Integration of the Costa Rican National Plan against Commercial Sexual Exploitation of Children and Adolescents 2008-2010 in the National Development Plan

An example of a “BEST PRACTICE” for institutionalization and sustainability of the topic in national public policies

International Programme on the Elimination of Child Labour (IPEC)
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Recognizing the fact that commercial sexual exploitation of children and adolescents (henceforth CSEC) is a problem area that is affecting children and adolescents in the countries of the region, has made it possible to advance the establishment of commitments and the execution of actions aimed at preventing and eliminating this scourge. An example of this recognition has been the participative formulation of the National Plans for the prevention and elimination of commercial sexual exploitation of children in all the countries of Central America, Panama and the Dominican Republic.

However, in spite of the existence of these National Plans, and of National Commissions called upon to coordinate the execution of the strategies and activities defined therein, the difficulties of implementation have been noteworthy, especially when it comes to assigning human, technical and public financial resources.

So far, greater or lesser compliance with national plans has depended to a large extent on the collaboration of national and international organisms of cooperation. Furthermore, in some cases in which public budgetary participation has been achieved, it has become unattached from the rest of the national policies and programmes, becoming narrowly focused sectorial actions, out of context.

In contrast to this panorama, and very recently, we find the process defining the III Costa Rican National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010. This process has taken place under the leadership of the National Commission against Commercial Sexual Exploitation of Children and Adolescents (CONACOES) and contains abundant, useful and important information on the complex path that must be followed to elaborate and execute national plans that are both integral and integrated into public policies and wider ranging programmes, which effectively foster and promote an holistic attention to problems as complex as those dealt with in this plan.

The integration of national plans on specific and complex topics, such as the prevention and elimination of commercial sexual exploitation, within broader public policies, such as those covering development, fighting poverty, decent work or education, should be a mandatory process that allows for empowering the effectiveness and the impact required to confront the challenges of problems such as commercial sexual exploitation of children and adolescents. In addition, these processes must contribute to the process of institutionalization and sustainability of the actions that should be generated by the Government to combat national problems and adequately serve the full exercise of each person’s rights.

In spite of recent developments in this process, it is important to note that the National Coalition against smuggling in migrants and trafficking in persons has already begun to successfully emulate the commercial sexual exploitation of children Plan. To date, both processes have made important advances in the integration of the topic in ordinary planning processes in public institutions and in the allocation and execution of public resources.

This allows us to sustain the importance of this experience and is one more reason to encourage the exchange of best practices and lessons learned among the countries in the region.

This publication is intended to be an additional input for the wide range of decision-makers and specialists in charge of drafting public policy for the prevention and elimination of commercial sexual exploitation of children and adolescents, who, on a daily basis, decide which approach to take and how to proceed in combating this form of exploitation to which many boys, girls and adolescents are being subjected in our countries every day.

IPEC Programme
November 2008
Phase 1: Introduction


Both the Preface and Part I. Frame of Reference, of the document containing the Costa Rican National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010, report on the long and hazardous but sustained political, legal, and cultural process followed by this country during a decade from 1996 to 2006, to advance on two dimensions of the national reality related with this situation. The first being the achievement of a collective recognition that commercial sexual exploitation of boys, girls, and adolescents is an ongoing reality on a national scale and the recognition of its personal, social and structural implications. The second dimension, the initiation of the political and social mobilization needed to consolidate the legal framework and identify – and support- the institutional and social referents needed to confront commercial sexual exploitation of children and adolescents in a decisive and effective manner, wholly consistent with the children's rights approach and the values that sustain the Rule of Law and the Nation's democratic coexistence.

The scope and purpose of this document do not allow us to describe the profound process of self-reflection and transformation experienced by the Costa Rican State as a whole, with regards to the position assumed by the nation and its action in the face of commercial sexual exploitation of children and adolescents. It is sufficient to state that in little more than a decade, the country has been able to advance from an initial collective position of ignorance, denial and/or tolerance of the problem—which could explain the absence of official representation from this country at the Stockholm Congress in 1996 and its limited participation in that of Yokohama 2000– to the current coalition where:

a) Key players from the institutional and social sphere publicly recognize the existence of commercial sexual exploitation of children and adolescents within the nation’s territory and work in a decisive manner towards quantifying its dimensions and specifying the pertinence and efficacy of their interventions, taking in consideration its means of expression;

b) There is a specific legal framework for repressing its occurrences, which can always be fine-tuned, but is highly satisfactory in terms of its substantive adaptation to international provisions in these matters; and

c) The National Plan for the Elimination of CSEC 2008-2010 —the country’s third, but first with a specific budget allocation—is fully assumed as a specific goal of the National Development Plan 2006-2010 (NDP), after receiving the formal
An example of a “Best Practice” for institutionalization and sustainability of the topic in national public policies:

Phase I: Introduction

Endorsement for these purposes by the country’s highest political authority, the Government Council of the present Administration.

As with other agencies of the United Nations System and international cooperation entities other than this one, with related competencies and interests, the International Labour Office, through its IPEC Programme, has frequently been a close collaborator in the change process that has occurred in Costa Rica, within the milieu dealt with here, as has been commented. It is precisely within the framework of these relations of cooperation that due to a specific request received from the National Commission against Commercial Exploitation of Children and Adolescents (CONACOES), in March 2007, the possibility arose to provide the necessary technical assistance and logistical support to bring the local initiative to an appropriate completion with the construction and institutionalization of the Plan mentioned in point c) above.

The evaluation made at the conclusion of this collaboration allowed the Costa Rican experience in constructing and institutionalizing its National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010 to be singled out as a best practice in this area. This is in response to the novel and innovative character of the methodological process applied; the conceptual clarity of the guiding approaches undertaken and operationalized; and the strategic vision that animates the proposal for inter-institutional and inter-sectorial action, integral to integrated, which:

- transcends the traditional vision, of placing the responsibility only on the children’s rights sector to construct public proposal that comprehends the complexity of eliminating commercial sexual exploitation of children and adolescents it assigns operational and budgetary responsibilities among eight sectors of the current Costa Rican institutional structure, all of which is consistent with their individual mandates and competencies and acting in collaboration with civil society and related international cooperation agencies;

- takes into account the knowledge available in the country on the problem, to support a geographic and social approach that harmonizes the national scope with regional emphases, without ignoring its international projection; and

- contemplates both promotion-prevention and care provision for the problem and the defense and protection of victims rights, as well as institutional strengthening for the national entity in charge of providing technical support and follow-up for implementation (CONACOES).

In this context, this paper is an effort to systematize the process followed in Costa Rica to build and institutionalize the aforementioned plan, with the corresponding characterization of its primordial distinctive elements. The goal sought with its publication is simply to respectfully offer it as another technical input for consideration by the coalitions and organizations working on this and other related problems throughout Latin America. It is hoped that somehow, whether partially or fully, it will be useful in advancing the

9. The National Commission against the Commercial Sexual Exploitation of Children and Adolescents (CONACOES) is a space for inter-institutional and inter-sectorial articulation created by Executive Decree in 1998, to operate under the coordination of the National Children’s Welfare Board (Patronato Nacional de la Infancia). CONACOES was ratified in 2000 as a Special Working Commission of the National Council on Childhood and Adolescence. It is made up of representatives of public institutions, non-governmental organizations, and international cooperation organizations.

10. Technical cooperation was provided in the framework of its Sub-Regional Project Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents in Central America, Panama, and Dominican Republic. This assistance package was directed by the consultant Milena Grillo R., M.Sc., as person responsible for the overall design and process implementation.

11. These sectors are: citizen safety, violence prevention (with guidance functions), fight against poverty, education, health, labour, culture, tourism and foreign policy.

12. In the Costa Rican case, the National Coalition against Migrant Smuggling and Trafficking in Persons successfully replicated the experience.
valuable efforts that have been carried out for some time, to prevent and eliminate the occurrence of commercial sexual exploitation in the lives of the new generations that are the inspiration for taking action.

The document is organized in three sections:

Section I. INTRODUCTION is self-explanatory.

Section II. BUILDING THE NATIONAL PLAN FOR THE ELIMINATION OF COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN AND ADOLESCENTS 2008-2010 in Costa Rica, with its first part centered on describing the methodology used to build and institutionalize the plan, according to the three phases of implementation; and a second part, which presents the main distinctive elements of the final product resulting from the process.

Section III. LESSONS AND CHALLENGES, provides the major lessons learned from the process followed, at the same time that they pose certain challenges that the country must still resolve to ensure sustainability of this effort over the medium and long-term.

ANNEXES. Finally, the document presents as annexes a set of documents, expanding on or providing a basis for the contents of the document, to better inform the interested parties.
Phase II: The construction of the Plan

BUILDING THE NATIONAL PLAN FOR THE ELIMINATION OF COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN AND ADOLESCENTS 2008-2010 IN COSTA RICA

2.1 Methodology

The construction of the Plan that motivated this paper is the result of a process, organized in three equally relevant phases, for achieving its final product. The following sections present each of these phases for a better understanding of their specific objectives and characteristics.

2.1.1 Phase 1. Delimiting the expected outcome and organizing the process

This phase contemplated an initial effort to clarify expectations regarding characteristics and scopes to which a new proposal for a national plan against commercial sexual exploitation of children and adolescents would need to respond, parting from the assumption that the product sought should “establish the orientations necessary to increase the effectiveness of the State’s action within the scope of prevention, attention, and control of CSEC, as well as the defense and protection of victims rights”. This initial effort contemplated two dimensions:

■ a technical-operational dimension, with full participation by CONACOES, the Technical Secretariat, and representatives of the cooperation agencies with related interests; and

■ a political-institutional dimension, in consultation with the Executive Presidency of the National Children’s Protection Agency (PANI), which also acts as the Technical Secretariat of CONACOES; the National Planning Ministry, as the body in charge of advising on and evaluating the implementation of national plans and policies; and the Citizens’ Ombudsman (Defensoría de los Habitantes), represented by its Directorate of Childhood and Adolescence, as the agency responsible for compliance with the Convention on the Rights of the Child and the Code on Childhood and Adolescence, on behalf of public institutions.

As a result of this effort it was possible to identify coincidence regarding expectations on the following aspects:

1. The governing approaches and orienting principles of the proposal to be built would have to be in accord with the country’s legal and political commitments in these areas. (political-legal contextualization)

2. The proposal to be drafted should, at all times, take into account and build from the country’s existing institutional framework, with all of its potentials and limitations, enhancing operational aspects over discursive ones, and dealing with the delimitation of competencies and responsibilities, as well as procuring inter-institutional and inter-sectorial coordination for the interventions, going beyond merely public aspects (public-private articulation). From the same perspective, it was proposed that the Plan be in effect for three years, in order to confine it to the current governing period. (institutional contextualization)

3. The contents and strategies should be determined by a participatory process,

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13 Public institution created by the Constitution, which governs aspects related to rights of children and adolescents in Costa Rica and is in charge of special protection.
which would allow compiling the knowledge and experiences of national entities with a proven trajectory of working on the problem, and knowledge of the situation affecting populations that have either been victimized by it or are at risk of being victimized. (technical contextualization).

The commonalities, among the different actors consulted, bore special relevance, in the proposal for what the intended Plan should NOT be. In this sense, the following three aspects, which were understood to be the product of lessons learned from their participation in the drafting, implementation and follow-up of the two aforementioned plans, formulated in the country, are prominent:

1. The final product should NOT reflect a list of specific institutional activities, although these might appear to be related to confronting the problem.

2. The final product should NOT be the disconnected summation of actions foreseen in institutional agendas, generally having the financial backing of international cooperation entities.

3. The final product should NOT result in a solid proposal on paper, without the political backing and budgetary content needed to carry it to implementation.

Regarding the results obtained from the consultations made, it is possible to affirm that due attention to the recommendations received allowed the tasks to be oriented in aspects of both character and characteristics needed by the proposal for the plan to be elaborated, as well as in defining of the type of process that should be carried out to allow for the adequate resolution of its objectives, as part of the construction of the final product.

Regarding the organization of the process; it was designed based on an adaptation made by the consultant in charge of advising the project, using the well-known “Project Planning by Objectives” or PPO methodology.14

This takes into consideration that the group legitimized to work on the contents—the National Commission against Commercial Sexual Exploitation of Children and Adolescents (CONACOES)—already had experience the use of this methodological resource, from which it accumulated concrete products, which turned out to be valid starting points for the job to be done.15

From this perspective, the process assumed and accomplished the six steps which characterize PPO: Participatory Analysis; Formulation of the Objectives Tree; Analysis of Alternatives; Elaboration of a Planning Matrix; Structuring an Operational Plan; and formalization of an Agreement for Execution.

In this regard it is necessary to indicate that the first three steps were carried out in a manner very similar to that established by the PPO Methodology for its original application, that is, for project planning. As its principal achievements, we should mention that:

a) Starting with the Participatory Analysis, a different times, the list of participants convened was increased to incorporate into the process of consensus building institutional and social actors from outside of CONACOES, who were invited in view of their wealth of knowledge and experiences regarding this problem area, which resulted in an evident enrichment of the end product;

b) The Formulation of Objectives and Problem Trees specific to each dimension contemplated in previous national plans,

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14. PPO Methodology was designed by the German Cooperation Agency GTZ, whose documents served as a base for the work of building a consensus on the structure and contents of the Plan under discussion. For additional information on the possible uses of PPO, see Appendix 1.

15. This refers to the job done by this commission in 2006, related to the preparation of a Problem and Objectives Tree regarding its mission, with an analysis organized according to its regular working commissions, those being: Promotion /Prevention, Integral Attention to Victims, and Legal Reform/Repression.
allowed for the recovery of information available in the CONACOES files, which resulted in the broadening of the group’s knowledge of the process undergone by the country over the last decade, in its evolution toward a clearer national position and improved instrumentation in the face of commercial sexual exploitation of children and adolescents. The method was also appropriate for consensus building, both in the aspect of a fair evaluation of accumulated progress in legal reforms and in political and social mobilization as well as referring to the gaps that continue to exist in several relevant areas, to confront the problem and, particularly, with regard to institutional action. All of which was duly considered as input for the proposal to be drafted.

c) The Analysis of Alternatives led the group to identify resources and different types of potentials, with which the country is endowed and that place it in a better position to confront commercial sexual exploitation of children and adolescents than it is usually recognized as having. This step is fundamental for achieving consensus on the contents and commitments to be integrated into the planning matrices, on which there was agreement for each component, according to how they were defined in the final proposal for the Plan to be submitted for approval by the competent political entities. This exercise was also useful for leaving behind the defensive or alarmist positions that only served to bring imbalance to the decisions that the group has to assume during the process.

For implementing steps four to six of the PPO, it was necessary to introduce adaptations of form and content to the original methodology, in attention to the nature of the “national plan” of the particular product being elaborated. Among the main modifications introduced, are the following:

- Adjustments to the Planning Matrix format, to update them to those used by the Ministry of National Planning of Costa Rica (MPN) for the design, implementation and evaluation of public action, especially of the different components of the National Development Plan 2006-2010 (PND);  

- The Structuring of the Operational Plan was put aside, to be dealt with once the institutionalization of the Commercial Sexual Exploitation of children and adolescents Plan 2008-2010 was defined and officially recognized, in the framework of a public policy or national plan.

- Substitution of the type of Execution Agreement planned as the final step in the PPO applied to projects, by the formalization of a series of acts and expressions of official willingness, estimated to be necessary to sustain the required political endorsement; first, to ensure approval of the Plan’s proposal, just as it was drafted by the group, by the supreme authority of the Central Government – the Government Council; and Second, to ensure the viability of the operational incorporation of the approved product – the CSEC 2008-2010 Plan – as a goal of the National Development Plan 2006-2010 (NDP) and, as a consequence of this, as specific actions in the planning and budgeting of the institutions involved, as applicable and for the period of its applicability. In this regard, Annex 3 contains copies of some of the official

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16. By way of illustration, in Appendix 2 of this document, there is an example of a Planning Matrix by Component, adjusted to the aforementioned requirements.

17. This task is a work in progress at this writing, which implies the reformulation of objectives, the fine-tuning and unification of goals, the definition of expected results per year of Plan implementation. The Technical Secretariat of CONACOES has been responsible for guiding it, acting with the political backing of its Presidency and the technical assistance of the Ministry of National Planning, in permanent consultation with the offices of planning, both of the governing entity of the assigned government sector as the one responsible for its implementation and of the other institutions with specific competencies under the Plan.
documents that replaced the Execution Agreement.18

2.1.2 Phase 2. Building consensus on the structure and contents

Once studied and approved by CONACOES, both with regards to the delimitation made to the final expected product, based on the expectations documented in the previous phase, and to the methodological proposal designed to successfully carry out the process of building that final product with its corresponding timeline of activities, Phase 2 of the process began: building consensus on the Plan’s structure and contents.19

From the outset it was agreed that the temporary scope of the Plan was three calendar years (Jan 2008 - Dec 2010) to fit its proposal to the terms for national planning and circumscribe it to the period of government of the current administration. It was also agreed upon that the document would be organized in two equally substantive parts. Part I would establish a Referential Framework, where aspects of context, governing approaches, conceptual assumptions, international and national legal frameworks and the political and institutional frameworks would be covered. Consensus building on the contents of this part would attempt to respond to the requirements from Phase I of the process, referring to the proper legal – political and institutional contextualization of the Plan.

Part II would be dedicated to presenting the Plan’s Proposal, with the details of its operational principals, strategic axes, components, target population and responsible persons, and planning matrices by component, with a section for final considerations that might be considered relevant to document. Here we would find the quality of the methodological process followed to create consensus on the contents and commitments to be proposed in this part, which would allow recognition of the recommendations gathered to ensure the proper contextualization of the proposal from a technical viewpoint.

Finally, the structure of the document would contain a final section with relevant documentation to support the proposal, included as Appendices. Therefore, given the resolutions of CONACOES and of its Presidency on the foregoing, the collective work, oriented toward complying with the agreements was begun.

The consultant in charge of providing technical assessment to the implementation of the process reports the following, as the main achievements of this Phase:

- The legal-political contextualization was resolved, incorporating as sources for building its contents:

a) The set of instruments on human rights, summit meetings and worldwide and regional declarations, subscribed by the Costa Rican Government on the subject, and promoting an analysis by the group on their degree of compliance by the country;20

As a product of the group consensus, particular attention was placed on the recommendations and observations made to the country by the United Nations Committee on Rights of the Child, as a follow-up to the Official Report presented

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18. These documents are the Government Council Resolution of 18 July 2007, giving its unanimous endorsement to both the Plan and its incorporation into the framework of the PNID 2006-2010; the document directed to MIDEPLAN, duly signed by the group of Government Ministers, whose sectors or institutions have involvement in the Plan, expressing their conformity with the obligations that this commits their Ministries to assume, in terms of planning and budgeting for the period 2008-2010.

19. Author’s note: at all times the highest priority of the consultant in charge of advising the process was to achieve the best possible incorporation of recommendations received in the previous phase, regarding the characteristics that should make the final product unique.


b) The set of instruments that makes up the political platform of the current government administration, especially the National Development Plan 2006-2010, where the proposal under construction finds its most direct support in the Social Policy Axis, foreseen in that document, precisely, where reference is made to its clauses 1.4. Citizen security and violence and 2.4. Overcoming fear.

The institutional contextualization was sought by introducing to the group an analysis on the place occupied within the current organization of the Costa Rican Government by those public entities having direct or tangential competency on the subject: such as influence over hierarchical relationships and / or articulations, together with the general and specific mandates, derived therefrom, especially in light of the aforementioned National Development Plan. The following scheme reflects the results of the exercise carried out, which was of strategic value at the time of determining the steps to follow in the following Phase, with the idea of gaining political endorsement for the product under construction and its adequate institutionalization.

With a group consensus, Levels 1 and 2 were established as the instances called upon to provide political viability to the plan, while levels 3, 4 and 5 are identified as the principal guarantors of programme viability, acting in coordination with the entities directly involved in its implementation.

COSTA RICA
National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010
Referential Framework for its Institutionalization

1. Government Council
2. Guiding Ministries
   Citizen Safety and Violence Prevention Sector
3. National Council for Childhood and Adolescence (CNNA)
4. National Children’s Protection Agency (PANI)
5. CONACOES
From this perspective, one irreplaceable responsibility for programme viability for the Plan is assigned to the National Children's Protection Agency (PANI), attending to its double role as governing entity on matters of childhood and adolescent rights; with direct and undeniable responsibilities in the area of special protection for this population, derived from the Code on Children and Adolescents, as well as its own Organic Law. PANI also presides over the actions of CONACOES, coordinating its Operational Sub-Commissions; and serves as headquarters for its Technical Secretariat.

Technical contextualization was promoted as a differentiating value for the product being prepared, in relation to efforts previously carried out in the country for similar purposes. The goal was to build “a consensus proposal for CONACOES” on the set of actions that need be carried out by the Costa Rican Government within the term established for the Plan, to increase the relevancy and effectiveness of its intervention in the matter.

The pertinent consensus was built over a period of three months, within the framework of a series of workshops that required the cooperation of the full assembly of CONACOES to define the structural aspects of the Plan (for example, governing approaches and their scopes, conceptual suppositions, operational principles, strategic axes and components); as well as round tables directed by the Sub-Commissions of CONACOES and other key participants, to build the component matrices for the Plan, with the corresponding cross-validation of these proposals.

The advising consultant concentrated on designing the agendas for the workshops, preparing the necessary inputs to facilitate the work to be done, explaining the assumptions, reiterating the mandates and competencies, clarifying perceptions, stimulating reflection and systematizing the product of each encounter for its subsequent validation, first by the responsible group and later by the full assembly of players linked to the process. The Technical Secretariat of CONACOES was in charge of convening and following up on the continued participation of these players, as required.

Of particular relevance in this phase was the participation of two political players from the national scene, key to the desired results. The first was the representation of the Ministry of National Planning, which accompanied the group, from time to time during the process. Their contributions were vital in orienting the work in the best possible way toward the ends being sought, which were to institutionalize the final product within the framework of the National Development Plan, when the time arrived. The second player was the representation of the Citizen’s Ombudsman through its Office for Children and Adolescents, as an external observer of the process. The Office’s participation as observer allowed it to bear witness before third parties, on the participatory and transparent nature of the work done, as well as to commit itself to carrying out monitoring of the effective compliance with the Plan, once the respective political backing was attained, and at all times exercising its regular mandates and competencies.

The second section of this part of the document presents some of the final characteristics of the structure and contents of the National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010 in Costa Rica that make it unique, compared to other proposals elaborated in the past by the country, both in this field as well as in other, similar areas. This unique

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21. Of Special importance for these effects is the National Council for Children and Adolescents (CNNA) created in virtue of the Code on Children and Adolescents, whose legal mandate carries the obligation to ensure that institutional policies and programmes contain as one of their action clauses, the fight against commercial sexual exploitation of children and adolescents, with special emphasis on education and formation for the prevention of structural, social, family and personal factors that place this population in situations of risk, as well as emphasis on the attention given to its victims and the protection of their civil, economic and social rights.


character is, without a doubt, the result of the process followed by the proposal drafting team, from the delimitation of the end product and the organization of the process (Phase 1) through building consensus regarding its structure and contents (Phase 2).

Therefore, the correct thing to do is to close this section of the document by recognizing that the attempt made here to reconstruct the development of the National Plan, regarding the principal elements of the process of successful consensus-building and of its main achievements, no doubt falls short in certain essential aspects, in view of the quality of the product obtained. This is so due to the impossibility of a better demonstration of the wealth of individual knowledge and the harvest of collective good will that made it possible to obtain these results, which include those described in the following section, regarding the achievement of political and programming viability for the proposal thus drafted.

2.1.3 Phase 3. The institutionalization of the final product

For effects of this endeavor, we shall understand “institutionalization of the final product” to mean: the set of procedures accomplished, from the process of building the proposal for the National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010 in Costa Rica, in two successive occasions as follows:

a) A first moment, to attain the approval of the public authorities with sufficient power to give substantive backing to the incorporation of this Plan into the framework of the NDP 2006-2010. This is all in consideration of the contribution that the progressive implementation of the Plan is supposed to do to achieve “six national goals, among those established by the NDP: 4.1.1 Combat corruption in every area of public sector activity; 4.1.2 The reduction of poverty and inequality; 4.1.3 Increase the growth of the economy and employment; 4.1.4 Improve the quality and broaden the coverage of the education system; 4.1.5 Stop the growing rates of criminality, drug trafficking and addiction, and reverse the growing sensation of insecurity among all citizens; 4.1.8 Distinguish our foreign policy and recover Costa Rica’s role in the world.”

Following these procedures is what gave this Plan its most valuable direct support with the Political – Social Axis contained in the National Development Plan 2006-2010, as specifically referred to in its sections 1.4 Citizen security and violence and 2.4. Overcoming fear. Therefore, this first moment served to consolidate the political viability of the proposed Plan.

b) A second moment, served to ensure its definitive incorporation in the planning and budgeting of the institutions involved in its implementation. This moment represented the construction of programme viability.

With these two objectives to be achieved, the following actions and strategies were carried out by the group, under the leadership of the Executive Presidency of the National Children’s Protection Agency and the diligent work of the Technical Secretariat of CONACOES, with the technical assessment of the consulting firm in charge of accompanying the process.

- Prior lobbying and official presentation of the proposal for the Plan before the Government Council, to promote the unanimous agreement of its members on approval of the National Plan for the Elimination of Commercial Sexual

24 Taken from MIDEPLAN. National Development Plan 2006-2010. Pages 45-47.
25 The effectiveness in complying with this step is documented in a copy of the official document remitted by the Office of the Minister of the Treasury, in reply to a consultation received from the Minister of Foreign Affairs and Worship, reaffirming the obligation of the latter Ministry to facilitate the budgetary reserves that correspond to it in light of the Plan. A copy of that document is included in Appendix 3.
Exploitation of Children and Adolescents 2008-2010, and for its correct incorporation as a specific goal in the National Development Plan 2006-2010. The result of these procedures is expressed in the Resolution adopted by the Government Council in its Ordinary Session No. 54, on 18 July 2007, whose complete text is included in Appendix 3 of this document.

- Technical and logistic support for the Ministerial Office, co-Director of the government sector assigned as Plan coordinator. This was done to facilitate an informed and timely follow-up, on the part of that Office, for the resolutions that were entrusted to it by the Government Council. The principal result of these procedures is Document DMJ-1386-09-2007, of 14 Sept 2007, issued by the Vice-President of the Republic and the Minister of Justice, reiterating to the institutions participating directly or indirectly in the Plan, their obligations that this national commitment demands of each of them, in terms of planning and budgeting. A copy of this Document also forms part of Appendix 3 of this document.

- Formal presentation of the National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010 before the Council on Children and Adolescents, following-up on the accord of the Government Council, for requesting its proper incorporation into the process as the articulating body of the inter-institutional and inter-sectorial agreements, required to ensure viability of the Plan. As a concrete product stemming from this action, we have the unanimous Resolution of the Council on Children and Adolescents of 25 October 2007 that covers the aforementioned aspects.

- Follow-up on the remission of the Document from the Ministerial Office of the Co-Director of the government sector, responsible for implementing the Plan, signed by all of the Governing Ministries of the sectors directly or indirectly related with its implementation, requesting the Ministry of National Planning to incorporate the Plan into the framework of the National Development Plan 2006-2010 and expressing its agreement with the obligations that this implies for the parties represented, both for planning and for budgeting in the period of its applicability. A copy of this document is also included here, in Appendix 3.

- Coordination and planning with authorities and technical personnel of the National Planning Ministry, of the Governing Ministries from the Citizen Security and Violence Prevention Sector, and from the institutional planning offices of the institutions involved in implementing the Plan, to introduce adjustments to the formulation of their operational matrixes, following-up on indications made by the competent entities.

The final result of this process allowed for an institutionalization of the Plan under this analysis, organized into two successive moments. The first dealt with the immediate incorporation for the 2008 institutional planning and budgeting period, of a set of substantive actions that represented 80% of all actions contemplated in the Plan, duly endowed with budgetary content as a responsibility of the entities responsible for its implementation. The second, which is ongoing at the time of this document’s publication, refers to the task of refining the goals and fine-tuning the indicators that the competent entities are currently carrying out,
for the incorporation of the global plan as operational goal for the National Development Plan starting in 2009, with parameters pertinent to the national planning and budgeting process.

Needless to say, the achievement of institutionalization of what to date is the National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010 in Costa Rica, is the product of a conjunction of two factors: a strategic process mobilizing the political endorsement necessary, in the terms described in the previous section, and a solid proposal aimed at increasing the effectiveness of public action on the subject matter, that stands apart from similar efforts previously carried out in the country, due to its capacity to integrate the recommendations received from the consulted parties during the initial phase of its construction process.

The following portion of this section is precisely centered on highlighting the elements that make this proposal unique for its structure and contents, trying to create a characterization of the main elements that make it different from previous national efforts, and give it a strategic character and an innovating power for the institutional and social practice on the subject.

2.2.1 Vision and scope

The process experienced by Costa Rica during the last decade allowed its society to build a better understanding of ideological and structural factors that, from a global to a local vision, explain, propitiate and perpetuate the occurrence of Commercial Sexual Exploitation of Children and Adolescents in the country and beyond its borders.

This understanding constitutes the foundation of the cross-sectional view that makes its proposal for the implementation unique part of a set of actions aimed at increasing the suitability and effectiveness of an intervention on the problem by the Costa Rican Government, in its broadest sense as public institutions, beyond the sector of children and adolescents, acting in an articulated manner with organized civil society and international cooperation.

The scope projected for the Plan deserves the same reflection as that expressed above, proposing a geographic and social focus that contemplates national actions that are intensified regionally aware of criteria of vulnerability in the face of the problem, without ignoring the international aspect.

2.2.2 Its operative principles

These are understood to be directly related to the Plan’s vision and scope, and are as follows:

| Costa Rica |
| CSEC NATIONAL PLAN 2008-2010 |
| Operational principles |
| a. Inter-institutional and inter-sectorial coordination. |
| b. Public-private articulation |
| c. Participation of children and adolescents |
| d. Geographic and social approach |
Operational principles a and b, seek integrality, relevance, quality and sustainability in the actions contemplated and the search for greater efficiency in public intervention in these affairs. These arise as a result of establishing synergistic relationships among the entities and sectors involved in the Plan.

Operational principle c, reflects the willingness to finally resolve a pending debt the country has in matters of participation of under-age persons in confronting commercial sexual exploitation of children and adolescents not only as populations that has been victimized or are at risk thereof, as has been the national practice thus far. In fact, the urgency of the time frame available for designing the Plan proposal and processing its institutionalization made it impossible to invite a significant participation by children and adolescents in the different phases of the process, as would have been correct.

Operational principle d, with the consensus built around the need to design a coverage for the plan and a strategic allocation of available resources from the country’s institutions and its society, based on the information available from diverse investigations during the last decade, and especially the findings of the Geographic and Social Mapping of Trafficking Routes for children and adolescents for sexual purposes, and zones of vulnerability for sexual tourism (PANIAMOR / Save the Children Sweden, 2003-2007). This served to propose a national scope for the Plan with international projection and progressive regional intensification, according to consensuses on vulnerability to this scourge.

2.2.3 The determination and operationalization of its components

The Plan dealt with herein strays from the structure used in previous national plans, which, generally followed the dimensions used by the Stockholm 1996 and Yokohama 2001 Action Plans, to organize its purpose around four Components, whose delimitation and operationalization come from the analysis of the context, its strengths and challenges. Each component of the Plan presents its target population, the entity or entities mainly responsible for the actions to be carried out, and those called upon to collaborate in it due to their competencies and legitimate interests.

In both their theoretical conception and operational scope, these Components seek the greatest possible correspondence with challenges identified as priorities for the country, in light of the sources consulted and the analysis of the objectives and problems faced in order to advance toward eradication of the problem. These Components and their operationalization are as follows:

1. PROMOTION-PREVENTION

Here, promotion is understood as the set of actions carried out in order to facilitate, assist and articulate an effective political and social participation in the construction of national and local scenarios with zero tolerance for commercial sexual exploitation of children and adolescents. Prevention, on the other hand, is understood as associated with the sustained and articulated development of a set of actions with a sense of process, based on inter-institutional and inter-sectorial participation, and oriented toward identifying, reducing and eradicating risk factors—personal, familial, communal, institutional, social and structural—that condition, propitiate and perpetuate the commercial sexual exploitation of children and adolescents in the country according to its different expressions.
2. CARE

This component includes the provision of integrated and integral services (physical, psychological, social and legal) on a timely basis and of high quality, whose orientation guarantees intervention of the damage and its consequences, as well as strengthening the child affected by commercial sexual exploitation and of the family group, when applicable.

3. DEFENSE AND PROTECTION OF RIGHTS

Under this component, the Plan sets out the set of actions to be carried out by the different institutions, according to their competencies, in representation of the child victim or at risk of becoming a victim of commercial sexual exploitation of children and adolescents in an informed, diligent and continuous way, exercising an optimum defense of their rights and interests, taking as its starting point a consideration of their specific condition, and as its goal the most favorable definition of their legal situation.

4. ORGANIZATIONAL STRENGTHENING

As contents of this component, the Plan proposes the implementation of a set of strategic actions (with a programming and administrative nature), designed to mobilize political will and social legitimacy resulting in the strengthening of the capability of CONACOES to fulfill its mission.

It is interesting to note that the separation into two distinct components of direct care to victimized populations or those at serious risk; and the defense and protection of their rights allows for ordering the actions and designating responsible parties for each case, among the entities with very different competencies, such as healthcare and the integral protection system, in order to obtain the highest level of rights restitution, in light of the principle of the best interest of the child.

It is interesting to note the inclusion in the plan of a component that focuses on the aspects of strengthening the national entity specialized in the Plan’s subject matter, an aspect that is unique to the Costa Rican proposal. The reason we understand to underlie this is the conviction of the group formulating the Plan, that this line of action is necessary to generate the minimum installed capacity needed by CONACOES, to provide timely technical support to the plan’s implementation and to provide effective follow up to its fulfillment.
3.1 Lessons learned

Many are the lessons learned as a result of the process followed in Costa Rica for constructing and institutionalizing its current National Plan for the Elimination of Commercial Sexual Exploitation of Children and Adolescents 2008-2010.

Without prejudice to other lessons that may be identified by different institutional players and social participants in the process, the following are some of the lessons learned by ILO/IPEC, as a cooperating agency in the process:

1. The maturity achieved in the country as a result of its progressive process of recognition and positioning on facing the problem, provided the contextual framework needed to formulate a proposal for a Plan with the solid foundation this one presents.

2. The capacity of the central group in charge of formulating the proposed Plan, and that of its Secretariat, to investigate, attend and incorporate the recommendations received in the consultation phase on the new proposal as to “what it should and should not be”, became central to the suitability and relevance of the contents of the product obtained.

3. The political backing received from the Country’s Child Protection Agency (entity that chairs the National Commission against Commercial Sexual Exploitation) throughout the process, and especially, during its institutionalization phase, was essential in achieving the desired ends.

4. The openness of the consensus building process on the proposal’s structure and contents, to third parties outside the regular members of CONACOES, resulted in greater solidity and suitability of the product obtained, in particular referring to its vision and scope.

5. The participation of public entities, competent on matters of national planning, at key moments of the process, allowed for combining the proposed Plan with the priorities and goals of the current government’s own political agenda.

6. The active presence of the Citizens’ Ombudsperson of the Republic of Costa Rica, during the entire process of building the proposed Plan, as external observer, bolstered the political and social legitimacy of its results.

7. The disposition of the cooperating agency to accompany the process in all of its phases, including the extension of technical assistance beyond the phase formalizing the set of acts and expressions of official willingness, deemed necessary to substantiate the political endorsement required for properly institutionalizing it, allowed for confirmation that the elaboration of a good proposal and obtaining this endorsement at the highest political level, would be insufficient without the necessary follow-up to ensure programme viability, with the support of competent entities at that level.

3.2 Principal challenges

Three core challenges are identified for Costa Rica, in its quest to carry out the implementation of this Plan. The first two challenges have already been mentioned in section 2.5 of that document, titled, “Some final considerations”. The third has been identified in the systematization process of
An example of a “Best Practice” for institutionalization and sustainability of the topic in national public policies:

Phase III: Lessons and challenges

1. The fact that the country still has no public policies dealing with commercial sexual exploitation of children and adolescents in an integral way and due to the particularities that are part of a complex problem such as this, they continue to encumber the construction under consensus of a minimally operational and conceptual framework, which allows for the conciliation of interests and needs, and which brings together the efforts among the entities and groups working in this problem area, with different sectors of the population. This tends to undermine an optimum implementation of the Plan.

2. The existing initiatives in Costa Rica to put the Plan into action, whether in a preventive, care providing or repressive manner, fail to clearly identify the inclusion of the guiding approaches that would give the Plan direction, particularly with reference to making more visible the structural foundations – the ideological and cultural aspects - that underlie social tolerance and institutional apathy toward commercial sexual exploitation of children and adolescents. Neither the active awareness regarding the risk factors and the differential impact that this has on children, considering the victim’s sex, economic condition and context in which he/she is developing in. It is vital that these biases be taken into account and corrected in the implementation of a proposal such as that contained in this Plan.

3. The historic and multifaceted nature that describes the occurrence of commercial sexual exploitation of children and adolescents in the country makes the need for a sustained State-based, long-term action to advance toward its progressive eradication. In this sense, it is urgent that CONACOES learn, once and for all, the necessary political and social ropes, to ensure the extension of the life of the Plan beyond the period defined for its current applicability, which, in any case, should be considered as a first stage in a much broader effort, and in terms of institutional commitments and expected results, rather than as temporary measures.
ANNEX
## Annex 1

### Notes on Project Planning by Objectives (PPO)²⁶

To know where to go, one needs an Objective and a map, showing the way plus the means necessary to permit his reaching the Objective. PPO (Project Planning by Objectives) is a planning method that can provide a Project Plan, presented by a summary table, the Planning Matrix that shows, on a single page, and in a very systematic manner, the following:

<table>
<thead>
<tr>
<th>WHY?</th>
<th>Do the project</th>
<th>Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>WHAT?</td>
<td>is the project meant to do</td>
<td>Results</td>
</tr>
<tr>
<td>HOW?</td>
<td>Are those results going to be achieved</td>
<td>Activities</td>
</tr>
</tbody>
</table>

It also includes information on:

<table>
<thead>
<tr>
<th>WHAT?</th>
<th>are the external factors important to the project</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOW?</td>
<td>Can we measure the progress and Success of the project</td>
<td>Indicators</td>
</tr>
<tr>
<td>WHERE?</td>
<td>Can we find the data and information for evaluating the project.</td>
<td>Sources</td>
</tr>
</tbody>
</table>

**NOTE:**

This method was introduced by GTZ in 1981 for the planning and implementation of most of its technical cooperation projects. Its German denomination is: ZOPP – Zielorientierte Projekt Planung.

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Utilizing the PPO Method

During the initial phase of a project, a working meeting or small seminar should be held for the purpose of outline and approve a working plan for the project. In this opportunity, PPO is applied to agree in the most precise manner on the following matters:

- The results to be obtained during the Project as a whole and short term
- The activities to carry out
- The group that will participate
- The availability of resources for its realization, etc.

Other applications

Furthermore, the PPO Method can be used to plan detailed measures within the project (components or sub-projects) or major events within the framework of building proposals on a national scope. This shows that the PPO method is very flexible and adaptable to a wide variety of situations:

- Orients and provides visibility to the objective evaluation of the project
- Facilitates the continuous updating of the projects
- All interested and affected parties can be heard during the process
- The dynamics of the planning and execution process are being influenced by the participating groups
- Works with any type of project
- Size and complexity of the measure are unimportant

¿Who uses PPO?

It is normally carried out by a work group made up of advisors and technicians of the entity responsible for carrying out the expected product, together with the technicians from their immediate financial and political referents. An analysis of the institutions and interest groups, who, in one way or another are involved in the action proposal being built, will allow one to correctly identify other entities or persons that might also contribute valuable information and opinions to the construction of the product as a whole or by each dimension being covered and at distinct moments in the process.

Key Concept of PPO:
Analytical Separation and Planning Connection between
CAUSE and EFFECT
## I. PROMOTION-PREVENTION COMPONENT

<table>
<thead>
<tr>
<th>STRATEGIC ACTION</th>
<th>OBJECTIVE</th>
<th>GOALS</th>
<th>INDICATORS</th>
<th>SOURCES OF VERIFICATION</th>
<th>BUDGET ESTIMATE</th>
<th>RESPONSIBLE PARTIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Establish national and local level mechanisms, capable of promoting and making effective a culture of zero tolerance for CSEC in the country.</td>
<td>1. Position zero tolerance to CSEC at the political and social levels in national and local scope.</td>
<td>1.1 The creation and strengthening of specifically designed inter-institutional coordination and cooperation mechanisms in 6 cantons highly vulnerable to CSEC, specifically designed to involve key social actors in the process of building awareness and social mobilization toward zero tolerance of its occurrence.</td>
<td>1.1.1 At least one mechanism established and operating per canton.</td>
<td>Annual POA participating institutions</td>
<td>4,800,000.00</td>
<td>PANI, Local governments, CCSS, IMAS, MEP, M Health, M Security, M Justice, Collaborating entities: Religious groups, NGOs with local presence</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1.1.2 Number and type of social actors reached by the awareness building and social mobilization processes.</td>
<td>Pertinent agreements or letters of</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1.1.3 Number and type of social mobilization developed by key actors participating in the processes.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1.1.4 Number and type of agreements and letters of understanding between institutions participating in the mechanisms per canton.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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27. Cantons per year implementing the Plan.
That in the Minutes of ordinary session number Fifty-four of the Government Council, celebrated on the eighteenth of July of two thousand and seven, is found article nine that says textually: ARTICLE NINE: Presentation of the National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents (CSEC), by Mr. Mario Víquez Jiménez, Executive President of the National Children’s Welfare Board (PANI) and by Mrs. Milena Grillo Rivera. Mr. Mario Víquez Jiménez, Executive President of the National Protection Agency (PANI) and Mrs. Milena Grillo Rivera, in her condition as consultant to the National Commission against Sexual Exploitation (CONACOES) and ILO/IPEC, present the “National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents 2008-2010”, before the Government Council, said plan being proposed and elaborated by the National Commission against Commercial Sexual Exploitation of Children and Adolescents (CONACOES), whose objective is to ensure and improve the protection of minors against commercial sexual exploitation, which is integrated into these Minutes. WHEREAS FIRST: That the commitment assumed by Costa Rica for the promotion and protection of human rights of all under-age persons living in its territory, and the promotion of democracy, are fundamental pillars for decision making in all areas. SECOND: That the country make a sustained effort to ensure and improve on the protection of under-age persons against commercial sexual exploitation through the approval and ratification of a set of international and national norms that guarantee the effective compliance with the Human Rights of children and adolescents, as seen in: 1 – The Convention on the Rights of the Child, approved by the General Assembly of the United Nations on 20 Nov 1989, and ratified by Costa Rica through law 7180, published on 9 Aug 1990, which explicitly recognizes the human rights of under-age persons, and considers children and adolescents full subjects of those rights; 2 – The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, ratified by Costa Rica through law No 8172, applicable as of February 2002; 3 – The Code on Childhood and Adolescence, Law No. 7739 published in the Gaceta No. 26 on 6 February 1998, which establishes the Human Rights of under-age persons and guarantees their effective enforcement by the Costa Rican State; 4 – The law for “strengthening the battle against sexual exploitation of under-age persons through the reform and addition of several articles to the Penal Code, Law No. 4573, and the reform of several articles of the Code of Criminal Procedures, Law No. 7594”, through which sexual crimes against under-age persons are repressed and sanctioned, providing greater protection to their dignity and physical and emotional integrity. THIRD: That in the process of follow-up on the compliance of the Human Rights contemplated in the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Committee on Children’s Rights recommended to the Costa Rican Government: first: to establish a specific and exhaustive policy for eradicating child prostitution and the use of boys and girls in pornography; second: to take the necessary measures to ensure that the possession of pornography in which boys and girls are used be integrally contemplated in the Costa Rican penal law; third: to define and typify as a crime in penal legislation, human trafficking; to continue protecting victimized children in every phase of the penal process; fourth: to intensify its battle against smuggling and trafficking of children for commercial sexual exploitation; fifth: to effectively prohibit the production and publication of material that advertises the crimes described in the Protocol. FOURTH: That the National Development Plan “Jorge Manuel Dengo Obregón 2006-2010”, include the establishment of the following national goals, related to the commercial sexual exploitation of under-age persons: a. Combat corruption in every area of public sector action; b. Reduce poverty and inequality; c. Increase economic growth and employment; d. Improve the quality and broaden the coverage of the educational system; e. Stop the growing rates of criminality, drug trafficking and addiction and reverse the growing sensation of insecurity by all citizens; f. Ennoble Costa Rica’s foreign policy and its role in the world.
Therefore, the Government Council agrees: FIRST: To approve the National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents 2008-2010”, proposed and elaborated by the National Commission against Commercial Sexual Exploitation of Children and Adolescents (CONACOES). SECOND: To instruct the National Planning Ministry to carry out the necessary adjustments for incorporating the “National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents 2008 – 2010” into the National Development Plan “Jorge Manuel Dengo Obregón” 2006-2010. THIRD: Request all institutions that are involved in and responsible for the execution of the “National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents”, to incorporate the programming and budgetary components of the approved Plan into their Institutional Operational Plans. FOURTH: To communicate this agreement to the National Council on Childhood and Adolescence, and to the Judicial Branch, for them to take the corresponding actions and coordination, according to their competencies and legal attributions. FIFTH: For follow-up, monitoring and evaluation of the level of compliance with the Plan, the National Council on Childhood and Adolescence, the Ministry of Planning and the National Children’s Welfare Board, all being entities in coordination with CONACOES are charged with these responsibilities. THIS AGREEMENT IS DECLARED APPLICABLE BY UNANIMITY “. …

This document is issued on the sixth day of the month of August of two thousand seven.
Messrs.
National Commission against Commercial Sexual Exploitation
CONACOES
Present.-

Esteemed Madam:

Please accept my cordial greetings.

As you well know, it befalls the Peoples Ombudsperson to watch over the proper functioning of the Public Sector according to national legal order, international treaties, morals and justice, as well as to promote and disseminate the rights of the inhabitants. The protection and defense of the rights of children and adolescents in the face of all forms of discrimination, violence or any form of abuse of those rights, also forms part of the priority agenda in the labors of this institution.

One of the topics that have received special attention is commercial sexual exploitation. The Peoples Ombudsman has made a variety of indications to urge the government authorities to adopt preventative measures against, provide attention to and the necessary follow-up in order to effectively combat this scourge.

As a consequence, estimating the importance for the country to have a public policy on the matter, as well as the instruments of coordination and work, needed to initiate the necessary actions, it was considered pertinent for this entity to accompany the process, as observer and technical entity in the elaboration of the National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents for the period 2006-2010, drafted by the National Commission against Sexual Exploitation with the support of ILO/IPEC.

In this process, the Peoples Ombudsperson has been able to verify the participatory process in building this plan, which is structured in four fundamental components for adequately dealing with the subject matter, these being: Promotion – Prevention, care, Defense and Protection of Rights and Organizational Strengthening, each of which, together, achieve the consolidation of a series of priority actions for attending to the matter and responding in good measure to the needs of our country’s under-aged population.

It is clear that the possibility for said Plan to be successful depends on political willingness and the assignation of resources by the institutions responsible for executing the proposed actions, it is for this reason that the Peoples Ombudsman, as a control entity, will remain attentive to its effective fulfillment and to the processes evaluating its execution, for which it is expected that a process will be developed, equally participative and transparent, of accountability by the responsible entities.

Reiterating our satisfaction for the efforts of planning performed and expecting the prompt and effective execution of the proposed actions, I sincerely remain,

Citizen Lisbeth Quesada Tristán
Peoples Ombudsperson

Cc: M.Sc. Mario Víquez Jiménez, Executive President PANI
Madam

Sonia Arguedas Montero
General Director
Ministry of Foreign Affairs,

Dear Madam:

Referring to your document DG-540-07, in which you inform us that with document PE.1477-2007, subscribed by the Executive President of the National Children’s Protection Agency (PANI), it is indicated that the Government Council approved the “National Plan for the Eradication of Commercial Sexual Exploitation 2008-2010” and that its implementation is of an obligatory nature for the institutions with competency in its execution.

In virtue of the above, and in order to initiate action on the aforementioned, we request that you indicate the procedure to follow for effects of complying with the stipulations and if it is a legitimate competency of your Ministry. We also request you to clarify whether the technical and budgetary previsions for said implementation should or should not be taken.

Regarding this matter, upon revising the referred plan, specifically on the 2008 – 2010 CSEC Plan Matrix by Component of Intervention, in point 1. Component of promotion / prevention, in the goal 1.4 incorporated the positioning of Costa Rica as a zero tolerance country on CSEC (commercial sexual exploitation of children and adolescents), the official strategies of international tourist promotion, from the focus of responsible and sustainable tourism in the Plan, whose budgetary estimation is ₡150,000,000.00, includes the Ministry of Foreign Affairs, as one of the parties responsible for carrying out this goal.

In point III. Component of defense and protection of rights, in goal 2.2 Signed and ratified at least two cooperation conventions on the subject of repatriation, with countries identified as priority for the protection of children and adolescents, victims of trafficking for sexual ends, to which was assigned a budgetary estimate of ₡200,000,000.00, the portfolio of Foreign Affairs was also established as one of the institutions in charge of its implementation.

The Government Council approved this plan, and the respective accord was declared applicable by unanimity on 6 Aug of this year, the third article stating the following:

“Request all (sic) institutions involved and responsible for the execution of the “National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents”, to incorporate the programming and budgetary components of the approved plan into their respective Institutional Operational Plans.”
As indicated in the transcribed parts of the Plan’s matrix, as well as the stipulations of the accord taken by the Government Council, the Ministry of Foreign Affairs and Worship, as one of the parties responsible for the execution of fulfilling several of the goals of said Plan, should incorporate the programming and budgetary components into its Institutional Operational Plan (POI), and therefore should remit, to MIDEPLAN as well as to this Office, the corresponding adjustments.

Therefore, it is considered that the Portfolio of Foreign Affairs should take the technical and budgetary previsions for the implementation of the commented Plan.

Now, concerning the procedure to follow for effects of respective compliance, article 33 of the Law of Financial Administration of the Republic and Public Budgets, Law No. 8131, state the following:

“Formally, the budgetary process begins with the operative planning that each body and entity should make in concordance with the medium and long range plans, the policies and institutional objectives defined for the period, the related matters, the budgetary policy and the guidelines that are defined for the stated purpose. The techniques of budgetary programming shall be defined through the regulation of this law.”

It is established in the recently transcribed norm, that the beginning of the budgetary process starts with the operational planning that each organ or entity carries out, for which it should take other elements into consideration, such as national plans, policies and institutional objectives established for determined time periods, budgetary policy, pertinent guidelines, etc.

Regarding this case, as is well known, there is a National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents 2008 – 2010, which includes, as one of its parties responsible for carrying it out, the Ministry of Foreign Affairs. This plan duly approved by the Government Council, should also be incorporated into the National Development Plan “Jorge Manuel Dengo Obregón” 2006 – 2010, according to the second article of the accord of the cited Council.

There can be no doubt, then, that the provisions of the Plan that pertain to the Portfolio of Foreign Affairs and Worship, should be included, when implementing the operational planning of its budget; and to that end, use must be made of the directives, technical norms, instructions and instruments elaborated by this General Office, based on the stipulations of Law No. 8131 and its regulation, documents that should be known by the financial unit of that Ministry.

Sincerely,

Licda. Marjorie Morera Gonzalez
Director General of the National Budget

Cc Lic Bruno Stagno Ugarte, Minister of Foreign Relations
Mr. Mario Viquez Jimenez, Executive President PANI
Licda. Daisy Lopez Masis, General Coordinator, Unit of Legal Matters DGPN
Licda Ana Lia Garita Pacheco, Coordinator UAP2, DGPN
Lic. Jose A. Calvo Camacho, Coordinator SINE, MIDEPLAN
Consecutive
Archive
Integration of the Costa Rican National Plan against Commercial Sexual Exploitation of Children and Adolescents 2008-2010 in the National Development Plan

ILO
International Programme on the Elimination of Child Labour (IPEC)

ILO office in San Jose
http://www.oit.or.cr/ipec/esc

An example of a "BEST PRACTICE" for institutionalization and sustainability