to locate all these children in just a few weeks time, - a fact that points to the magnitude of the issue throughout the region.

IPEC/ILO Study: Children interviewed per country

| | Boys | Girls | Total |
|--------------------|------------------------|------------------------|------------------------|
| Dominican Republic | 56 | 62 | 118 |
| Guatemala | Data still unavailable | Data still unavailable | Data still unavailable |
| El Salvador | 32 | 62 | 94 |
| Honduras | 14 | 86 | 100 |
| Nicaragua | 39 | 61 | 100 |
| Costa Rica | 5 | 95 | 100 |

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| | | | |
|-----------------------------|-----|-----|-----|
| Panama | 29 | 71 | 100 |
| Total (excluding Guatemala) | 175 | 437 | 612 |

The magnitude of the issue is also reflected in the high percentage of the 200 adults interviewed who said knowing of or having seen child prostitution in their communities.

Eight to ten of the 200 adults interviewed in each country stated knowing people under 18 who are being subject to sex trade in their communities.

Interviewed adults who know or have seen children or adolescent prostitution (under 18 years of age) in their community (% of interviewed adults).

| | Yes | No | No answer | TOTAL |
|--------------------|------|------|-----------|-------|
| Dominican Republic | 75.3 | 24.7 | 0.0 | 100.0 |
| Honduras | 79.0 | 20.5 | 0.5 | 100.0 |
| Nicaragua | 91.0 | 8.5 | 0.5 | 100.0 |
| Costa Rica | 59.0 | 38.0 | 3.0 | 100.0 |
| Panama | 76.5 | 23.5 | 0.0 | 100.0 |

The most visible form of commercial sexual exploitation of children is when adults offer money to poor children in streets, plazas or brothels in exchange for sexual intercourse. However, in Central America there are other more hidden types of exploitation. All interviewed children had been paid for sexual

intercourse with "clients"-exploiters. They were also asked if they had been paid for nude dancing, naked pictures or if they had been asked to pose naked for videos. A significant number of children gave a positive answer, in particular Honduran children.

Children that besides having been used for sexual intercourse, have also suffered other forms of commercial sexual exploitation.

| | Interviewed children that have been paid for naked dancing in bars, discos or parties | Interviewed children that have been paid for naked pictures or have posed naked for videos |
|--------------------|---|--|
| Dominican Republic | 14.4 | 15.3 |
| Honduras | 43.0 | 38.0 |
| Nicaragua | 12.0 | 12.0 |
| Costa Rica | 31.0 | 14.0 |
| Panama | 14.0 | 6.0 |

In the region, exploitation is carried out in several different forms. In some countries it is worth noting the existence of "boyfriends" or partners that live together, relatives, middlemen and pimps that profit from child exploitation. Exploiters, in many occasions, have other illegal activities, such as drug

selling or drug trafficking. In order to fight against exploitation and taking into account this fact, there is an imperious need for specific strategies with strong participation of repressive and law enforcement personnel.

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Even if in some countries there are tourists, all data points to the fact that most exploiters are local men. Children in each country were asked who were those who paid for sexual

intercourse. In all countries more than 76% of children answered that they were “only men”. There are few female “client-exploiters” though.

Data on the gender of “client”-exploiters

Most often people who pay for sexual intercourse are:

| | Only men | Only women | Men and women | Does not know/ No answer | TOTAL |
|--------------------------|----------|------------|---------------|--------------------------|-------|
| Dominican Republic | 72 | 23,7 | 1,7 | 2,5 | 100 |
| El Salvador ¹ | 72,3 | 6,4 | 21,3 | 0 | 100 |
| Honduras | 76 | 5 | 18 | 1 | 100 |
| Nicaragua | 82 | 4 | 11 | 3 | 100 |
| Costa Rica | 92 | 1 | 7 | 0 | 100 |
| Panama | 81 | 4 | 15 | 0 | 100 |

Children were also asked about the gender of the last “client”-exploiter, all answers confirm the fact that the majority of “client”-exploiters are men. In Costa Rica there was only one child who answered that his/her last “client”-exploiter was a woman. In the Dominican

Republic almost a quarter of the interviewed children answered that it had been a woman. Generally, in the other countries of the region there is one female “client”-exploiter every 9 male “client”-exploiters.

Gender of the last exploiter

| | Children whose last client was a man (%) | Children whose last client was a woman (%) | Children whose last client was a couple (man and woman) (%) | Does not know/ No answer | TOTAL |
|--------------------|--|--|---|--------------------------|-------|
| Dominican Republic | 72.0 | 23.7 | 1.7 | 2.6 | 100.0 |
| Honduras | 88.0 | 11.0 | 1.0 | 0.0 | 100.0 |
| Nicaragua | 90.0 | 10.0 | 0.0 | 0.0 | 100.0 |
| Costa Rica | 97.0 | 1.0 | 2.0 | 0.0 | 100.0 |
| Panama | 83.0 | 13.0 | 3.0 | 1.0 | 100.0 |

In countries such as Costa Rica and the Dominican Republic, an increase in tourism has apparently resulted in an increase of

exploiter’s demand. This fact is particularly visible in Costa Rica where almost half of the exploiters are either tourists or foreigners

¹ The questionnaire used in El Salvador collected data based on a different question.

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residing in the country. However, it is important not to focus solely on foreign exploiters because sex tourism would not expand were it not for the national infrastructure and a tolerant culture, in the first

place; and secondly because if families, communities and governmental institutions provided adequate child care, exploiters, locals or foreigners, would not have such easy access to them.

Country of origin of the last “client”-exploiter: children’s answers

| | Children whose last client was from that same town (%) | Children whose last client was from other towns (%) | Children whose last client was a foreign tourist (%) | Children whose last client was a foreigner residing in the country (%) | Does not know/ No answer | TOTAL |
|---------------------------------|--|---|--|--|--------------------------|-------|
| Dominican Republic ² | 60.2 | 6.8 | 21.2 | 2.5 | 9.3 | 100.0 |
| Honduras | 72.0 | 14.0 | 12.0 | 2.0 | 0.0 | 100.0 |
| Nicaragua | 74.0 | 13.0 | 7.0 | 1.0 | 5.0 | 100.0 |
| Costa Rica | 44.0 | 7.0 | 19.0 | 25.0 | 5.0 | 100.0 |
| Panama | 38.0 | 47.0 | 7.0 | 5.0 | 3.0 | 100.0 |

The studies conducted show that there are huge challenges to enforce effective sanctions on exploiters. Impunity is revealed in several different ways. The population in general either does not perceive or ignores that adults trading in children for sexual exploitation purposes are committing a crime.

Despite the fact that 3 of every 4 adults interviewed in each country know of minors being subject to commercial sexual exploitation within their communities, they do not denounce it to national authorities.

Adults were asked about their reactions to sexual exploitation and only half of them informed they would report it to authorities.

² Dominican Republic data show the majority of clients and not the last “client”-exploiter.

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What would be your reaction if you were to find out or see an adult paying in exchange for sexual intercourse with a minor? (% of interviewed)

| | I would report it to competent authorities | I would do nothing | I would try talking to the adult | Other reaction | TOTAL |
|--------------------|--|--------------------|----------------------------------|----------------|-------|
| Dominican Republic | 49.3 | 15.5 | 25.1 | 10.1 | 100.0 |
| Honduras | 36.5 | 30.5 | 16.0 | 17.0 | 100.0 |
| Nicaragua | 47.0 | 23.5 | 20.0 | 9.5 | 100.0 |
| Panama | 60.0 | 23.5 | 14.0 | 2.5 | 100.0 |

The answers sound somehow hypothetical, as when asked if they had ever reported the crimes only a very small number gave a

positive answer despite the high percentage of adults interviewed who know of exploited children.

Have you ever reported the issue to the police?

| | Yes | No | No answer | TOTAL |
|--------------------|------|------|-----------|-------|
| Dominican Republic | 4.1 | 95.4 | 0.5 | 100.0 |
| Honduras | 11.0 | 88.5 | 0.5 | 100.0 |
| Nicaragua | 7.0 | 93.0 | 0.0 | 100.0 |
| Panama | 3.0 | 97.0 | 0.0 | 100.0 |

Consequently we are dealing with a crime that the population does not acknowledge as such. Huge information, sensitization and educational campaigns are necessary to change this reality and elicit reactions from people faced with exploitation. It is worth reminding that commercial sexual exploitation of children exists because there are irresponsible adults who are willing to “buy” a child and use him/her as an object for sexual activities.

In their short lives children who have been sexually exploited have not only experienced a violation of their right to protection against exploitation, but also of many other rights.

Children have the right to live with a family, and that family is the most important protective institution. In many cases, however, parents do not provide care and protection to sexually exploited children. Children were asked about their relationship with their father, and in the whole region there is a tendency to father neglect. About 40% of interviewed children do not know who is their father or else they know who he is but they have never lived with him. Only 2 or 3 of every 10 interviewed children still live with their father, or still have a relationship with him.

Relationship with their father

| | Number of interviewed children who either do not know who their father is or have never lived with him | Number of interviewed children who do not know who their father is, or know who he is but have never lived with him, or have lived with him for some time but never seen him again | Number of children who have lived with their father for some time and still either have a relationship with him or live with him |
|------------|--|--|--|
| Honduras | 29 | 50 | 26 |
| Nicaragua | 38 | 54 | 32 |
| Costa Rica | 49 | 68 | 23 |
| Panama | 42 | 57 | 36 |

El Salvador is the only country that shows a higher number of sexual exploitation victims who are still living with his/her father. In this country, half of interviewed children said to be living with his/her father.

In the other countries, children usually have contact with his/her mother. Depending on the country, 55 to 89% of the children are either still living with their mother or have some relationship with her. However, there is a considerable amount of children who affirm not having contact with their mothers.

Relationship with their mother

| | Number of interviewed children who either do not know who their mother is or have never lived with her | Number of interviewed children who do not know who their mother is, or know who she is but have never lived with her, or have lived with her for some time but never seen her again | Number of children who have lived with their mother for some time and still either have a relationship with her or live with her |
|------------|--|---|--|
| Honduras | 11.0 | 34.0 | 55.0 |
| Nicaragua | 3.0 | 12.0 | 80.0 |
| Costa Rica | 9.0 | 9.0 | 89.0 |
| Panama | Data still unavailable | Data still unavailable | Data still unavailable |

In order to assess whether exploited minors had been separated from their families or trafficked outside their original surroundings, children were also asked whether they had been born in the country where the interview was being conducted. Bearing in mind that

data from Guatemala is still being collected and may be different, of all other countries in the region only Costa Rica showed a larger amount of children born in another country. Of these children, 14 were Nicaraguan and 2 Panamanian and all had arrived in Costa Rica

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as small children with their families. That is to say, the girls had not arrived in Costa Rica as

a result of sex trafficking but either with their families or for socio-economic reasons.

Percentage of interviewed children who had been born in the country where the interview was carried out (relative figures)

| | % of interviewed children |
|--------------------|---------------------------|
| Dominican Republic | 94.1 |
| El Salvador | 100.0 |
| Honduras | 100.0 |
| Nicaragua | 97.0 |
| Costa Rica | 83.0 |
| Panama | 97.0 |

In many cases the family of victims is below poverty lines, has cases of inter-family violence, and physical, psychological and sexual abuse of children.

In Managua almost 4 of every 10 interviewed children said to have been sexually abused before they were 12, and almost 1 child of every 3 reported incest. In Tegucigalpa 34.9% of interviewed girls had been sexually abused before the age of 12 and 26.6% had suffered incest. In San Pedro Sula half of interviewed children had been abused before the age of 12. In the Dominican Republic 27%

of boys and 19% of girls had been sexually abused before 12 whereas the number of incests was far lower. In Costa Rica half of the 95 girls and adolescents who took part in the study had suffered incest.

Despite the high number of children who have suffered previous sexual violence adults have not reacted accordingly. Overall, only 1 every 10 abusers has been reported and only a very small number of victims of sexual abuse both under and over 12 years of age have received proper care post-sexual violence from any institution.

Responses to sexual abuse of children below 12

| | Abusers of children below 12 that have been reported to the police (%) | Victims of sexual abuse below 12 that have received care from an institution (%) |
|--------------------|--|--|
| Dominican Republic | 11.1 | 3.4 |
| Honduras | 15.0 | 15.0 |
| Nicaragua | 4.0 | 4.0 |
| Panama | 10.0 | 13.3 |

Responses to sexual abuse of children over 12

| | Abusers of children over 12 that have been reported to the police (%) | Victims of sexual abuse over 12 that have received care from an institution (%) |
|--------------------|---|---|
| Dominican Republic | 23.8 | 3.4 |
| Honduras | 10.8 | 6.9 |
| Nicaragua | 6.0 | 5.0 |
| Panama | 20.0 | 15.0 |

A violent environment pushes children to leave their homes and search for other alternatives. Since proper care and protection

are not easily found, they become an easy target for pimps and "client"-exploiters.

Children who have left their homes

| | Number of children that have left their homes (one or more times) (% of interviewed children) |
|--------------------|---|
| Dominican Republic | 39.0 |
| Honduras | 62.0 |
| Nicaragua | 75.0 |
| Costa Rica | 68.0 |
| Panama | 48.0 |

This group of children lacks protection by close adults (fathers and mothers), thus evidencing the short-term need of state intervention so as to ensure immediate care and protection. In the group of countries currently under study and according to the studies carried out, there is either a rapid governmental response but inadequate, or none at all.

Children were asked whether they had been helped by an institution and approximately half of them gave a positive answer. The fact that only some children had received institutional aid is a source of concern since they are at imminent danger. On the other hand, the fact that a considerable group of children have received aid, but insufficient or inadequate protect them from exploitation is also a source of concern.

Institutional aid

Have you received institutional aid? (% of interviewed children)

| | Yes | No | No answer | |
|--------------------|------|------|-----------|-------|
| Dominican Republic | 10.0 | 83.1 | 6.9 | 100.0 |
| Honduras | 45.0 | 54.0 | 1.0 | 100.0 |
| Nicaragua | 50.0 | 49.0 | 1.0 | 100.0 |
| Costa Rica | ? | ? | ? | ? |
| Panama | 8.0 | 92.0 | 0.0 | 100.0 |

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Specific intervention in response to each child's situation when the first "alarm bells" start ringing, for instance when the child leaves his/her home is extremely important. It is also important to have a clear picture of each child's situation of the family so as to implement the adequate measures. It is also necessary to assess whether the child is leaving his/her home for economic reasons or because one or more family members push him/her to leave through violence or neglect of their parental duties. Children have the right to live with a family and it is important to develop universal social policies that ensure that parents have the financial means to support their children. It is also necessary to promote parental responsibilities. But if the assessment reveals that none of the family members is capable of taking care of the child, the State shall take immediate action bearing always in mind that whatever they decide it has to be attractive for the child himself/herself.

In general, the State should intervene as soon as other violations of human rights occur,

indicating children at higher risk of being subject to illicit or dangerous activities.

Victims of sexual exploitation were asked whether they were attending school at the moment, only a very small number of children gave a positive answer. In order to assess whether the educational system was acting to avoid children dropping out from school, children were asked if at the time when they quitted attending school anybody from school had contacted them to prevent their dropping out. In Costa Rica 3 of every 4 children said they had not been contacted. In Honduras, Nicaragua and Panama half of the interviewed children gave the same answer. In the Dominican Republic, governmental institutions have contacted children to a greater extent. It is worth reminding that in order to prevent sexual exploitation, all sectors have to participate in child protection. School drop out rates are a risk signal and educational centers should be the first to react and design a joint strategy with childcare institutions aiming at ensuring that children continue with their studies and to safeguard their well-being.

School attendance and school response to drop outs

| | Number of children that are not attending school at present (% of interviewed children) | Number of children that deny having been contacted by the school in order to persuade them back to school (% of interviewed children) |
|--------------------|---|---|
| Dominican Republic | 63.6 | 17.8 |
| El Salvador | 60.0 | No data available |
| Honduras | 94.0 | 65.0 |
| Nicaragua | 91.0 | 47.0 |
| Costa Rica | 91.0 | 71.0 |
| Panama | 68.0 | 50.0 |

The studies carried out, as well as those conducted previously, have shown the physical, psychological and social impact of sexual exploitation. Approximately one third of interviewed children have STDs and many have been physically attacked by clients. This fact shows the hostile and risky environment in which they move, contrasting sharply with the myth of a "happy and easy life". Humiliation is common and proves the fact that the adult population still holds children liable for their sexual activities, despite the fact that they are in truth victims. The Honduran study depicts the health of interviewed girls as follows: "Girls have poor health, most of them have slow growth rates and their features tell of malnutrition and skin diseases. All of them have visible scars throughout their bodies, inflicted with bladed weapons, bottles, punches, or with other sharp and piercing objects, or else they are scars of old lesions resulting of ill-treatment from fathers, mothers, brothers, uncles or step-fathers."³ There is more to it: "These girls live in fear, of being infected with HIV or any other STD, of being forced by law enforcement officers, of "maras"⁴, clients or of any passerby."⁵

rights. The challenges are enormous since this population has many concurrent problems. As way of example, in Managua 100% of boys and 44% of interviewed girls take drugs on a daily basis.

The data from other studies also shows that a considerable number of children have been initiated in drugs and/or alcohol. This fact adds to the strategic challenges faced when trying to protect this group. These children not only require proper nourishing, housing, reinsertion in the educational system and in a family or non-family environment for complete protection and care, but they also need support to quit drugs and alcohol. There is an imperative need for programs and precise institutional guidelines so as to achieve integral childcare and enforcement of their

³ Kennedy, M., (Coor.), unpublished 2001.

⁴ NT. Latin American denomination for gang.

⁵ Ibid.

Consequences of commercial sexual exploitation

| | Interviewed children infected with STDs | Children who have been physically attacked by clients | Insulted or humiliated children | Children that have started on drugs or alcohol |
|--------------------|---|---|---------------------------------|--|
| Dominican Republic | 4,2 | 13,6 | 28,8 | 16,9 |
| El Salvador | 38,3 | 29,8 | 50,0 | 42,6 ⁶ |
| Honduras | 28.0 | 51.0 | 75.0 | 63.0 |
| Nicaragua | 37.0 | 18.0 | 85.0 | 40.0 |
| Costa Rica | 30.0 | 38.0 | 24.0 | 76.0 |
| Panama | 26.0 | 23.0 | 20.0 | 20.0 |

A particularly high number of girls and females adolescents have, on top of everything, one or more children. Care programs have to take this fact into consideration since sexual

exploitation not only puts the girl or adolescent at risk but there are also babies or small children that are totally dependent on effective maternal protective strategies.

Number of interviewed children with one or more offspring

| | Boys | Girls | Total |
|--------------------|------|-------|-------|
| Dominican Republic | 3 | 35 | 38 |
| Honduras | --- | 43 | 43 |
| Nicaragua | 4 | 22 | 26 |
| Costa Rica | --- | 38 | 38 |
| Panama | 3 | 29 | 32 |

All countries need to implement coordinated inter-institutional strategies aimed at achieving their cooperation in detecting exploitation and in putting an end to these practices. In order to achieve these goals and effective prevention of new children being submitted to exploitation, institutions should work proactively. The governments should train key public officers so that they know about the issue and their tasks in preventing and eradicating sexual exploitation.

At present there are groups and some individual public officers that do not protect the rights of children, on the contrary, they themselves violate these rights. By way of example, some law enforcement officers arrest children despite they being victims, or when law enforcement officers abuse their powers and commit crimes. In Costa Rica and Honduras, a very high percentage of the 100 interviewed children in each country tell of sexual abuse or harassment by law enforcement officers.

⁶ The Salvadoran questionnaire is different. The figures only reflect drugs.

Inadequate treatment by law enforcement officers

| | Interviewed children that have been arrested by the police (%) | Children that have been abused by law enforcement officers (sexual, harassment, rape) (%) |
|--------------------|--|---|
| Dominican Republic | 22,0 | 4,2 |
| El Salvador | No data available | 24,0 |
| Honduras | 77.0 | 56.0 |
| Nicaragua | 39.0 | 6.0 |
| Costa Rica | 60.0 | 38.0 |
| Panama | 23.0 | 5.0 |

As already said, all individuals, the different public and private sectors are somehow responsible in eradicating commercial sexual exploitation. However, the Governments are those that ultimately should ensure child protection against this form of violence and exploitation. All countries in the region have ratified international treaties, such as the Convention on the Rights of the Child, as well as Convention 182. The latter explicitly binds governments to take all the national, bilateral and multilateral necessary measures conducive to eradicating the problem, and to ensure the rights against exploitation of those under 18 years of age without discrimination. Regional governments have also pledged themselves to the formulation of national emergency action plans to eradicate these types of violence and exploitation.

There are still huge challenges. The studies conducted detected huge lacunae as far as legislation is concerned. Only Panama in the entire region has ratified the Optional Protocol to the Convention on the Rights of the Child on sale of children, child prostitution and child pornography, an extremely important international legal instrument when striving for eradication of sexual exploitation. In January 2002 the Protocol shall enter in force as 10

countries have already ratified it. Most countries also need to amend their Criminal Codes so as to ensure precise inclusion of all crimes related to commercial sexual exploitation of children. In this regard it is worth noting that in 1999 Costa Rica passed a law entitled "Law against sexual exploitation of minors". This law strives to encompass and sanction all crimes dealing with sexual exploitation, such as paying for sexual intercourse, production, commercialization, import and transport of pornographic material, etc. Furthermore, Costa Rica is making great efforts with little resources to investigate cases of exploitation and exploitation networks aiming at sanctioning exploiters. The Salvadoran Legislative Assembly has started to discuss and prepare proposals to amend national legislation on the subject.

The studies conducted show that enforcement of laws on sexual exploitation is not always proper. Upon revision of Nicaraguan court files serious problems in law enforcement were detected. The study reports that in Honduras: "in 238 revised files, none of them had been charged with pimping. A fact that tells of impunity implicit in silence and institutional indifference to detect and sanction these cases."

Developments in the legal framework

| | Ratification of the Convention on the Rights of the Child | Ratification of ILO's Convention 182 | Ratification of the Optional Protocol to the Convention on the Rights of the Child, on sale of children, child prostitution and child pornography | Approval of Codes of Children and Adolescents |
|--------------------|---|--------------------------------------|---|---|
| Dominican Republic | 1991 | 2000 | Not ratified | 1994 |
| Guatemala | 1990 | 2001 | Not ratified | Implementation postponed |
| El Salvador | 1990 | 2000 | Not ratified | There is no Code |
| Honduras | 1990 | 2001 (published in La Gaceta) | Not ratified | 1996 |
| Nicaragua | 1990 | 2000 | Not ratified | 1998 |
| Costa Rica | 1990 | 2001 | Not ratified | 1998 |
| Panama | 1990 | 2000 | Ratified | There is no Code |

With regards to US commitment in the region, - pledges undertaken when ratifying international legal instruments, - to implement specific plans to eradicate sexual exploitation and provide effective protection to victims, the conclusion is that there are still challenges. The fact that the different States acknowledge the issue and it is a source of concern is encouraging. Even further, several studies have been conducted, training activities and police operations have also taken place. However, the concerns, activism and interest should be realized in the preparation of plan, programs and institutional policies relating to rights, at national and local level. These activities should also have the adequate allocations of funds that will ensure putting an end to these practices. Some States have already defined national policies or prepared national plans with regards to the issue - a positive undertaking -, there are however many challenges for their implementation. Other more pressing issues in most countries include solid inter-institutional coordination,

defining precise institutional policies and budget allocations.

National policies should move in unison when referring to preventive actions against exploitation, sanctioning of exploiters and integral care of victims aimed at the fulfillment of their rights. According to the studies none of the countries in the region has a specialized state program on integral care for victims of sexual exploitation. The few examples of specific programs to provide integral care for these children have been developed by NGOs. Their main aim is though, to universalize the rights of children to protection, States should strive to implement national policies and programs in the areas of childcare and surveillance of enforcement of the rights of children.

In order to achieve a prompter eradication of sexual exploitation, countries are urged to use to a greater extent the knowledge from homologous institutions and to profit from

experiences of neighboring countries. Regional cooperation in the subject is still basic and can be developed further. ILO's IPEC program is interested in strengthening regional cooperation and in cooperating with governments and other international agencies, such as UNICEF and United Nations Volunteer Program so as to achieve greater impact and to help each other in putting an end to these unacceptable forms of abuse and exploitation.

States are also urged to call up strategic alliances with actors from the private sector and civil society. In order to achieve social rejection of sexual exploitation practices at all levels, sensitizing and creating bonds with hotel owners, directors and journalists, Internet server operating companies, travel agencies and communities as a whole, may prove a sound strategy in fighting these practices.

Regardless of the method chosen in each country, the rights of the victim should be respected and special care should be taken never to hold victims liable for abuse.

Therefore, States are recommended to:

- Revise and amend national legislation so as to ensure their compliance with ratified international legal instruments.
- Ratify the Optional Protocol to the Convention on the Rights of the Child.
- Prepare and implement National Action Plans to put an end to the issue and to ensure that:
 - The rights approach is included,
 - They have national coverage and shall be implemented both at national and local levels,
 - They encompass prevention, sanctioning of exploiters, and protection and enforcement of the rights of victims, and

- They have adequate fund allocations.
- Train key sectors of public officers in detection, prevention and sanctioning. Including teachers, health care providers and law enforcement officers among others.
- Establish cooperation channels between countries in the region to profit from lessons learnt in neighboring countries and to exchange useful information when investigating cases of exploitation.
- Call up strategic alliances with the different sectors aimed at putting a stop to these practices.

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