



IPEC

INTERNATIONAL LABOUR OFFICE

**INTERNATIONAL PROGRAM ON THE
ELIMINATION OF CHILD LABOUR**

**Subregional Coordination for
Central America, Panama and the
Dominican Republic**

**Commercial Sexual Exploitation of Children and Adolescents
in Central America, Panama and Dominican Republic**

SYNTHESIS REPORT

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FOREWORD

Commercial sexual exploitation of children and adolescents is one of the most severe human rights violations, which causes enormous suffering as well as physical and emotional consequences. Eliminating this form of exploitation requires the active participation and common effort of all sectors: governments, private sector, civil society organizations, as well as the international community.

The International Labour Organization (ILO) confirmed its commitment to participate in this fight when it approved Convention 182 on the worst forms of child labour (1999). This convention makes the countries that have ratified it responsible for adopting immediate effective measures to achieve the prohibition and elimination of the worst forms of child labor. Among these worst forms, article 3 mentions “the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;”.

The ILO, through the International Program on the Elimination of Child Labour (IPEC), developed the Project “*Contributing to the prevention and eradication of commercial sexual exploitation of children and adolescents in Central America, Panama, and Dominican Republic*” to support these countries in their efforts to eliminate this social problem.

The document presented here is the result of the analysis of studies coordinated by ILO/IPEC with national institutions and researchers for the purpose of understanding the situation of commercial sexual exploitation of children and adolescents in Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala, Panama, and Dominican Republic. The completion of all of these studies has been possible thanks to the funding of the United States Department of Labor.

We hope that this regional summary, as well as the seven national studies, are useful in advancing the creation of strategies and putting into practice effective measures aimed at eliminating commercial sexual exploitation of children and adolescents in an urgent manner.

Guillermo Dema
Subregional Coordinator
ILO/IPEC Program

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INTRODUCTION

Commercial sexual exploitation of children and adolescents has been recognized globally as one of the most severe human rights violations of children and adolescents. In the last two decades awareness of the devastating consequences to the victims has increased, and likewise, concern about eliminating the problem has grown.

Convention 182 of the International Labour Organization is one of the international legal instruments that most strongly promotes the elimination of commercial sexual exploitation of children and adolescents. This convention was unanimously adopted, and those countries that ratified it committed to taking immediate and effective measures to eliminate the worst forms of child labor, among which are mentioned, "... the use, recruitment, or sale of children for prostitution, production of pornography or pornographic acts". It is important that the ILO has so clearly denounced the problem, since the tripartite structure of this international agency means that not only have the States recognized the problem, but also the employer organizations and trade unions have promised to participate in its elimination.

The International Program on the Elimination of Child Labour (IPEC) is the specialized entity of the ILO that offers support to the countries in achieving the goals established in the ILO Conventions with respect to eliminating child labor. Upon the adoption of Convention 182, the IPEC Program expanded the activities contributing to the elimination of commercial sexual exploitation of children and adolescents in the 83 countries where the Program operates.

Given the serious situation encountered, ILO/IPEC developed a regional project aimed at eliminating commercial sexual exploitation of children and adolescents in the Central American countries and in Dominican Republic. Among the first activities supported was a study on the situation in each of the following countries: Panama, Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala, and Dominican Republic, with the purpose of helping the creation of intervention strategies for combating the problem.

Therefore, ILO/IPEC hired a research team in each of the countries mentioned in order to develop the study. One of the directives given was to analyze the existing legal foundation for preventing the problem, protecting the victims, and punishing the exploiters in each country. The intention of this analysis was to find gaps in the legislation and to evaluate the need for supporting the improvement of national laws. In addition, the investigators were asked to conduct an analysis of the institutional response to the problem with the objective of identifying possibilities for strengthening institutional capacity. Each research team was also charged with the task of collecting information on the victims of commercial sexual exploitation using a questionnaire developed by ILO/IPEC.

In this manner, information on the family and socio-economic situation was gathered from around one hundred victims in each country, as well as information on how those directly affected perceived the institutional response. In addition, information was obtained on some characteristics of the exploiters through an instrument administered to the victims. Finally, each research team was asked to administer a questionnaire to two hundred adults in each country to evaluate their awareness and perception about the

problem. The results of this analysis will serve as a basis for establishing communication campaigns to foster social rejection of the exploitation. The information offered by the victims as well as the adults interviewed has been entered into a common database.

The studies were executed by professionals and national institutions. In Panama, the study was carried out by the Women's Institute at the University of Panama under the coordination of Enriqueta Davis. In Costa Rica, Cecilia Claramunt established a research team and coordinated the study. In Nicaragua, the study was developed by the Foundation for Women's Development (MUPADE) under the coordination of Rosamaría Sánchez; while Zoila González de Innocenti coordinated the study in El Salvador. In Honduras, the Women's Studies Center – Honduras undertook the task under the coordination of Mirta Kennedy; and in Guatemala, Ramón Cadena, Carlos Peralta Chapetón and Sergio Fernando Morales of the University of San Carlos participated in the development of the study in that country. In Dominican Republic, the study was carried out by the non-governmental organization PROFAMILIA with the participation of Frank Cáceres, Leopoldina Cairo and Antonio Moya.

The current document contains a regional synthesis of the information gathered and the analysis carried out by each research team. Information will be presented about the victims of sexual exploitation and about the perceptions of the adult population based on the regional database that was established using the national databases.

Commercial sexual exploitation includes the use of boys and girls under 18 years of age for various commercial sexual activities, such as paid sexual relations; the production, promotion and dissemination of pornographic material; and the use of children and adolescents for public or private sexual entertainment. There are various forms of exploitation that must be confronted in a specialized manner, including sexual tourism; individual and/or organized local exploiters; trafficking of children for purposes of using them in sexual activities; as well as the dissemination of pornography over the Internet.

The basis for the current document is the fact that all sectors of society must participate in the eradication of commercial sexual exploitation; however, the States have the unique responsibility of complying with the various international conventions that they have ratified, such as ILO Convention 182 mentioned above and the Convention on the Rights of the Child. Therefore, this is not a matter of good will on the part of the States, but rather an international commitment acquired by ratifying these international conventions. All children and adolescents have the right to be protected against commercial sexual exploitation and if the families and communities do not prevent and attend to this problem, the States are obligated to intervene immediately to protect them.

Many challenges still remain in preventing the problem in the Central American countries, Panama, and Dominican Republic. In this document some socio-demographic and economic characteristics of the countries will be presented to show the general context in which commercial sexual exploitation is maintained. In addition, some of the gaps encountered in the existing legal and institutional framework for protecting children and adolescents against all types of abuse will be presented, as well as weaknesses in the institutions that are supposed to punish persons who commit this type of crime. The existing institutional platform in the region, which must be improved and more focused on addressing this particular problem, will be described.

Later, the dynamics in which sexual exploitation is carried out and its relation to the factors that foster its existence will be discussed, both those factors that make the victims vulnerable as well as those that foster "demand". An analysis of the similarities and differences among the countries will be included, and since the characteristics vary from one country to another, varied responses must be established.

Based on the regional database, which contains information gathered by each national research team, the awareness and perception of the adults interviewed about commercial sexual exploitation of children and adolescents will be analyzed, as well as the willingness of people to deal with the problem, through actions such as reporting. In addition, qualitative and quantitative information will be presented, based on the questionnaires administered to child victims. Characteristics of sexual exploitation from the children's point of view will be explored as will the failure to protect the human rights of this sector of the population, including their right to live with their family, to receive an education, to enjoy good health, and especially the right to be protected from all types of abuse and exploitation.

Next, a summary of the regional institutional response will be presented, including the programs promoted by the NGOs as well as the State's response. Finally, the main conclusions and recommendations for advancing the fight against commercial sexual exploitation of children and adolescents in the countries mentioned will be presented.

PART ONE:

Description of the Central American and Caribbean context to understand the problem of commercial sexual exploitation

Chapter One:

General characteristics of the region

Chapter Two:

International legal framework approved by the countries included in the study to eradicate commercial sexual exploitation and specific legal aspects, in terms of punishment of the crime as well as protection of children and adolescents

Chapter Three:

The institutional response to the commercial sexual exploitation problem

CHAPTER ONE:

General characteristics of the region

Figure # 1
Map of the Central American and Caribbean Region



1. General context

The phenomenon of commercial sexual exploitation in the Central American region and in the Dominican Republic (Caribbean region) must be understood in the social, political, cultural and economic context in which it exists. In this sense, despite the ethnic and cultural differences, the countries share similar characteristics in terms of their global position in human development.

The Central American isthmus, just as its name implies, is located in the central part of the American continent and is made up of seven countries: Guatemala, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, and Panama. To the east is the Caribbean Sea and to the west the Pacific Ocean. Six of them share the Spanish language—derived from the Spanish conquest—which is the official language, while the indigenous population is also an important presence, which has its roots in important pre-Columbian cultures. This explains why the Central American region, with the exception of Belize, has a similar organizational and productive structure and similar cultural traditions. The Caribbean region is made up of a set of islands that are located in the Caribbean Sea and extend from the south of Mexico to the northern part of South America. Also located there are independent countries such as Cuba, Haiti and Dominican Republic (both on the same island), Jamaica, the Bahamas (despite its geographic position, it is independent), Trinidad and Tobago, Granada and Barbados. Other islands still maintain economic dependence or functional ties with countries such as the United States, England, and Holland.

The existing ethnic and cultural differences in the Central American region and in the Caribbean are based in the ethnic and cultural roots of the region, as well as in the invasion and colonization process. For example, most of the indigenous Pre-Columbian cultures developed on the Pacific and central side of Central America, and ethnic mixing as well as a specific form of political, economic, and social organization occurred as a result of the Spanish conquest and colonization. On the Caribbean side, however, minority indigenous cultures settled and mixed with Black Caribbeans and slaves during the British colonization and incursions (Hall, 1985). The English influence on the region is not only observed in the existence of new population groups, but also in the political and functional structure that characterizes a large part of the colonized countries.

In this sense, the differences and similarities in terms of language, culture, functional and political structure among the countries of both regions are to a large extent the result of both the pre-Columbian population characteristics and the history of conquest and colonization. Belize is an example of a country geographically located within Central America but which shares the English language and many cultural traditions with other Caribbean countries, while Dominican Republic is located in the Caribbean but shares the Spanish language and many of the cultural traditions of the Central American region. This has led to commercial treaties, international agreements, and international organization structures being based on such differences and similarities. The current study takes these characteristics into account in understanding the problem of commercial sexual exploitation in the seven Central American countries that share the Spanish language and the political, social, and economic organization, which is why the Dominican Republic is included.

2. Social and economic context of the Region

The Central American countries and Dominican Republic have some common social and economic characteristics, although some countries have advanced in some areas, as seen in the following table:

Table # 1
General Characteristics of the countries included in the study

	Guatemala	Honduras	El Salvador	Nicaragua	Costa Rica	Panama	Dominican Republic
Size in Km2	108.890	112.090	21.040	129.494	51.100	78.200	48.730
Number of Inhabitants*	12.335.580	5.997.327	5.839.079	3.674.490	3.674.490	2.778.526	8.129.734
Population growth rate* (%)	2.68	2.24	1.53	2.84	1.9	—	1.62
Life expectancy at birth:							
General:	66 años	65 años	70 años	67 años	76 años	75 años	70 años
Men:	64 años	63 años	67 años	65 años	74 años	72 años	68 años
Women:	69 años	66 años	73 años	70 años	79 años	78 años	72 años
GDP (in millions of dólares)	45.700	14.400	17.500	11.600	24.000	19.900	39.800
Per capita income**	3.800	2.400	3.000	2.500	6.700	7.300	5.000
* 1999 data / ** 1998 data / Sources: UNICEF. The State of the World's Children 2001. Official Summary. United Nations Population Division. World Bank.							

The Central American population has a high population growth rate, tripling in the last 50 years and reaching a population density of 65 inhabitants per km². Half of the persons that live in the region are women, 20% are indigenous, 40% are children under 14 years old, and 0.6% are adults over 60 years old. A little more than half the population lives in rural areas, where development indices are lower than in the cities (CEPAL, 1999).

El Salvador, Guatemala, Honduras, Nicaragua, and Belize make up 81% of the regional population and are considered countries in moderate demographic transition, showing high rates of birth, death, and population growth. Costa Rica and Panama are considered to be in full demographic transition, with lower population growth rates, while Dominican Republic has a population growth rate of 1.3%. The under 14 population makes up 33.1% of the population, and those over 65 years old make up 4.5% of the total inhabitants (CEPAL, 1999).

The distribution of wealth, which is due to inequality and economic development characteristics, is one of the main problems in the region. In Central America, productive activities are mainly focused in low technology agriculture and textile manufacturing, which provide low pay for the workers. Despite the rise in the tourism sector, which has been an important income-generating activity especially in Dominican Republic and Costa Rica, the living conditions of the population have not greatly improved.

This clearly has a great impact on the living conditions of the inhabitants, since a large number live in conditions of indigence and extreme poverty because of low incomes and unemployment.

In the case of Dominican Republic, 56% of the households are below the poverty index, one-third of which are found in extreme poverty.

The unemployment rate in Dominican Republic was 20%, reaching up to 50% in peri-urban zones. In Central America, unemployment reached 10% in the 1990s, and informal employment and underemployment, which are very common in the region, are on the increase. 20% of urban salaried workers work for salaries that are below the legal minimum.

Almost one-third of the Central American population is illiterate, a condition that is more serious in Guatemala and Nicaragua, among women, in rural areas, and among the indigenous population. In Dominican Republic, the illiteracy rate is 17%.

In terms of children’s status, a serious problem in the region is malnutrition, low coverage of primary and secondary education, and high levels of infant mortality and under five mortality. Some statistical indicators follow. The under five child mortality rates are considered to be highly representative of a country’s level of human development in general, and of the conditions for children in particular.

Table # 2
Countries ranked by their under-five mortality rate

Country	Under-five mortality rate	World rank (under-five mortality rate)
Guatemala	60	68
Dominican Republic	49	76
Nicaragua	47	78
El Salvador	42	83
Honduras	42	83
Panama	27	110
Costa Rica	14	146

Sources: UNICEF: State of the World's Children 2001. UNICEF, United Nations Population Division and United Nations Statistics Division.

Table # 3
General Indicators of Childhood Status

Country	Infant mortality rate (< 1 year) 1999	Gross rate of primary school enrollment
Guatemala	45	94
Dominican Republic	43	93
Nicaragua	38	96
El Salvador	35	94
Honduras	33	97
Panama	21	106
Costa Rica	13	109
Source: UNICEF: State of the World's Children 2001.		

In general, there are a series of common conditions that can be observed throughout the region that lead to a vulnerable position for the child population and put them in a series of risk conditions, including commercial sexual exploitation, which is one of the most serious risks.

CHAPTER TWO:

International legal framework approved by the countries included in the study to eradicate commercial sexual exploitation and specific legal aspects, in terms of punishment of the crime as well as protection of children and adolescents

By ratifying various international legal instruments, all the countries in the region have committed to the elimination of commercial sexual exploitation of children and adolescents.

During the years 2000-2001, ILO Convention 182, which urges countries to eliminate the worst forms of child labor, was ratified by the countries. These include:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children,
- the use, recruitment, or offering of children for prostitution, production of pornography or pornographic acts.

One decade earlier, the countries had ratified the Convention on the Rights of the Child, which explicitly establishes state responsibility in taking all necessary measures to protect persons under 18 years old against various commercial sexual activities.

The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography was adopted in the year 2000, which underscores the need to penalize persons that subject children and adolescents to commercial sexual activities and calls for international coordination in stopping the problem. Panama ratified this protocol in the year 2001, followed by Costa Rica, Guatemala, and Honduras in the year 2002.

Of all the countries in the region, only Costa Rica (2001) and Panama (1998) have ratified the Inter-American Convention on International Traffic in Minors until now. The objective of the Convention is to prevent and penalize the illegal capture and movement of children from one country to another. A system of legal cooperation between countries and legal and administrative arrangements needs to be set up to prevent children and adolescents from becoming objects of trafficking and to offer assistance and protection to victims already affected by this crime.

Another international legal instrument against different forms of commercial sexual exploitation is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. It also complements the United Nations Convention against Transnational Organized Crime. This protocol was ready to be signed in December 2000. It aims to promote cooperation among countries to prevent and combat the trade of persons, especially women and children and adolescents, and to protect and assist the victims of trade. The protocol defines the trade of a minor as the capture, transport, movement or reception of a child or adolescent for the purpose of exploitation, including forced labor, slavery, sexual exploitation, and others. Ratification of the Protocol and the Convention by most countries in the region is still pending.

Upon ratifying the set of international conventions mentioned, the countries must continue to adapt their national legislation to appropriately punish those that commit sexual crimes against children and adolescents. In addition, they must create a national legal framework that guarantees the rights of children and adolescents in general, and their right to the protection and immediate assistance in case they become a victim of sexual exploitation.

In relation to the **promotion of rights** in national legislation for underage persons, it is important to point out that Honduras, Costa Rica, Nicaragua, and Dominican Republic have had children's and adolescents' Codes in effect since the second half of the 1990s. Guatemala has proposed that their Children's Code be put into effect, while Panama and El Salvador still do not have this type of legislation.

The Children's and Adolescents' Codes promote a set of individual and social rights for children and adolescents under 18 years old to guarantee their full development and well-being, reducing their vulnerability to various risks, such as being subjected to sexual exploitation.

Regarding the **punishment of the exploiters**, the legislation in several countries lacks specificity in being able to address cases of commercial sexual exploitation of children and adolescents in an appropriate manner.

Only Costa Rica revised and adapted its laws by approving "Law 7899 against sexual exploitation of underage persons" in 1999, which introduced important changes in the current Penal Code to be able to punish different criminal acts related to commercial sexual exploitation of children and adolescents. However, there are still gaps in this law, such as the lack of punishment for possessing child pornography and for distribution of child pornography among adults without commercial gain.

In all the countries studied, the act of pimping (promoting prostitution) is punished, however, in most countries the punishments are light considering the serious consequences for the victims. In Guatemala, it is only punished with a fine, and in El Salvador and Panama with a prison term of only 2-4 years. In Dominican Republic, it is punished by 2-10 years in prison, and in Nicaragua with 3-6 years in prison. In Honduras, when victims are under 18 years old, pimping is punished with prison sentences of 7-12 years, and with 4-10 years in Costa Rica.

In all the countries, except Costa Rica, subjecting a child to commercial sexual activities for remuneration is not specifically considered a crime, but rather the "client-exploiter" can only be punished when the crime can be classified as pimping, sexual abuse, rape, or other related crimes, despite the fact that the person buying sex from children is directly responsible for turning them into commercial sexual objects.

In general there are few cases that are reported and even fewer cases that are thoroughly investigated and criminally punished. Generally, the few complaints are presented as sexual abuse or abduction of children and adolescents and not as sexual exploitation or pimping. The problem is that in many cases, the administrators of justice and the general population do not realize that commercial sexual exploitation is a form of sexual abuse. There are many myths that revictimize the victims, particularly when they have reached the age of being sexually active. The population legitimizes commercial sexual exploitation by claiming that the work offers them an income or that children and adolescents bring about the exploitation, denying that it is a crime and that the exploiters are responsible. However, countries are obligated to guarantee that all children and adolescents are protected against exploitation, and it is crucial that they establish legislative reform for classifying commercial sexual exploitation of children and adolescents.

Despite the existence of legislation on various forms of sexual abuse, such as rape that involves carnal access to a person under 12 or 14 years old—the age depends on the country, cases of commercial sexual exploitation of children and adolescents are generally not presented or investigated because of an erroneous perception that the youth can consent to participate in this type of activity.

Among the gaps in the legislation of the different countries, there are also failures in the penalization of production and dissemination of child pornography, particularly a lack of punishment for distribution over the Internet, which is an area that must be legislated more, given the expansion of the web each day and its use by sexual abusers.

Another change required in the legislation is the need to confiscate the sexual exploiters' goods and provide compensation for the victims.

In addition, there are still examples of unacceptable discrimination by gender and age of the victim in the legislation. In Panama, the Penal Code establishes that the punishment for pimping (promoting or facilitating prostitution of another person) by the commission be greater “if the victim is female under 12 years old or male under 14 years old”. This type of discrimination of girls presumes that the damage to a girl between the ages of 12 and 14 is less than in a boy of the same age and provides female adolescents with less protection than male adolescents. There are other cases of discrimination by age, such as the Penal Code in effect in Nicaragua, where the crime of sexual corruption of a person under 16 years old is punished, leaving out adolescents between 16 and 18 years old, despite the fact that they also have the right to be protected against commercial sexual exploitation.

In general, an exhaustive review and change in legislation is needed to classify crimes related to exploitation, to vary the ages so that crimes committed against adolescents are not left out, to increase the penalties in recognition of the serious damages to the victims, and to include more appropriate concepts in the legislation.

It is also necessary to promote extradition laws to be able to punish sexual exploiters throughout the world no matter where the crime occurs and where the exploiter is found at the time of the complaint and the investigation. Around 20 countries in the world have this type of legislation, which mainly facilitates punishment of sexual tourists that have returned to their country of origin after having used children and adolescents in commercial sexual activities in another country.

In relation to sexual tourism, Dominican Republic has legislation to prevent hotels from becoming accomplices and beneficiaries of the exploitation. Establishments that provide lodging to a minor without parental accompaniment or written authorization from them are punished by being fined or by the closing of the establishment in the event that it happens again. This legislation is worth studying and eventually replicating in the other countries.

One of the problems encountered in the region is the lack of clarity regarding the functions of different institutions that make up the judicial sector and the geographic areas in which they intervene. In this sense, there is a need to define, inform, and train the functionaries, especially those who have the responsibility of investigating, receiving complaints, or providing follow-up to the cases. Until now, there are very few sexual exploiters that have been duly punished, despite their profiting and benefiting from the vulnerability of the children and adolescents by using them in sexual commercial activities.

CHAPTER THREE:

The institutional response to the commercial sexual exploitation problem

1. The institutional platform

The international commitments gained through the ratification of international conventions, such as the Convention on the rights of the child and ILO Convention 182, induce the countries to examine the current state of the institutions and to establish policies and programs aimed at promoting and protecting the human rights of children and adolescents. Meanwhile, there are institutions in every country that must ensure the punishment of persons that commit sexual abuses against children. This section will present a review of the main characteristics of these current institutional platforms in the countries, which could be set in motion to a greater extent in the fight against sexual exploitation of children and adolescents. Later, an analysis will be done on the specific efforts made to stop the problem.

1.1 Institutional platform to prevent commercial sexual exploitation and to protect the victims

In each of the countries there are many institutions that are responsible for improving the social situation, particularly of the families that are faced with socio-economic problems. In addition, there are institutions that are responsible for watching over the well being of underage persons. Together, these institutions make up an institutional base that contributes to the prevention of commercial sexual exploitation of children and adolescents and that is suitable for developing a system of protection and assistance aimed at the vulnerable population facing exploitation.

This platform is developed to a greater or lesser degree in each of the countries in the region. The countries have institutions to promote social well-being and to combat poverty, such as the Secretariat of Social Well Being in Guatemala and the Mixed Institute of Social Assistance (IMAS) in Costa Rica, which generally work with the most marginalized population and can offer specific aid to families that are affected by sexual exploitation.

There are also institutions in the educational sector with a long history of working with the target population of children and adolescents. These institutions have the duty of guaranteeing obligatory and free education of children and they have privileged access to this population sector. However, the high levels of school drop out show that there are still great challenges in ensuring that all children receive a quality education.

It is important to point out that the education centers are important in creating a culture that fosters peace and respect for human rights, while specifically preventing sexual violence and detecting sexual abuse against children.

The institutions that make up the health sector are located in the different rural and urban regions of the countries in Central America and Dominican Republic. Despite the fact that the contact between the health centers and children and adolescents is more sporadic than the education centers, the role of the health clinics in promoting children’s rights and detecting cases of violence is also important.

In most of the countries in the region there are also ministries and institutions whose main function is to promote children’s rights and to assist children that are in high risk situations. These include, for example, the National Department of Children and the National Department of Youth of the Ministry of Youth, Women, Children, and the Family in Panama; in Costa Rica, the National Council on Children; in Honduras, the Honduran Institute of the Child and the Family (IHNFA); in El Salvador, the Salvadoran Institute for Children and Adolescence (ISNA); and in Dominican Republic, there is a National Council of the Child (CONANI) that develops intervention strategies for at-risk children. Despite its clear function in the protection of children, most of these institutions have recognized the problem of commercial sexual exploitation of children fairly recently, and most have lacked the funds and human resources to address the problem. Despite these deficiencies, some of them have promoted specific National Plans, as will be explained later.

In some of the countries in the region, the institutions relevant to the education sector, the health sector, and child assistance, sometimes form part of an integrated system of promotion of rights of children and adolescents together with other public and private institutions. In Nicaragua, there is a National Council of Integrated Assistance and Protection of Children and Adolescents (CONAPINA); in Costa Rica, there is a National Council of Childhood and Adolescence; while the Law to protect children and adolescents in Dominican Republic has created the Governing Organization for the Protection of the Minor to promote children’s rights. A set of ministries participate in these entities, and within their framework they make efforts to coordinate the public policies focused on children and adolescents to assure that their rights are respected.

Other public agencies, some of which participate in the councils mentioned above which create children’s policies or are involved in eliminating commercial sexual exploitation of children and adolescents, are the institutions that promote gender equality, such as the National Institute of Women (INAMU) in Costa Rica; the Salvadoran Institute of the Woman (ISDEMU) in El Salvador; and the Bureau on the State of the Woman in Dominican Republic. In many cases, these institutions have experience in the elimination of gender violence, but few have become involved decisively in the area of preventing commercial sexual exploitation of children.

In some countries, such as Nicaragua and Dominican Republic, the Ministries of Labor have also participated in the fight against commercial sexual exploitation of children and adolescents in the context of the activities to eliminate child labor. Regarding the promotion of tourism, there are some agencies that could play an important role in preventing sexual tourism, such as the Costa Rican Tourism Institute (ICT) in Costa Rica and the Secretariat of State of Tourism (SET) in Dominican Republic. In addition, the immigration authorities of each country are important entities for avoiding the trafficking of children and preventing the entry of foreign sexual exploiters.

The institutions mentioned make up the base for providing a preventive response and assisting victims of commercial sexual exploitation. They are the institutions that, as a whole, can possibly prevent families and children from finding themselves in such a precarious situation that they must turn to commercial sexual exploitation to earn income, despite all the physical, social, and emotional damage that go along with it. There are also institutions that can detect various signs of risk of abuse and initiate a set of actions to prevent children from being sexually exploited. However, these institutions do not always

coordinate their efforts to prevent cases of sexual exploitation. Only in a few cases are the interventions effective, and in some cases, the problem is addressed in a way that is characterized by omission, neglect, and lack of technical and economic skills.

1.2 The institutional platform for punishing the exploiters

There is consensus in the international community that persons who exploit children in sexual commerce must be punished. In all the countries of the region there is a judicial system with specialized institutions that are in charge of applying the laws to punish exploiters.

In **Panama**, the Center for Complaints of the Technical Judicial Police and Police of Children and adolescents are in charge of receiving complaints related to commercial sexual exploitation of children. The Public Ministry must continue with the investigations initiated by the Technical Judicial Police, and recently two prosecutor posts specializing in sexual crimes have been created. The penal courts are responsible for judging adult exploiters.

In **Costa Rica**, the police, the Judicial Investigation Organization, the public prosecutors, and the Prosecutor of Sexual Crimes and Family Violence of the Public Ministry receive complaints about sexual crimes, including cases of commercial sexual exploitation of children and adolescents. The Public Ministry conducts the investigations and presents the cases to the Penal Courts.

In **Nicaragua**, various entities intervene to investigate and judge the cases of commercial sexual exploitation: the women's and children's commissaries of the National Police receive cases of sexual crimes although they are mainly cases related to family violence. The Attorney General of Justice is the institution that represents the State in judicial processes where child victims of sexual crimes are involved. This body also directly receives complaints. The district courts judge the cases that the Attorney General sends.

In **Honduras**, the Prosecutor's Office for Children of the Public Ministry is the entity in charge of defending and protecting the rights of children and representing them in any court. The Prosecutor's Office has an auxiliary body, the Legal Medicine Department, which conducts physical and psychological evaluation of the children affected. The General Department of Preventive Policing of the Security Secretariat participates in rescue missions of children and also provides support to the investigations conducted by the Children's Prosecutor. There are also Children's Courts that, in theory, according to the Children's and Adolescent's Code are in charge of the cases related to offending children or cases in which children's rights have been violated.

In **El Salvador**, the complaints related to the cases of commercial sexual exploitation are presented to the Attorney General of the Republic, which has a Unit devoted to Crimes against Women and Children with persons who specialize in receiving this type of complaint. The crimes are investigated by the National Civil Police in coordination with the public prosecutor. The Salvadoran Institute for Children and Adolescents has an open phone line for complaints related to cases of violence against children and comes to places where children and adolescents are at an imminent risk, and it also tries to support judicial investigations.

In **Guatemala**, complaints can be filed with the National Civil Police, but there is a lack of awareness and lack of confidence by the general population. The National Civil Police does not follow up on complaints, except those sent to the Peace Courts, the Public Ministry, and the Judicial Organization so

that these entities continue the investigation. There is not a prosecutor specializing in this area, except those cases addressed by the Prosecutor for the Woman and the Child. However, there are serious problems in applying sanctions, among those are the deficient legal framework, the lack of training of the justice administrators, and serious threats to the attorneys and judges.

Finally, in the **Dominican Republic** there are various entities that have the authority to intervene and punish exploiters. There is the Public Ministry, Public Prosecutors and Children’s Defense Office, and we also found the Department of the Family and Children and adolescents of the Attorney General of the Republic in Santo Domingo, as well as the Department of Sexual Abuse. However, these last bodies function in theory, only in the legal boundaries of Santo Domingo (the capital), which sometimes causes confusion about its competence.

PART TWO:

General characteristics from the countries included in the commercial sexual exploitation study.

CHAPTER ONE:

Methodological considerations

CHAPTER TWO:

General overview of the findings

CHAPTER ONE:

Methodological considerations

The studies used a rapid evaluation method known as “rapid assessment”, and a set of information and data collection techniques were utilized in each country, such as key informant interviews; review of publications, newspaper articles and documents; review of judicial case files; participative workshops; among others.

In order to gather information on the socio-economic conditions of the victims, the subregional coordination office of ILO/IPEC developed a common questionnaire that was used in six of the seven countries. El Salvador had initiated the study several months earlier than the other countries and had already developed its own questionnaire. The common questionnaire contained approximately one hundred questions and was discussed with the national coordinators of the studies, and their comments were incorporated as much as possible. In addition, the questionnaire was validated through administering it to some child victims of sexual exploitation and revising it prior to the general administration. Each country was asked to administer one hundred questionnaires. However, in Dominican Republic, the enthusiasm of the investigators led them to administer 118 questionnaires. In Panama, Costa Rica, Honduras, and Nicaragua the one hundred questionnaires solicited were administered, and in El Salvador 94 questionnaires were completed. For the administration of the questionnaire, the respondent was asked to complete an informed consent declaration to ensure that the purpose of the study was clear to those being interviewed, to make sure that their participation was voluntary and to protect their identity.

The information gathered in each of the countries was entered into a common database, which allows comparisons to be made between countries. Given the fact that El Salvador used its own questionnaire, it was not possible to enter their data in the common database, and for this study it has only been possible to establish some comparisons between El Salvador and the remaining countries.

The questionnaire administered to the children contains information about the family situation, information on the persons with whom they live, violence experienced, their education and health situation. It also contains questions about the experiences of sexual exploitation, such as age at which they became trapped in sexual commerce and the physical and psychological consequences. In addition, there is a section of questions from the victims perspective to learn the characteristics of the “clients”-exploiters (sex, age, whether they are nationals or foreigners) and of the intermediaries in the child sex business. Finally, information is captured from the point of view of those affected on the assistance received by the state agencies.

In each country between two and four communities were selected for the administration of the questionnaire. In each community, children were found in streets, bars and other establishments, as well as agencies that offer assistance services. Starting with the first group of child victims, contact was established with other children and adolescents who were victims, successively until the goal of one hundred persons interviewed was achieved.

In a similar manner, the questionnaire was administered to 200 adults, chosen by convenience in each country in order to obtain information on their awareness of the problem and their perception.

Once the information was gathered, the data were entered into a national database that enabled national research teams to analyze and study them. These national databases have been linked in a common database that has enabled comparisons between countries. All the data that are presented here come from the regional database and are not generalizable, other than to the persons that were interviewed for the studies.

CHAPTER TWO:

General overview of the findings

The studies show the existence of common problems as well as problems that are unique to each country, both in terms of the characteristics of commercial sexual exploitation and the exploiter conduct as well as responses to it. In this section, the most relevant aspects encountered that describe the situation within the study countries are presented.

Taking into account the types of commercial sexual exploitation specified by the different international instruments, and by the responses of the victims themselves, the studies concur that the following types of commercial sexual exploitation exist:

- Remunerated sexual relations
- Sexual and pornographic entertainment
- Trafficking of persons for sexual purposes
- Cohabitation with resident foreigners
- Sexual tourism

In relation to the first type, sexual abusers gain access to children and adolescents by going directly to public places that are especially for exploiting children and adolescents or involving them with sexual commerce, such as brothels, dance halls, massage rooms, and “bunkers”.¹ They also can be approached through intermediaries, such as pimps, taxi drivers, and workers involved in the tourist industry; or they go out on their own into the streets to find them.

On the other hand, the other main forms of sexual exploitation are used as a “hook” for children and adolescents who are then trapped by pimps or intermediaries, finding themselves faced with even greater risk of sexual exploitation.

In the case of **Dominican Republic**, commercial sexual exploitation of children and adolescents occurs both in organized brothels, as well as in the streets; the difference being that the former have access to fake documents that can be made for the children and adolescents. This makes it difficult to detect and prosecute the crime, while those in poor or marginal neighborhoods or in the street are exposed to more unstable health and nutrition conditions and to drug addiction situations.

Pimping is common for those found in brothels as well as those who are exploited in the streets and neighborhoods. In addition, it is common for intermediaries that benefit economically to make contacts between the abuser and the children and adolescents.

This study highlights an important form of commercial sexual exploitation that is usually not visible: girls, who are usually from rural areas, who are hired by families for domestic help, to care for the sick, or to work as nannies and are exploited by their employers and/or their sons. Another phenomenon that stands out is “concubinage”, in which a minor resides with a much older foreign resident. The families of the children or adolescents who are in search of economic benefits often support this by sending their children to these exploiters.

¹ Name given in Costa Rica to clandestine locations for the sale and consumption of alcohol and drugs.

In addition to this type of internal trafficking of children, cases have been discovered in which girls have been tricked into being hired as waiters or dancers and then are forced to stay in brothels. Regarding international trafficking, false documents are usually used to get them out of the country. Argentina has been identified as a location where underage Dominicans have been reported to be involved in commercial sexual exploitation.

In Dominican Republic, the exploiters are mobilized in many places in the country. In tourist areas most of the exploiters are foreigners and there are fewer controls; in other areas, the exploiters are locals. In Santo Domingo, it seems to be a combination of both, and the marginal street conditions in which the victims are found are more obvious.

The authors of the Dominican Republic study gave an important commentary on commercial sexual exploitation of children, saying that it "... seems to be an endemic economic and socio-cultural phenomenon that has existed since the times of slavery and colonization, and has gotten worse in the last 30 years with the development of the tourist industry. The data show that even though recent studies indicate that 10% of women who work in brothels are under age, 60% of all women involved in the activity started when they were children and adolescents."

With respect to **Nicaragua**, the problem has been in existence for a long time and has actually found a place in the public agenda. Another fundamental characteristic is its association with drug networks that increase social risk as well as risk to the human development and living conditions of the children.

The tolerance and social acceptance of commercial sexual exploitation prevents it from being an object of serious attention by the authorities and society. Sexual service almost always is left to the regulation of supply and demand. The most evident example of this is the existence of streets, zones, and businesses traditionally recognized as sexual commerce centers that function openly.

This condition is especially important since it is reflected in the high visibility of the problem. As in other countries like Dominican Republic, the activity is characterized by the difference between those who are exploited in the nightspots and in the street. However, the presence of foreign tourists is much lower, and the residents are identified as the exploiters. In addition, there are focal areas of commercial sexual exploitation of children associated with people involved in local transit or commercial transportation (in customs, trucks, and boats).

In Managua there are different settings favorable to sexual commerce that are strategically linked to streets and avenues with heavy traffic or international transit, such as truck stops, business zones, tourist areas, parks, and markets.

On the other hand, it is also important to note that the lack of access to other forms of family income leads to children or adolescents being kicked out of their homes or exploited within the family context itself.

In **Panama** commercial sexual exploitation, in addition to being a violation of human rights is a social problem that, as in other countries, is linked with drug networks, which not only lead to development of drug addictions but also make the children and adolescents more vulnerable so that exploiters can take advantage of them.

In terms of trafficking, at least two networks of exploiters that traffic children and adolescents to European countries and Israel have been noted; there is also a presence of foreign female children and adolescents, mainly Colombians, being sexually exploited in the country. Because of the great transit and activity associated with the Panama Canal zone, a high incidence of commercial sexual exploitation of adults as well as underage persons has occurred in that zone up until 1999—the date that Panama regained sovereignty over the territory.

In **Guatemala**, the local transit zones and merchandise transport zones at the national or regional level are recognized as areas of commercial sexual exploitation of children and adolescents. The areas around the border are also known for trafficking of children and adolescents for sexual purposes. This is aggravated by the fact that Guatemala serves as a bridge with the countries from the north, such as Mexico and the United States, which are the destination of Central American immigration.

In addition, a high social tolerance and acceptance of all forms of childhood sexual abuse persist, as is seen in other countries such as Nicaragua, which makes it difficult to include it within the public agenda and to create an institutional response. Furthermore, the precarious living conditions stand out as part of the critical routes of vulnerability that increase the risk of children and adolescents being trapped by the networks of exploitation.

On the other hand, the complicity of immigration officials is also important since it facilitates trafficking networks, which affect those living in marginal conditions, especially those in the rural zones and indigenous groups.

In **Honduras**, persons of different sectors receive important economic earnings through the crime of commercial sexual exploitation of children and adolescents, as well as other related types of exploitation, especially with labor. It is yet another country where “the impunity of the exploiter clients and the social indifference toward children and adolescents in this situation is a constant that until now has been thriving in Honduras”.

The social conditions of poverty and the search for opportunities by children and adolescents or their families come up again as conditions that the exploiters take advantage of to commit the crime.

Drug trafficking networks are associated with commercial sexual exploitation networks, and as in all the countries, a large number of the exploited children and adolescents are in serious states of drug addiction.

One characteristic that shows up only in Honduras is the existence of gangs that physically and sexually enslave children and adolescents. This form of exploitation, as well as appropriating the earnings from the crime, imposes violent mechanisms of control that range from physical and sexual aggression to homicide.

There is a high prevalence of the problem within Honduras:

Wherever a child or adolescent can be found in conditions of vulnerability, social risk, and dangerous environments, there is a demand, mainly by men, to create conditions for commercial sexual exploitation and networks to sustain it.

Its concentration coincides with the population concentrations: it is associated with industrial production zones (mainly “*maquilas*” or mass-production factories), agro-industry, urban centers, tourist zones and areas around the border.

In **Costa Rica**, it is recognized as a problem, and the topic is on the public agenda, however, although there have been great judicial and legislative advances, the governmental response has been weak.

Regarding sexual commerce, the children can be found in the streets of San Jose and in tourist zones and ports, for the most part. As in other countries, sometimes they are organized through pimps and other times intermediaries intervene. Adding to the internal problem of sexual commerce, the sexual exploitation problem in Costa Rica has been aggravated by the arrival of sexual tourism to the country. Evidence of this can be found in the survey in which the interviewed children are asked about the origins of their last client exploiter, and 38% state that they were foreign tourists or foreign residents.

The arrival of the “sexual tourists” to the country is due in great part to the promotion of Costa Rica as a tourist destiny together with the “globalization of the sexual tourism business”, mainly through the Internet. In this sense, the country faces a double demand: the domestic demand for sexual commerce of underage persons and the legal administrative and budgetary difficulties of dealing with organized groups of pimps that offer sexual services over the Internet.

On the other hand, all the critical routes of vulnerability cannot be avoided in countries where family violence, childhood sexual abuse, poverty, and fundamental human rights violations of health and education are prevalent. All of these dimensions make this a complicated problem that must be addressed with equally complex proposed actions.

Finally, in **El Salvador**, commercial sexual exploitation is organized around businesses, such as bars, brothels, massage parlors, etc. The majority of the children and adolescents interviewed were located in this type of business, which functions without much investigation by the authorities. The owners of these places profit from commercial sexual exploitation and use their economic and other power to make sure that the children and adolescents that are exploited in their establishments get false identification cards that show that they are 18 years old. Some of the establishments do not give the children permission to leave, while they live in degrading conditions of sexual slavery.

Commercial sexual exploitation has developed in an environment of social tolerance, and apart from police operations attempting to close locations and other isolated activities, there is no effort on the part of the authorities to put an end to it.

The exploiters come from all social strata and among them are professionals, employees, students, workers, and merchants. They seek children of a very young age to exploit sexually. On paydays and holidays in particular, the adults practice “*cacería*” or hunting of children and adolescents to exploit them sexually.

PART THREE:

Presentation and interpretation of results

CHAPTER ONE:

The community perception of commercial sexual exploitation

CHAPTER TWO:

Who are the victimizers?

CHAPTER THREE:

Who are the victims?

CHAPTER ONE:

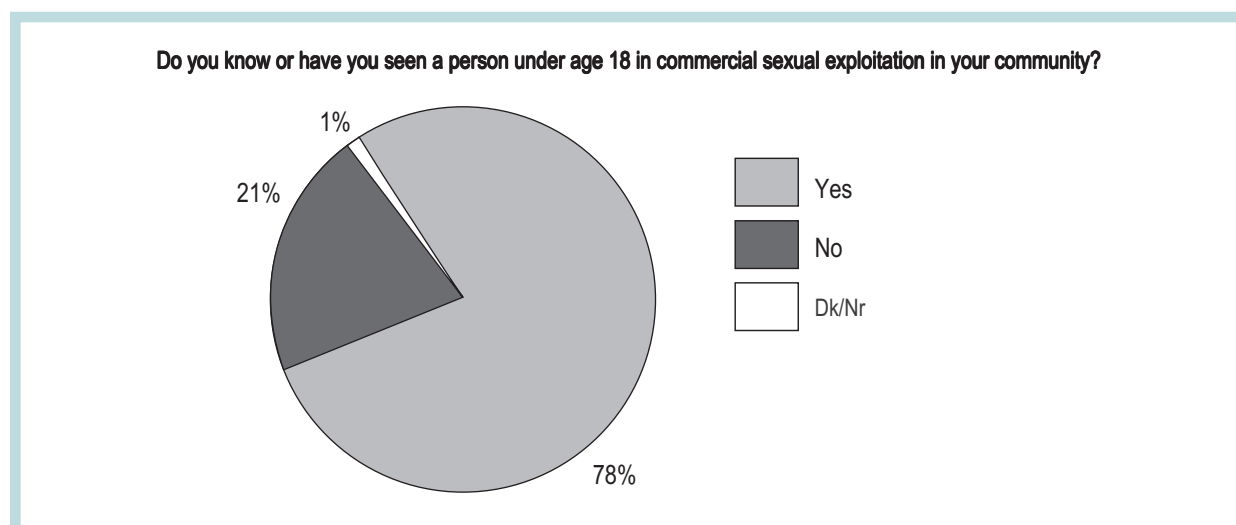
The community perception of commercial sexual exploitation

Commercial sexual exploitation, which is a complex problem of public interest, is not considered by the community in the different countries of the region to be an easy problem to identify in terms of frequency and severity.

Table # 4
Do you know or have you seen a person under age 18 in commercial sexual exploitation in your community?

Country where the survey was conducted	Yes	No	Dk/Nr	Total
Guatemala	88	10	2	100
Honduras	79	20	1	100
Nicaragua	91	8	1	100
Costa Rica	59	39	2	100
Dominican Republic	75	25	—	100
Panama	77	23	—	100
Total	78	21	1	100

Figure # 1
Total in the Region



According to the previous figure, in some countries such as Nicaragua, almost 100% of the persons interviewed know or have seen children and adolescents in commercial sexual exploitation situations. This situation shows that commercial sexual exploitation is a reality that is very likely for persons under age 18 in this country.

However, Nicaragua is not the exception, and all the countries in the regional study showed highly significant percentages of recognition of the existence of the problem. The lowest percentage was seen in Costa Rica with 59%, which is still more than half of the interviewed population.

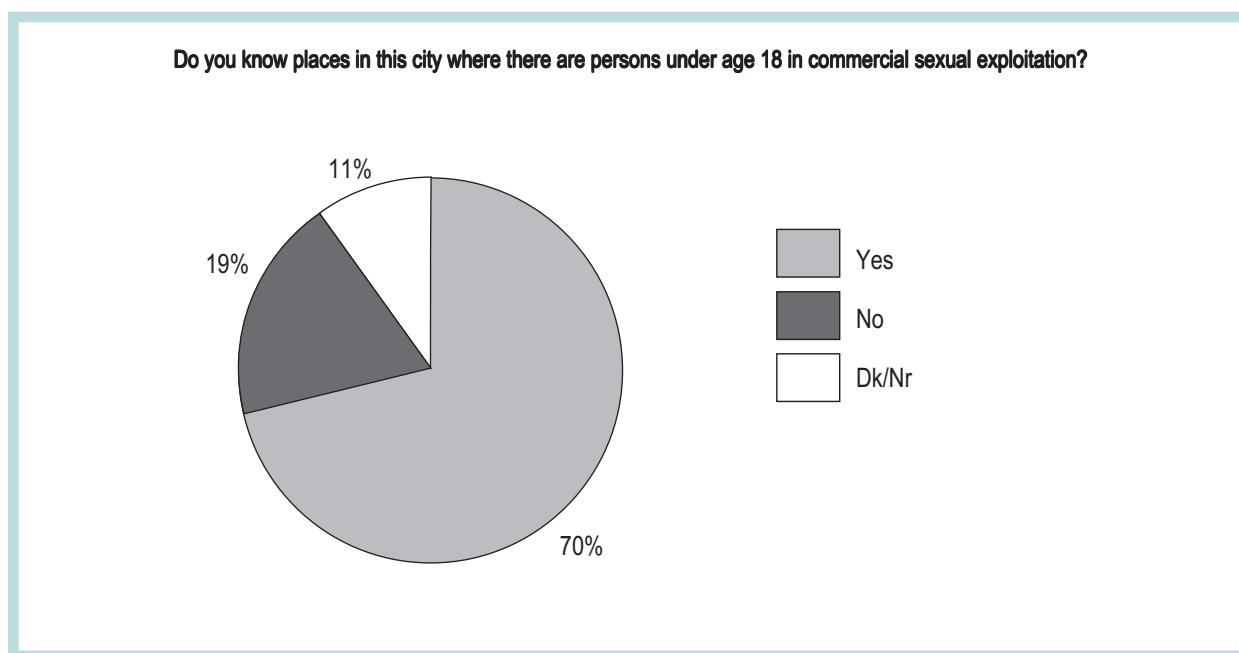
Another interesting finding, according to the previous table and graphic corresponds to the Dk/Nr (don't know/no response) column. In this case there are few non-responses for this question. All the respondents are able to identify the problem in their respective countries: of all the region, only 1% refused to answer.

Table # 5
Do you know of places in this city where persons under age 18 are in commercial sexual exploitation?

Country where the study was conducted	Yes	No	Dk/Nr	Total
Guatemala	89	9	2	100
Honduras	72	17	11	100
Nicaragua	76	23	1	100
Costa Rica	46	50	4	100
Dominican Republic	67	5	28	100
Panama	72	11	17	100
Total	70	19	11	100

Similarly, respondents broadened their responses a bit more and even shared their knowledge about specific places where children and adolescents are sexually exploited. These regional data show how close civil society is to the problem, although later in this document the discord between identification of the problem and commitment to reporting it will be discussed.

Figure # 2
Total in the region



The previous figure clearly shows that 70% of the regional total of persons interviewed indicate that they know actual places where sexual exploitation against children and adolescents takes place, and although the percentage not answering the question increased to 11%, it is still a minority. In other words, in most of the regional population there is consensus with respect to the real existence of the problem.

Table # 6
Reasons why commercial sexual exploitation exist according to interviews with adults

Country where the study was conducted	Bad examples of the family	Poverty	Lost of moral values of children and adolescents	Lost of moral values of adults	Because the children like it	Abandoned home because of domestic violence	Demand created by adults	Lack of efficiency of authorities	Other reasons
Guatemala	86	95	74	53	32	60	49	52	2
Honduras	34	54	17	36	9	31	11	23	21
Nicaragua	71	88	69	85	41	87	87	80	38
Costa Rica	74	86	69	74	28	85	71	72	18
Dominican Republic	50	65	27	34	20	57	15	37	21
Panama	58	74	68	79	38	53	38	56	0

On the other hand, for the question asking about reasons for commercial sexual exploitation, poverty was seen as the main cause in all the countries. In all cases, the greatest percentages allude to this cause, and at the regional level there seems to be consensus that commercial sexual exploitation of children and adolescents is a survival strategy of families facing precarious economic situations in each of the countries in this study.

After poverty, other reasons were mentioned, and those in which regional consensus was found were domestic violence and bad examples of the family. However, it is interesting to observe that high percentages were also found for loss of moral values of children and adolescents as well as because “they like it”.

The previous situation must be understood in terms of the myths and social justification that exist in relation to violence, and in this case violence against children and adolescents. The inequalities due to gender and age and with it the disparity in power, add to a set of myths that justify violence. Such a deeply rooted problem as this enables such reasons to take hold in the social imagination.

Although according to the previous table, a single parameter cannot be discerned to explain the main reasons or causes, what can be said is that in the different communities studied, commercial sexual exploitation is not clearly perceived as a human rights violation in which there are victims and perpetrators, rather sometimes the victim is blamed.

Sexual exploitation is one of the most serious consequences of a violent society and it is a serious violation of human rights of children and adolescents. Although there are critical routes of vulnerability for children and adolescents to be trapped in networks of sexual commerce, the existence of this new form of “sexual slavery” should by no means be treated as a decision made by the children and adolescents.

In this sense, it is important to create an awareness raising campaign regarding the problem. Society cannot continue to believe that the children and adolescents are responsible or make them take responsibility. The only ones responsible are the exploiters.

In addition, the community response regarding the perception and practice of reporting is extremely troubling in all of the countries. According to Table #7, barely 50% (on average) of those interviewed would go to the authorities and practically one quarter of the population would do nothing.

Table # 7
What would be your main reaction if you found out about or saw an adult paying to have sexual relations with a person under age 18?

Country where the survey was conducted	Main reaction			
	Would go to the authorities	Would do nothing	Would try to talk to the adult	Other reaction
Guatemala	56	30	13	1
Honduras	37	30	16	17
Nicaragua	47	23	20	10
Costa Rica	60	20	15	5
Dominican Republic	49	16	25	10
Panama	60	23	14	3
Average	51	24	17	8

The situation is made even worse according to the data in Table #8, since only 7% of the population on average has ever filed a complaint despite 52% stating that they would be willing to go to the authorities. If 79% of the population identify conditions of commercial sexual exploitation against children and adolescents and only 7% have ever reported it, one must ask who is responsible for promoting and carrying out this sexual crime.

Table # 8
Comparison between the identification of the problem, the different reactions and the commitment to report

Country where the survey was conducted	Do you know or have you seen children and adolescents being sexually exploited: Yes	What would be your main reaction if you found out or saw an adult pay to have sexual relations with a minor: Would go to the authorities	Have you ever filed a complaint for this reason: Yes
Guatemala	88	56	7
Honduras	79	37	11
Nicaragua	91	47	7
Costa Rica	59	60	4
Dominican Republic	75	49	4
Panama	77	60	6
Average	79	52	7

The community response regarding reporting is alarming and worrisome. Some might consider the lack of reporting as being due to the community's negative perception of the legal system. The children and adolescent victims need justice, and in this sense the challenge must be addressed imminently. The first step in guaranteeing that the challenge is met must be initiated: reporting. It is not only necessary but it is also an obligation to ensure that human rights are guaranteed to all children and adolescents that are trapped in networks of sexual commerce.

CHAPTER TWO:

Who are the victimizers?

The type of perpetrator might range from client-exploiter, pimp and/or intermediary, however, the common characteristic of all of them is their responsibility for the crime of sexual exploitation.

Figure # 3
Sex of most common client / exploiter

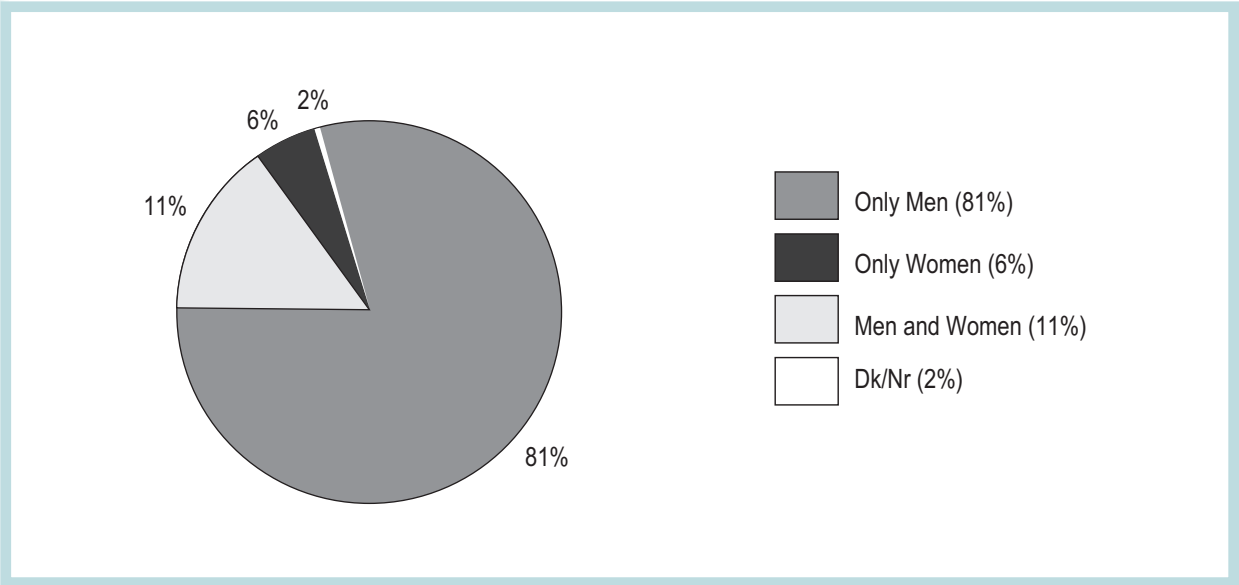


Table # 9
Age of the last Client-Exploiter

Country where the survey was conducted	Less than 22 years old	More than 22 but less than 30 years old	More than 30 but less than 50 years old	More than 50 years old
Guatemala	19	42	35	4
Honduras	13	29	48	10
Nicaragua	39	28	29	4
Costa Rica	4	35	50	11
Dominican Republic	29	30	36	5
Panama	14	61	23	2
Percentage of total (n=618)	20	37	37	6

Regarding the sex, there is no doubt that in all of the countries most of the victimizers of both girls and boys are generally men. However, in terms of age, some interesting patterns emerge. For example, according to the previous table, in Dominican Republic, there do not seem to be large differences, and the children could be exploited by a man of almost any age.

In some countries, such as Costa Rica, the percentages tend to be in extremes. For example, the most common age of the exploiters in this country ranges between 30 and 50 years, which gives us some idea of the power inequality in these relations when compared to the age of the victims. This shows how the dominant role of the perpetrators could result in violence toward the victims.

Although unique characteristics can be found in this population in each country, according to these studies, the general profile of the adult at the regional level is a male between the ages of 30 and 50 years old.

Regarding the origins of the perpetrators, most come from the same locality as the victim or from other localities in the country, however, there is also the alarming presence of “sexual tourists” in some countries.

Table # 10
Are the persons who pay to have sexual relations or to do other sexual activities from this locality?

Country where the survey was conducted	Always	Almost always	Sometimes	Almost never	Never	Dk/Nr	Total
Guatemala	75	21	2	0	2	0	100
Honduras	72	22	2	1	3	0	100
Nicaragua	39	36	11	2	11	1	100
Costa Rica	18	54	9	6	13	0	100
Dominican Republic	71	0	0	44	0	3	118
Panama	10	20	14	13	43	0	100
Total	285	153	38	66	72	4	618

Table # 11
Are the persons who pay to have sexual relations or to do other sexual activities from other localities in this country?

Country where the survey was conducted	Always	Almost always	Sometimes	Almost never	Never	Dk/Nr	Total
Guatemala	13	17	5	2	60	3	100
Honduras	12	16	6	0	66	0	100
Nicaragua	7	5	22	10	54	2	100
Costa Rica	2	14	12	33	39	0	100
Dominican Republic	8	0	0	107	0	3	118
Panama	19	35	14	3	29	0	100
Total	61	87	59	155	248	8	618

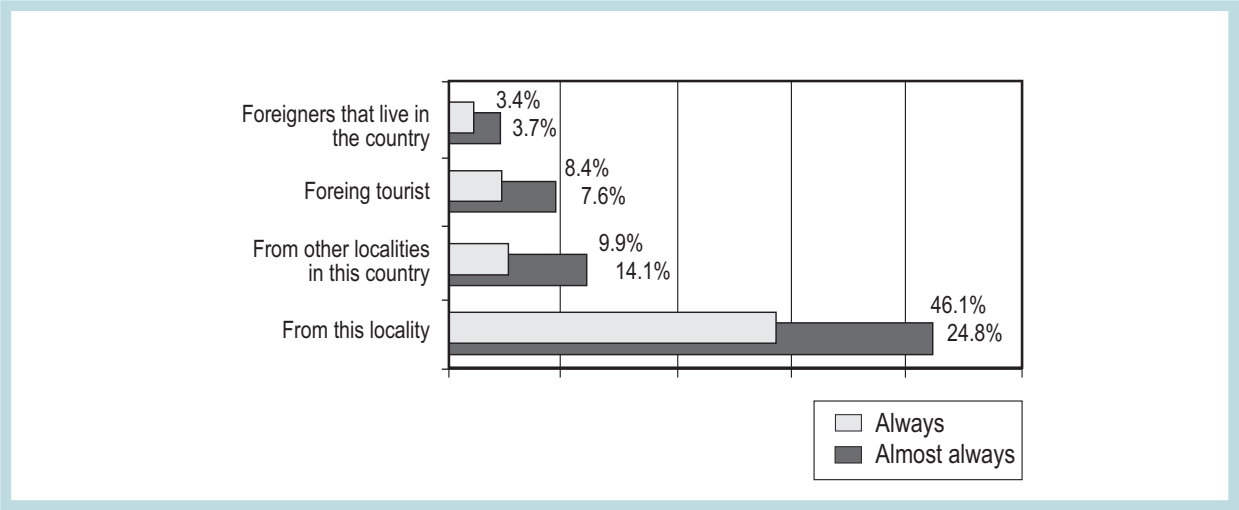
Table # 12
Are the persons that pay you to have sexual relations or to do other sexual activities foreing tourist?

Country where the survey was conducted	Always	Almost always	Sometimes	Almost never	Never	Dk/Nr	Total
Guatemala	11	9	6	6	65	3	100
Honduras	7	11	13	0	69	0	100
Nicaragua	6	1	12	11	68	2	100
Costa Rica	1	25	8	26	40	0	100
Dominican Republic	25	0	0	90	0	3	118
Panama	2	1	10	17	70	0	100
Total	52	47	49	150	312	8	618

Table # 13
Are the persons that pay you to have sexual relations or to do other sexual activities foreigners that live in this country?

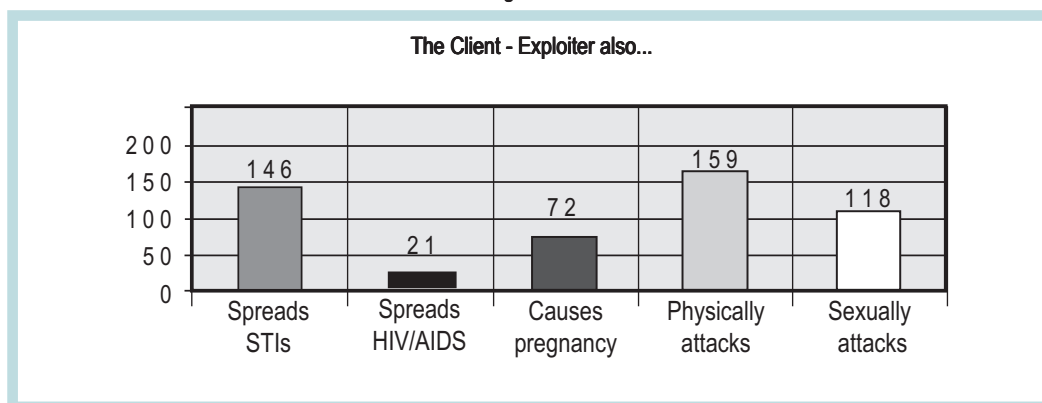
Country where the survey was conducted	Always	Almost always	Sometimes	Almost never	Never	Dk/Nr	Total
Guatemala	10	6	7	6	67	4	100
Honduras	5	3	4	1	87	0	100
Nicaragua	0	1	12	14	71	2	100
Costa Rica	3	5	8	28	56	0	100
Dominican Republic	3	0	0	112	0	3	118
Panama	0	8	17	5	70	0	100
Total	21	23	48	166	351	9	618

Figure # 4
Place of origin of the most common client / exploiter



Regarding the phenomenon of sexual tourism, the situation in countries such as Dominican Republic and Costa Rica is alarming. In both countries, almost one-third of the children and adolescents interviewed state that the last client exploiter came from other countries. In this case, there is a dual fight against sexual exploitation: against the internal demand and the promotion of their countries as destinations or “sexual paradises”.

Figure # 5

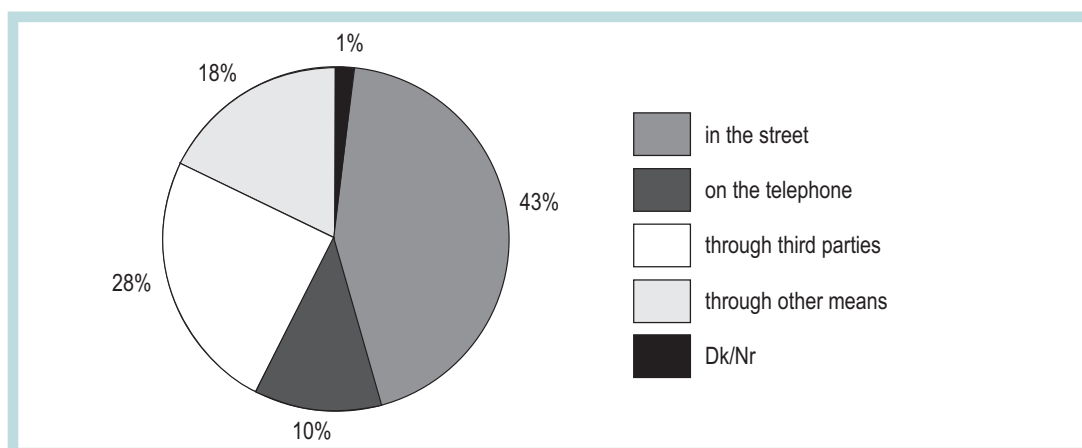


As can be seen in the previous figure, sexual exploitation cannot be classified as an isolated type of violence or problem. On the contrary, it is a part of a complex network of human rights violations of the victims by the perpetrators, who not only sexually exploit children, but also abuse them sexually, physically, and verbally. They are also responsible for spreading countless sexually transmitted infections.

Table # 14
Ways in which contact is established among sex exploiters and the children
(percentage)

Country where the survey was conducted	In the street	By Telephone	Through third persons	By other means	Dk/Nr	Total
Guatemala	5	2	29	64	—	100
Honduras	65	8	25	2	—	100
Nicaragua	60	1	30	9	—	100
Costa Rica	48	4	46	2	—	100
Dominican Republic	38	25	10	23	4	100
Panama	47	15	30	8	—	100
Total	43	10	28	18	1	100

Figure # 6
Types of contact children and adolescents have



Regarding the form in which children and adolescents are trapped for sexual commerce, it is worth mentioning that there is a set of conditions that characterize their living conditions, including vulnerability of entrapment. For the great majority of children and adolescents surveyed here, the street is the most common place to initiate and perpetuate their exploitation. The institutions in charge of watching out for the protection of children and adolescents must take into account the risk that is found in the street and take immediate and effective measures to prevent the problem.

As opposed to Guatemala, which has only 5% of the victims contacted in the street and 64% by other means, the rest of the countries share the basic characteristic of entrapment in the street. In Guatemala, this fact might be related to the large number of child victims that come from other countries, and therefore are found in brothels and other closed places, which could be interpreted as a sign of organized trafficking for sexual purposes.

Finally, the fact that commercial sexual exploitation is an issue of power and abuse of privileges has become evident in this chapter by confirming that there are great inequalities mainly due to gender and age. This is why, for the large majority of children interviewed in the region, their sexual exploiters are men twice their age. In addition to suffering the consequences of sexual violence, they are hit, abused, and denigrated. Some live in their own communities, others in other parts of the country, and there are those who take advantage of the tourist industry to travel to these countries to subject the children and adolescents to sexual slavery. Given the indifference of the community, the impunity of the crime, and the ineffectiveness of the programs to protect children, commercial sexual exploitation of children and adolescents continues to increase.

CHAPTER THREE:

Who are the victims?

1. General Aspects

The study of the characteristics of the victims of commercial sexual exploitation is important in designing prevention strategies to address the problem. The study shows the factors that lead to the children's vulnerability, which in turn puts them at greater risk of exploitation.

However, it is important to emphasize that although the children are the victims of a crime, the cause of commercial sexual exploitation cannot be found within them or in their life histories. The causes are based in the reasons adults sexually exploit children and adolescents. Any child or adolescent can become a victim of exploitation, just as any adult or child can be abused sexually. The difference is their vulnerability to the exploiters.

Understanding the factors that increase their vulnerability is useful in forming strategies to protect and assist children.

In the seven studies conducted in the region, more than seven hundred underage victims of sexual exploitation were interviewed. In the next section, some of the data obtained through the questionnaires administered in six of the seven countries will be presented. The questionnaire used in El Salvador was different than the others, and therefore cannot be used for comparisons with the other countries, although the victims' situation does not seem to vary from the others.

It is also important to mention that the data that will be presented are based on the responses of the victims interviewed who were chosen in a random manner and are not representative of the countries in general. They do show the personal and socio-economic conditions of those interviewed, however.

Table # 15
Underage victims interviewed by country and zone

	Capital	Outside Capital	Total
Guatemala	—	100	100
Honduras	50	50	100
Nicaragua	50	50	100
Costa Rica	50	50	100
Dominican Republic	60	58	118
Panama	50	50	100
Total	260	358	618

Table # 16
Underage victims interviewed by sex

	Boys	Girls	Total
Guatemala	5	95	100
Honduras	14	86	100
Nicaragua	39	61	100
Costa Rica	5	95	100
Dominican Republic	56	62	118
Panama	29	71	100
Total	148	470	618

As can be seen, more girls than boys were interviewed, which corresponds to the general perception that more victims are female than male. Being female seems to be a factor for vulnerability in itself.

Table # 17
Underage victims interviewed by age

Years old	Number of victims interviewed	Cumulative percentage
10	1	0,2
11	5	1,0
12	9	2,4
13	26	6,6
14	50	14,7
15	97	30,4
16	170	57,9
17	259	99,8
Dk / Nr	1	100
Total	618	100

At the time of the interview, 30% of the children were 15 years old or younger and the rest were 15-17 years old. They were asked about their age when they were first paid or given a gift for having sexual relations or doing other sexual activities, and one-quarter (26.9%) of those interviewed stated that they were first sexually exploited when they were only 13 years old or younger. Almost 80% of those interviewed were victims of commercial sexual exploitation at 15 years old or younger. This confirms that commercial sexual exploitation is not an activity that is chosen by adolescents, but rather it is a product of various pressures and abuses that begin at a very early age.

Table # 18
Age at which the victims were first paid or given money or gifts for having sexual relations
or doing other sexual activity

Age when victim of CSE for the first time	Number of victims	Cumulative percentage
8	4	0,6
9	6	1,6
10	9	3,1
11	17	5,8
12	39	12,1
13	91	26,9
14	136	48,9
15	187	79,1
16	101	95,5
17	24	99,4
Dk/Nr	4	100
Total	618	100

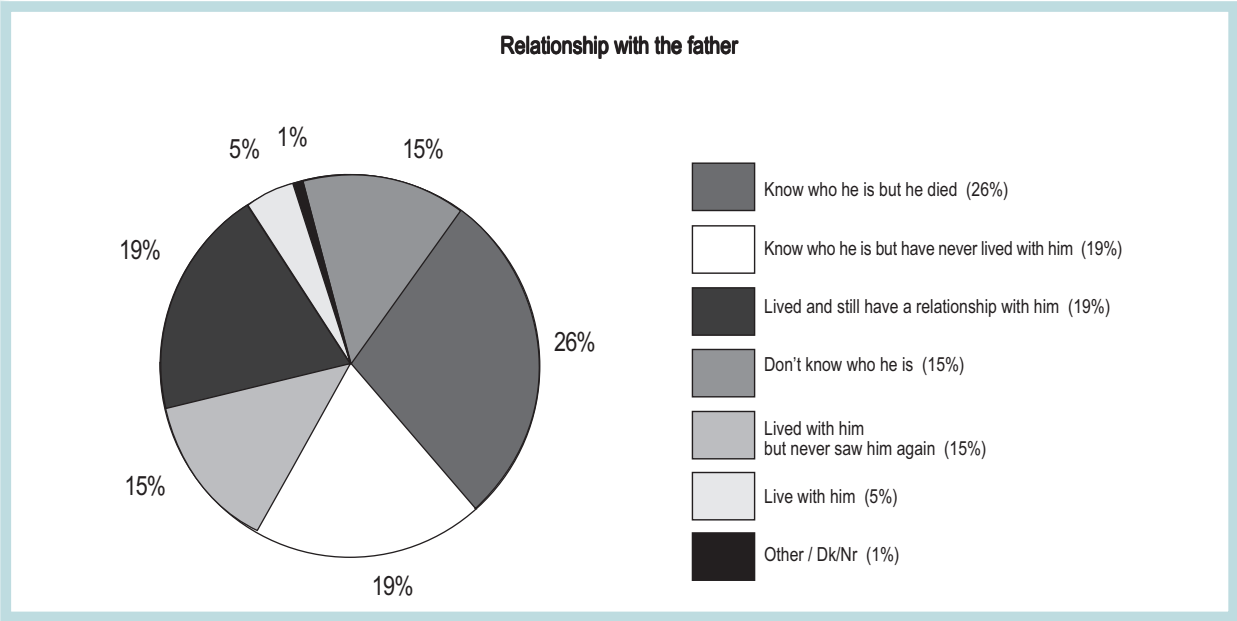
2. The route of vulnerability

At the time that a minor is trapped by commercial sexual exploitation, generally his/her life has been characterized by many emotional and material deficiencies.

Children have a right to live with a family and receive care and protection from their parents. However, victims of sexual exploitation often share stories of parental abandonment and lack of care and protection by their families.

The children were asked about their relationship with their father, and they revealed that their father was absent in three out of four cases, mainly due to the fact that the father never assumed paternal responsibility, and in other cases because of death. Only one quarter of the children still have a relationship with their father. 19% of those interviewed said that they lived with him during a period of time and still have contact with him, and 5% still live with him.

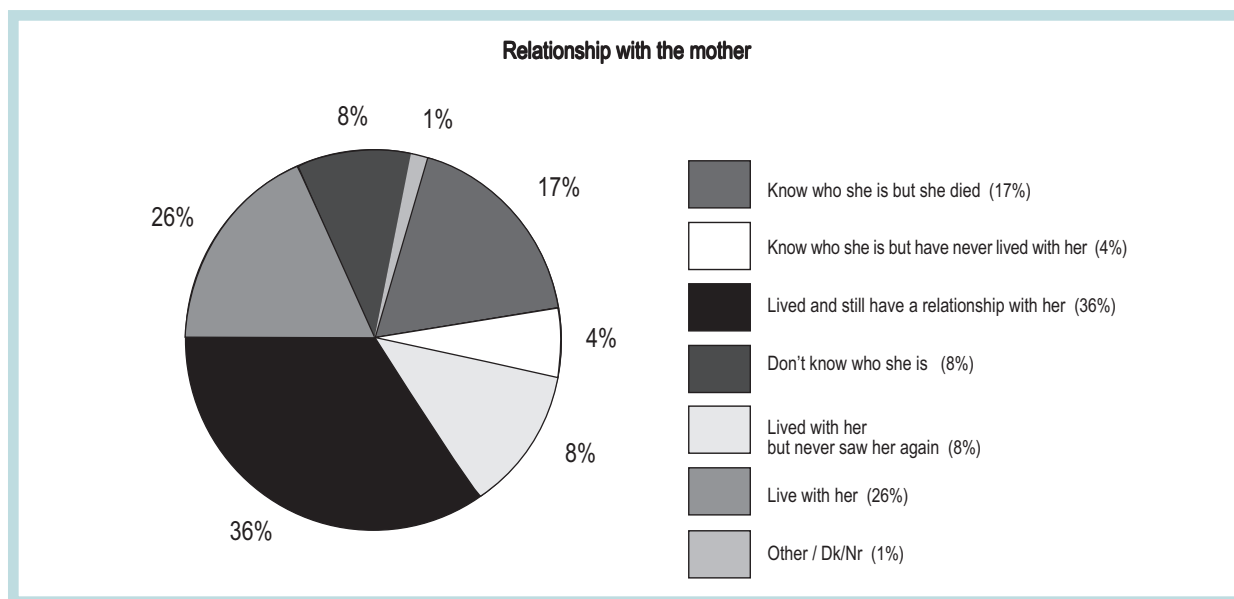
Figure # 7



The relationship with the mother seems to be more stable than the relationship that the children have had with their fathers, except for Guatemala where the bond with the mother is less common. While 74% of children interviewed in the region do not have any ties with their father, a much smaller percentage (37%) do not have a relationship with their mother; however, as opposed to the reasons that explain their distance from their fathers, the main reason in the case of the mothers is her death (around 50%).

One third of the children interviewed say that they still have a relationship with their mother and around one quarter actually live with her. Paternal abandonment in which the father leaves the mother responsible for raising the children, in addition to other factors such as family income below what is necessary to survive, puts the children at risk of getting involved in sexual exploitation as a means to generate income.

Figure # 8



The need to generate economic income to survive also increases when the underage persons are left helpless in the streets or living outside the home. In many cases, the children have run away from their homes after experiencing aggression in the home, which is why they are considered thrown out of their home. More than half of the persons interviewed explicitly stated that they had been kicked out of their homes or had run away from home, and 64% of the child runaways did it on more than one occasion. Therefore, the physical, psychological, and sexual mistreatment puts them at risk for sexual exploitation as well as expulsion from home.

Figure # 9
Children kicked out of home in at least one occasion by their families / runaways (%)

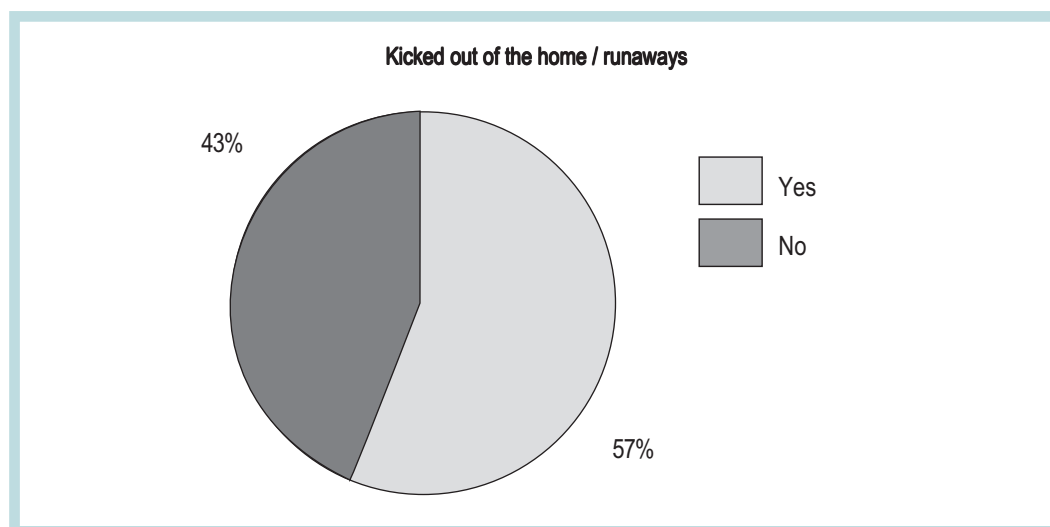


Table # 19
Number of runaways from home

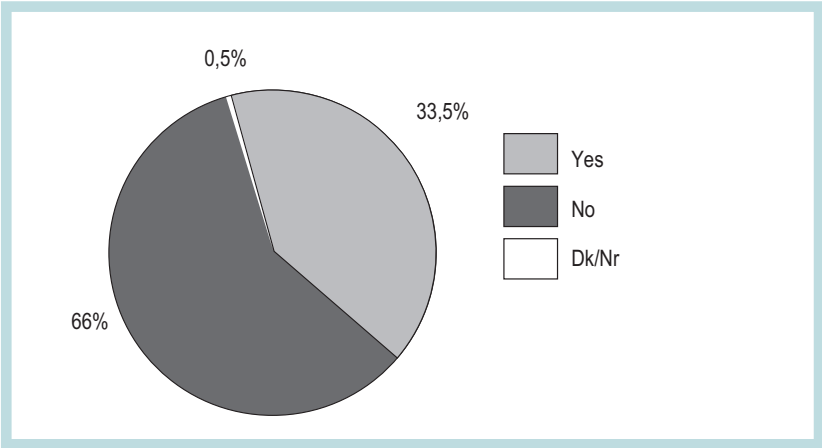
Name of the country	One	2 to 5	6 to 10	11 to 15	More than 15	Total
Guatemala	27	20	2	—	1	50
Honduras	25	27	4	3	3	62
Nicaragua	15	42	9	2	7	75
Costa Rica	15	40	11	3	3	72
Dominican Republic	23	21	2	—	—	46
Panama	22	21	2	—	1	46
Total	127	171	30	8	15	351

Regarding the problem of children leaving home, a large number of the children used in commercial sexual services have experienced sexual abuse, even those under 12 years old. This is the case for 33.5% of them, on average, in the countries that participated in the study.

Table # 20
Some sexual experience before 12 years old - Childhood sexual abuse (percentage)

Name of the country	Yes	No	Dk/Nr	Total
Guatemala	20	80	—	100
Honduras	39	60	1	100
Nicaragua	36	64	—	100
Costa Rica	55	45	—	100
Dominican Republic	23	77	—	100
Panama	30	68	2	100
Average	33.5	66	0.5	

Figure # 10
Experiences of childhood sexual abuse (before age 12)



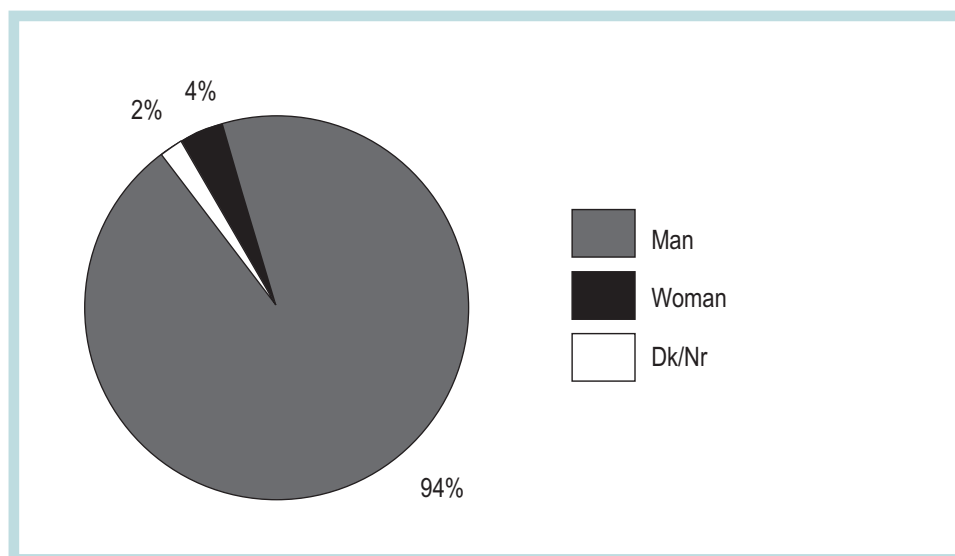
The types of sexual abuse experienced include rape and sexual abuse without penetration by family members and/or strangers.

Table # 21
Type or form of sexual abuse - Frequency (before age 12)

	Without penetration by stranger	Without penetration by known person	Abuse by family member	Rape by family member	Rape by stranger	Rape by known person not family member	Rape by various persons	Other
Guatemala	2	3	8	1	1	6	—	2
Honduras	—	12	10	6	4	5	—	2
Nicaragua	7	5	14	3	2	4	—	—
Costa Rica	4	9	22	9	—	10	—	—
Dominican Republic	1	6	1	—	2	6	1	8
Panama	1	7	4	4	2	3	2	6
Total:	15	42	59	23	11	34	3	18

Similar to the dynamic of commercial sexual exploitation, in cases of sexual abuse, 94% of the abusers were men, independent of the sex of the minor.

Figure # 11
Sex of the person who committed sexual abuse



Despite the severity of the crime of sexual abuse, the person was not reported in the large majority of cases.

Table # 22
Reporting of the abuser (percentage)

	Yes	No	Dk/Nr
Guatemala	22	69	9
Honduras	15	80	5
Nicaragua	11	89	—
Costa Rica	6	90	4
Dominican Republic	11	78	11
Panama	10	87	3
Total in region	12	83	5

Only in very few cases was the child victim assisted by an institution, despite the physical and psychological damage that the sexual abuse caused. Even more serious still is the fact that the institutions that aided the children for the abuse did not always report it. Costa Rica is the most obvious example, as can be seen in tables 22 and 23. The institutions assisted 15 children but only 6 complaints were filed, and of them the complaint did not necessarily come from the institution.

Table # 23
Assistance for the victims of sexual abuse before 12 years old (percentage)

	Yes	No	Dk/Nr	Total
Guatemala	20	80	—	100
Honduras	15	80	5	100
Nicaragua	11	89	—	100
Costa Rica	15	83	2	100
Dominican Republic	15	73	12	100
Panama	17	83	—	100
Total in region	15	82	3	100

The impunity of childhood sexual abuse makes the children learn from an extremely early age through their personal experience that sexual abuse is not punished and the victims do not receive the required assistance. This clearly influences the way they see their environment while growing up and it also increases their vulnerability to other types of sexual abuse. Life has taught them that it is common for nobody to help them stop the abuse.

The **sexual abuses experienced by children over 12 years old** who were interviewed are not less in terms of quantity or severity.

Table # 24
Some experience of forced sex or sex against their will after 12 years old
Childhood sexual abuse (percentage)

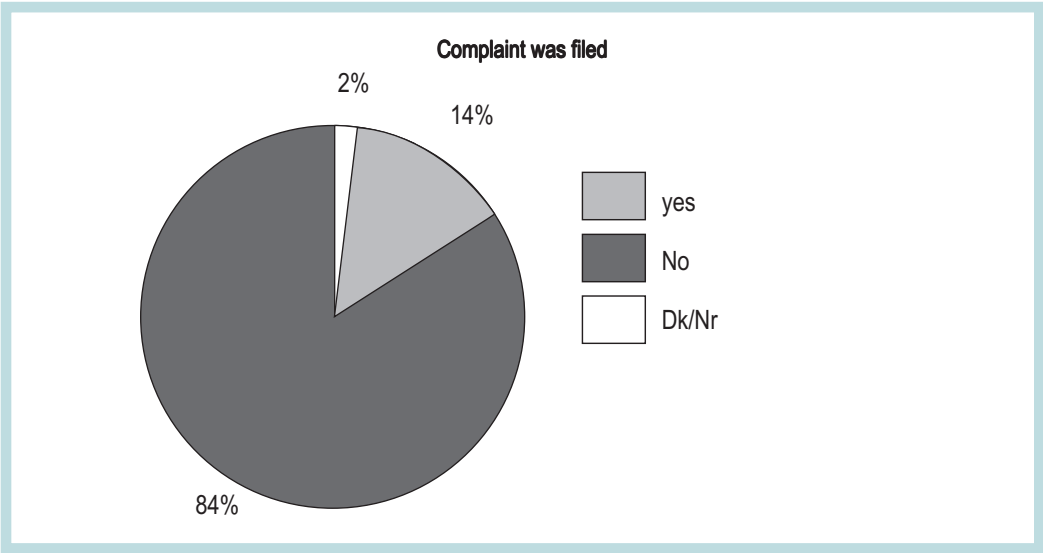
	Yes	No	Dk/Nr	N/A	Total
Guatemala	15	82	—	3	100
Honduras	44	55	1	—	100
Nicaragua	35	65	—	—	100
Costa Rica	33	66	—	1	100
Dominican Republic	18	81	—	1	100
Panama	29	70	1	—	100
Average	29	70	0	1	100

Table # 25
Type of sexual abuse after age 12 - Frequency

	Incest	Rape by stranger	Rape by non-family known person	Rape by various persons	Rape by clients/exploiters	Sexual abuse/rape by partner	Sexual abuse by stranger	Other
Guatemala	—	1	13	1	—	—	—	1
Honduras	9	7	12	7	2	—	2	4
Nicaragua	12	7	5	2	3	1	5	—
Costa Rica	4	15	6	2	1	1	4	1
Dominican Republic	5	3	6	—	—	3	2	2
Panama	17	1	7	1	1	1	1	—
Total:	47	34	49	13	7	6	14	8

In the cases of sexual abuse after age 12, the abuser was a man in 94% of the cases. In addition, the lack of reporting is seen again. Only 14% of the abusers were reported and it is likely that only a small percentage of them were effectively punished. Therefore, impunity, while totally unacceptable, is very common in cases of childhood sexual abuse.

Figure # 12
Reporting of sexual abuse



Only in one of every ten cases of sexual abuse experienced after age 12 was assistance offered to the victim by an institution.

Table # 26
Institutional assistance of victims of sexual abuse who are over age 12
(percentage)

	Yes	No	Dk/Nr
Guatemala	14	86	—
Honduras	7	88	5
Nicaragua	14	86	—
Costa Rica	6	94	—
Dominican Republic	19	76	5
Panama	10	90	—
Total region (%)	11	87	2

The vulnerability, particularly of girls and adolescents, also increases when they have their own children. In most cases, pregnancies are not planned or desired, and sometimes are a product of the sexual exploitation itself.

Table # 27
Interviewed underage persons who have at least one child (%)

	Boys interviewed	Girls interviewed
Dominican Republic	5	55
Honduras	0	50
Nicaragua	10	36
Costa Rica	0	41
Panama	10	41
Guatemala	0	66

Having children for whom they are responsible puts great pressure on the adolescent mothers to find income, while not having education and labor training puts them at enormous risk of being involved in commercial sexual exploitation. At the same time, sexual exploitation creates great risks for the babies, ranging from HIV infections, abandonment because there is no one to care for them, to violence. At the time of the interview, only around half of the adolescent parents lived with their children, precisely because of the difficulty of caring for a baby or a small child in the conditions in which they are found, and in this sense, a vicious circle of abandonment and lack of protection is experienced from generation to generation.

The victims of commercial sexual exploitation have low levels of schooling. 50% have incomplete primary school education, and only 2% have completed secondary school. However, 86% say that they know how to read, at least a little bit.

Table # 28
Level of education of underage persons who are victims of commercial sexual exploitation

	Incomplete primary	Complete primary	Incomplete secondary	Complete secondary	None	Other Dk/Nr
Guatemala	46	14	12	4	21	3
Honduras	44	15	25	6	8	2
Nicaragua	62	22	8	—	8	—
Costa Rica	55	24	19	1	1	—
Dominican Republic	71	8	10	1	10	—
Panama	22	8	67	2	—	1
Total Porcentaje	50	15	24	2	8	1
% Cumulative total	50	65	89	91	99	100

Children have the right to receive education and if they have been expelled from the school system for some reason, the state institutions must seek immediate reinstatement. At the time of the interview, only 16% of those interviewed were studying, which will restrict their future labor options as adults.

Table # 29
Actually atudying – Percentage by country

	Yes	No	Total
Guatemala	2	98	100
Honduras	6	94	100
Nicaragua	9	91	100
Costa Rica	8	92	100
Dominican Republic	36	64	100
Panama	33	67	100
% Total	16	84	100

3. When they became trapped in commercial sexual exploitation

The factors that seem to increase the vulnerability of children to be trapped in sexual exploitation include previous sexual abuses, lack of protection by the family, especially an absent father, and being kicked out of their home and school. As was seen at the beginning of this chapter, the age at which children are paid for sex for the first time is very low.

When the difficult situation of children and adolescents of 13, 14, and 15 years old living in extreme poverty is combined with unprotected time in the street and the use of drugs, they become very easy targets for sexual exploiters and intermediaries.

In addition, they are easily convinced to leave their place of residence to seek other new income-generating options. All of them travel with the hope of earning money and starting a better life. Some travel knowing that they are going to “work” in commercial sexual activities, and others are not left with another option to survive at the time they arrive at the destination. Many times they are victims of traffickers that negotiate with children.

Among the countries studied, Guatemala stands out since only half (52%) of the children and adolescents interviewed said that they had been born in Guatemala, the rest came mainly from Honduras, El Salvador, and Nicaragua. It is very likely that some of them are victims of trafficking. Others have entered the country on their way to Mexico and the United States, sometimes accompanied by their families, and they have become trapped by poverty and pressure from the exploiters

Table # 30
Country where those interviewed were born

Country	% that were born in the country where they were interviewed
Dominican Republic	94,1
El Salvador	100
Honduras	100
Nicaragua	97
Costa Rica	84
Panama	97
Guatemala	52

The offers to move to another region or to another country are very common, which indicates that there are persons interested in using them and exploiting them even in other regions. Half of the those interviewed stated that they have had offers to be relocated to another part of the country or to another country in order to have remunerated sexual relations, or to be exploited in another geographic location. They have also been offered other activities that tend to be related to sexual exploitation.

Table # 31
Children and adolescents that have received offers to be relocated to another region or to another country to participate in sexual exploitation related activities

Type of offer	Percentage
Participating in remunerated sexual relations	48,5
Dancing in night clubs	28,3
Accompanying tourist	21,8
Attending photography sessions	13,6
Being a model	8,3
Giving massages	13,9

It is a fact that commercial sexual exploitation often develops through camouflaged or clandestine activities. Children and adolescents that are found in the street where they look for clients-exploiters are only the visible face of a much larger problem. All the children and adolescents interviewed had been used for remunerated sexual relations and a large number of them confirmed that they had also been used in other commercial sexual activities, such as the production of pornography or as dancers in sexual shows.

Table # 32
Persons interviewed that have been used for different types of commercial sexual activities

	Persons interviewed that have been paid to dance nude (%)	Persons interviewed that have been paid to be photographed nude (%)
Dominican Republic	14,4	15,3
Guatemala	49,0	35,0
Honduras	43,0	38,0
Nicaragua	12,0	12,0
Costa Rica	31,0	16,0
Panama	14,0	6,0

Drug use is another factor that increases vulnerability to sexual exploitation, since it induces children and adolescents to find income to acquire drugs, and sometimes drugs are a payment for sex. The exploiters also encourage the children to use drugs in some cases as a way to draw them into exploitation. Life in commercial sexual exploitation brings so many negative psychological, physical, and social consequences for the victims that they initiate or increase their consumption as a means of alleviating the suffering.

Around half (44.3%) of the children and adolescents interviewed said that they use drugs, and of them, 104 or 16.8%, said that they use drugs everyday. This creates great challenges for returning the children and adolescents to a social life away from exploitation. For example, it is not enough to offer them traditional labor options, unless they first achieve detoxification and life without drugs and a secure and pleasant environment is created for them without pressures from exploiters and offers for drugs. 40% of the persons interviewed say that their drug addiction and alcoholism started because of the sexual exploitation.

Table # 33
Frecuency of drug use

	Frecuency	Percentage
Everyday	104	16,8
One or more times per week	88	14,2
One or more times every two weeks	82	13,3
Do not use	344	55,7
Total	618	100

Commercial sexual exploitation also creates other devastating consequences in addition to drug addiction. Violence, sexually transmitted infections, and pregnancies by the exploiters are a few examples.

Table # 34
Consequences of commercial sexual abuse

Consequences	Percentage of victims interviewed have experienced the consequence because of commercial sexual exploitation (%)
Sexually transmitted infections	23,6
Infected with HIV / AIDS	3,4
Pregnancies by exploiters	15,3% of the female victims
Physical attacks by the "clients"	25,7
Sexual attacks by the "clients"	19,1
Threats or hits by the pimps	8,6

4. Who can help me...? The inadequate response

Despite the risk that commercial sexual exploitation brings for the children, their vulnerability, and society's and State's obligation to protect them, the institutional response experienced by the victims interviewed has been extremely weak and worrisome.

There has been an inadequate response in detecting exploitation, protecting the victims, as well as following up on the victims to make sure that they are not exploited again or in another type of exploitation.

The information offered by the children shows that there have been many times in their lives marked by risk and the need for protection and support by the institutions, however, they have not received it. The sexual abuses experienced at an early age were not stopped and only very few of the victims received support. In addition, at times children kicked out of their homes have lived in the street within sight of the entire society without being offered support to protect them from the risks of falling into sexual exploitation or other risks, such as getting involved in delinquency.

Around half of the female children and adolescents are mothers and most likely a large number of them have given birth in the hospitals or health centers. These entities have not detected sexual exploitation or if they have, they have not made sure that the girls and adolescents have received adequate support to be protected from exploitation.

It is not only the health sector that seems to lack the capacity to fulfill its role in the prevention and protection of victims of exploitation. According to the information offered by the victims, the education sector also seems not to have done an effective job in preventing exploitation. Despite it being an obligation of the State to make sure that the children receive an education, 84% of them were not studying at the time of the interview, which limits their possibilities of having a well paid job when they are adults. Education desertion is also a sign that the child is facing other problems, which cannot be ignored by the education officials. Among the victims interviewed, the education centers had not made efforts to put the children back in the education system and to find out why the children did not go back to school, which could have helped to detect their risk of exploitation.

Table # 35
Little follow-up of the education sector to the children who drop out of school

Percentage of children and adolescents that said that they had not been contacted by the school at the time they dropped out	
Dominican Republic	17,8
Honduras	67,0
Nicaragua	47,0
Costa Rica	73,0
Panama	60,0
Guatemala	59,0

The inadequacies in detection and assistance of victims are also shown by the fact that the relatively small research teams in each country could find and interview around one hundred children and adolescents affected by commercial sexual exploitation in a short intense period within two geographically defined areas. In other words, it is not “impossible” to find children, the problem is that in most of the countries a systematic effort is not made by the institutions responsible for protecting them to detect, register, and offer required assistance.

Those interviewed were asked if they had received some institutional help, and a large number responded negatively, which is worrisome considering the serious risk that they face. However, the number of victims (27.8% of the total) that said that they had received institutional support at some time is also troubling because this means that they had been in contact with the institutions but they were not offered adequate help. Or, the help was insufficient and without enough follow up, or else they would not still have been in commercial sexual exploitation at the time of the interview. Of those interviewed, 18.6% have been taken to or admitted to some institution for being on the street, but their time at the institution does not seem to have helped them to stop being exploited in sexual commerce.

Table # 36
Victims that have received institutional help at some point (%)

	Yes	No	Nr
Dominican Republic	10	83	7
Honduras	45	54	1
Nicaragua	50	49	1
Costa Rica	49	51	0
Panama	8	92	0
Guatemala	8	89	3

Another problem encountered is the large number of children and adolescents (21.2% on average) who confirmed during the interview that they had been sexually abused by the police. It is important to emphasize that this information is being revealed to show the need to support a better selection of functionaries working in this sector, as well as punishment for those functionaries that abuse their power. It does not discredit the work and efforts by other police and justice officials (prosecutors and those that participate in the judicial investigation) who punish the sexual exploiters.

Table # 37
Persons interviewed that say they have suffered abuse by the police
(percentage)

	Detentions by the police	Sexual abuse by the police (harassment or rape)
Dominican Republic	22	4,2
El Salvador	No data available	24
Honduras	77	56
Nicaragua	39	6
Costa Rica	60	35
Panama	23	5
Guatemala	29	24

PART FOUR:

Institutional response and policies to address sexual exploitation

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The first world congress against commercial sexual exploitation held in 1996 was the catalyst for raising consciousness about the need to confront the problem of commercial sexual exploitation by the countries in the Central American region and Dominican Republic. The representatives both from the NGOs and the state institutions that had participated in that event returned to their countries and in a collective effort helped to open society's eyes regarding this intolerable and unacceptable problem that up until that time had been treated with indifference or in a repressive manner.

In every one of the countries, discussion groups were established around the strategies to continue to confront the problem. In some countries the NGOs had the leadership in the discussion, while in others some of the functionaries of the public institutions were the ones that were sensitized on the topic and initiated a broad discussion.

Some of the discussion groups have been progressively institutionalized: this is the case of the "National Commission against commercial sexual exploitation of children and adolescents" (CONACOES) in Costa Rica and the "Commission against sexual exploitation of children and adolescents" in Dominican Republic. In Guatemala, the Attorney General of the Republic took the initiative together with some NGOs and created the Coordinating Group aimed at coordinating actions to address the problem. In El Salvador the NGOs were the ones that initially took the initiative of creating a Commission against commercial sexual exploitation, which the state entities on the protection of the children entered later. The NGOs were also pioneers in the fight against sexual exploitation in Nicaragua where discussion groups were conducted on the situation in the country and an institutional front was created to address the problem. In Honduras, the interinstitutional coordination is more recent and has mainly revolved around the discussion of the lack of adequate legislation for addressing the problem. In addition, in Panama, the discussion of the topic has recently come up because of televised reports showing the ease with which the exploitation networks operate in the country, and a new concern about preventing and eliminating the problem has arisen.

In the first world conference, the participating countries committed to creating national action plans against commercial sexual exploitation. This commitment has also been reaffirmed since ratification of ILO Convention 182 in 2000-2001, which states that countries must establish action programs to eliminate the worst forms of child labor, among which commercial sexual exploitation is mentioned.

Four of the countries studied (Costa Rica, Guatemala, El Salvador and Dominican Republic) have an action plan aimed specifically at preventing and eliminating commercial sexual exploitation of children and adolescents. Nicaragua has developed public policy guidelines to tackle the problem. The creation of these documents has meant that a process has begun in all of the countries in which the problem is recognized, and important discussions are held on how to eliminate it in a holistic manner without blaming the victims. A large number of public and private institutions have participated in the discussion and the process, and institutions concerned about the topic of children's human rights have come together. An important number of functionaries have also been sensitized on the topic and have motivated various institutions to develop their own activities.

The strategies defined in the plans are broad and include legal aspects, as well as preventive, repressive, and victims assistance aspects. However, the weakness of the plans is that none of the countries has the required budget to execute them effectively. This has meant that the actions developed, in many cases, have depended on the financing of international agencies or NGOs, as well as the insistence of some public functionaries worried about this severe form of human rights violations of children and adolescents.

Another weakness in addressing the problem has been that the coordination among the institutions has been limited to a central level of discussion of strategies and the development of specific activities, such as communication campaigns, training workshops, actions aimed at closing locations, and other initiatives.

The interinstitutional coordination in the rural and urban localities to prevent and resolve specific cases of commercial sexual exploitation of children has been limited. In many cases, the institutions are not clear what their functions and legal responsibilities are in relation to detection, intervention, and follow-up of cases. Given the multicausality of the problem, it is necessary to have an appropriate and suitable intervention from a set of institutions, and if some of them do not respond, the impact will not be as great as expected or it will be annulled.

In this sense, a large job lies ahead in defining the institutional guidelines on how to address the problem and to train all the functionaries on the topic. This is true not only for the institutions that must offer assistance to the victims, but also for the institutions that have to explore the crimes related to exploitation in order to punish the exploiters.

In addition, an ongoing monitoring initiative of the situation and the actions developed is crucial in evaluating the impact of it. Up until now, an evaluation of the impact of the actions has been lacking or absent in some cases.

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

General conclusions:

- The studies confirm that there are various types of commercial sexual exploitation of children and adolescents in all the countries studied. Children and adolescents are purchased daily as sexual objects by adults that use them to have sexual relations, to produce pornography, or to exhibit them in sexual shows.
- In every country there are also persons that use the extreme vulnerability of children and adolescents to profit by exploiting them. Some examples identified are persons that promote or facilitate exploitation in exchange for financial compensation, such as taxi drivers, receptionists, and pimps that function as intermediaries between the child or the adolescent and the exploiter.
- The problem of commercial sexual exploitation has become global in many cases, such as in the case of sexual tourism, trafficking of children and adolescents for sexual purposes, and dissemination of pornography via the Internet. Costa Rica and Dominican Republic seem to be affected by sexual tourism, while Guatemala markedly shows the greatest number of children coming from other countries in the region (half of those interviewed), which could indicate a greater level of sexual trafficking to that country.
- Another indicator of trafficking for sexual exploitation is the fact that half of the children interviewed for the studies said that they had received offers to move to another region or another country to participate in paid sexual relations. Despite the existence of trafficking of children and adolescents for sexual purposes, the interinstitutional coordination among the countries is just beginning.
- Throughout the region there is also an unacceptable social tolerance of this phenomenon. More than three-quarters of the adults interviewed for this study said that they know or have seen children and adolescents in commercial sexual exploitation; 70% said that they know specific places where commercial sexual exploitation of children and adolescents occurs; and 52% say that they are willing to report it, but only an average of 7% of those in all the countries have filed a complaint. The lack of reporting is due to the lack of knowledge about the legislation, the perception that it is not a form of sexual abuse, and in some cases, reports are not made because of neglect, fear, and lack of faith in the punitive system.
- The general perception is that the child or the adolescent is responsible for the commercial sexual activities and they are not considered victims of sexual violence and abuse. This is the case despite the fact that the countries in the region have ratified various international conventions that establish that commercial sexual exploitation must be eliminated immediately (ILO Convention 182); that all children and adolescents have the right to be protected from commercial sexual exploitation (Convention on the Rights of the Child); and that the use of children and adolescents for sexual activities must be punished (Optional Protocol of the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography).
- This is why there are exploiters that establish contact with children and adolescents in a clandestine manner, or openly establish contact with children and adolescents for the purpose of exploiting them sexually, in front of society, without being stopped and in many cases without being questioned for their actions.

Conclusions about the exploiters:

- **Sex:** The children and adolescents interviewed indicated that the exploiters were men in most cases. When asked about the last person that paid them to have sexual relations, the children and adolescents stated that it was a man in 89% of the cases; a woman in 9% of the cases, or a male and female couple (1%); the remaining 1% did not respond to the question. The unequal relations between the genders and the different ways of exercising sexuality means that there are many more male “client-exploiters” than females. However, among the pimps and intermediaries, there are both men and women.

- **Ages:** The exploiters are of all ages and come from different social groups. For the region as a whole, the children and adolescents indicate that the last “client-exploiter” was less than 22 years old in 20% of cases; between 22-30 years old in 37% of the most recent case in which they were paid for sex; between 30-50 years old in 37% of cases; and in 6% of the cases the person was over 50 years old. Therefore, the exploiters are adults and are much older than the victims.

- **Place of origin:** When asked where the “client-exploiters” were from, 71% of the children and adolescents who were interviewed stated that they were “always” or “almost always” from the same locality. When asked if they were from other localities in the country, 24% stated “always” or “almost always”. 16% of the underage population studied stated that the “client-exploiters” were always or almost always tourists, and 7% stated that they were foreigners living in the country. Particularly in Costa Rica and Dominican Republic, many children indicated that the exploiters were resident foreigners or tourists, which indicates that sexual tourism is flourishing in those countries.

- The exploiters use various methods to contact the children and adolescents to involve them in sexual activities. In almost half of the cases, the “client-exploiters” look for children and adolescents in the street directly, in 10% of the cases they contact them by telephone, and in 28% of cases, they establish contact through third persons, such as intermediaries that have made a business of the exploitation, or through persons the children and adolescents know. The remaining 18% use other means of contact, such as responding to announcements in the newspapers.

- It seems that the exploiters are persons that feel that using children and adolescents as objects to be purchased for their sexual amusement is legitimate. They come from different social classes and they are all ages. They have the common characteristic of being irresponsible persons that commit sexual crimes against children and adolescents, excusing themselves with many different arguments. They often blame the children and adolescents for the exploitation stating that they wouldn’t do it with “normal”, or rather protected, children or adolescents; or they argue that they provide them with economic earnings. It is the payment that makes the exploiter feel free of all responsibility about the damage that they are causing, and they feel that whatever act they commit against the child or the adolescent is legitimate, even if that includes forced pregnancies, sexually transmitted infections, or physical and sexual violence.

Conclusions about the victims:

- In general, victims are persons that have been marginalized, have had their rights violated from early childhood, and have been affected by insufficient social policies and extreme poverty. However, it is important to remember that the causes of sexual exploitation must not be sought only in the socio-economic conditions of the victims, but also in the aggressors.

- In most cases, the victims are female adolescents, although there are also children and male adolescents. One quarter of the victims interviewed were only 13 years old or younger when they started being exploited in commercial sexual activities. Almost 80% became involved in commercial sexual activities before turning 15 years old or when they were 15 years old. Therefore, this confirms that it is not a life choice that is chosen by adolescents, but rather it is a product of abuses and lack of protection from early childhood.

- This lack of protection has begun even with their own family members, since often the parents have not cared for them well. Three-quarters of the parents abandoned them at an early age or before they were born. The victims have had a more stable relationship with their mothers, but they do not seem to have had the socio-economic possibilities to provide them protection.

- Half of the children interviewed have been kicked out of their homes into the street, where they easily become objects of exploitation by adults, because of situations of physical and psychological violence within the home.

- Incest and other sexual abuses committed against children are risk factors associated with sexual exploitation, and despite being a serious human rights violation, complaints have not been filed in more than 80% of the cases, which teaches the victims that abuse is tolerated in society.

- Only 16% of the victims were studying at the time of the interview, and almost half of the female adolescents already had children at the time of the interview, which makes it difficult for them to continue studying and keeps them in a cycle of poverty.

Conclusions about preventing the problem:

- The first world conference against commercial sexual exploitation was a catalyst for creating greater awareness and interest in stopping the problem, and in most countries the institutions concerned about the situation have grouped themselves into National Commissions against commercial sexual exploitation of children and adolescents, which are more or less institutionalized.

- Four of the countries studied (Guatemala, Costa Rica, El Salvador, and Dominican Republic) have an action plan aimed at stopping the problem; one (Nicaragua) has a public policy on the topic, and two others (Honduras and Panama) are in the process of developing integrated plans. The plans try to attack the problem in a holistic manner and they include actions in various spheres (legislation, judicial sector, prevention, assistance, punishment, etc.). However, these plans are not being implemented effectively due to the lack of economic and human resources and decisive political support.

- Despite the commissions, the institutional coordination within and outside the countries is still weak. Within the institutions there is interest and awareness about the need to coordinate actions to protect the children and adolescents and to punish the exploiters, whether they are nationals or foreigners, but the definition of the responsibilities, the development of procedures, reference and counter-reference mechanisms, and training of functionaries still remains a challenge.

- Systematic communication and awareness-raising programs to prevent exploitative conduct by adults and to prevent the victims from being revictimized are practically nonexistent. Most of the prevention programs have been developed by non-governmental organizations and/or financed by external cooperative agencies. However, there are several strategic sectors, such as the communication media and the universities that have shown a burgeoning interest in participating in the fight against sexual exploitation.

Conclusions about the legal and judicial responses:

- All the countries in the region have committed to eliminating commercial sexual exploitation of children and protecting the victims by ratifying ILO Convention 182 on the worst forms of child labour in the years 2000-2001 and the Convention on the Rights of the Child in 1990-1991.
- Other important international legal instruments for the elimination still have not been ratified by all the countries in the region, such as the Optional Protocol on the sale of children, child prostitution, and child pornography; the Inter-American Convention on International Traffic in Minors; and the United Nations Convention against transnational organized crime.
- Some of the countries in the region (Honduras, Costa Rica, Nicaragua, and Dominican Republic) are enacting relatively new laws on the rights of children and adolescents that support protection from the risks. However, the application is weak and requires stronger institutional development to achieve more effective implementation.
- The penal codes still do not adequately deal with the direct or indirect punishment of the exploiters that use children in sexual activities. Costa Rica is the only country in the region that has made a major adaptation to the Penal Code to classify behaviors related to exploitation.
- In the penal codes studied, gaps were found in relation to the classification of the crimes; inadequate terminology was used; victims were discriminated against because of their age or sex, leaving them with little protection from the exploiters and the penalties for the exploiters are often insignificant in relation to the consequences that this type of violence causes.
- Very few cases are reported and even fewer are thoroughly investigated. There is an erroneous perception that the victims of commercial sexual exploitation, particularly adolescents, are not really victims, and they tend to be blamed and made responsible for their own exploitation.
- In this sense, there is impunity for the exploiters, and only a few pimps have been punished, while the client-exploiters, and other intermediaries and accomplices have practically not been punished. The legal reform can be greatly improved to block the methods used by the exploiters and intermediaries to make exploitation a business, such as restricting access of adults accompanied by unknown children to hotels or establishing penalties for the functionaries that do not comply with their legal duties.

Conclusions about the institutional responses for assisting the victims:

- There is an institutional platform, particularly in the social sector, that is being developed to a greater or lesser degree in the countries studied and that can offer services that tend to diminish the vulnerability of the children and adolescents by the exploiters. However, the institutions that form it do not have established procedures nor are they adequately trained to address this particular problem.
- The studies found that the education sector shows large weaknesses in the detection of sexual abuse cases, and there is a lack of awareness about the obligation to make complaints. Moreover, the victims who were interviewed stated that in more than half of the cases of leaving school they were not contacted by the school to learn why they had left the education system or to find options of getting them enrolled again.
- This is similar to the situation in the health centers and clinics, given the fact that many of them have been in contact with the victims, such as the pregnant adolescents or adolescent mothers, without the sexual violence having been detected or without offering an effective response for their protection.
- The situation in the police sector is also serious since the guidelines that the functionaries must follow upon finding a child or an adolescent involved in commercial sexual activities are not clearly defined. A significant number of the adolescents and children confirm having been detained and sexually abused by the functionaries in this sector.
- Three-quarters of the victims interviewed for the studies state that they have not received institutional support. The institutional support offered to the others was not effective for those who received it since they were still involved in commercial sexual exploitation at the time of the interview. This shows that there is a serious need to review the assistance policies and programs and to develop follow up mechanisms and outcome indicators for each victim and for programs such as these.

RECOMMENDATIONS

1. General recommendations

- 1.1 Create and strengthen regional and bilateral cooperation policies for assistance to underage victims of commercial sexual exploitation and surveillance and punishment of exploiters and sexual merchants.
- 1.2 Create institutional mechanisms of cooperation and exchange of successful experiences and good practices for prevention, assistance, and punishment.
- 1.3 Search for strategies and implementation of actions at the regional level to solicit international cooperation for trafficking of children for sexual purposes and sexual tourism.
- 1.4 Create national plans against commercial sexual exploitation in the countries where they still have not been made and strengthen them and allot the necessary budget to them in places where they do exist.

2. For protection and direct assistance to underage victims of commercial sexual exploitation

- 2.1 Create specific plans at the national level for assistance to victims where the mechanisms and guidelines are explicitly stated to guarantee effective and immediate protection against sexual commerce.
- 2.2 Articulate immediate protection mechanisms against commercial sexual exploitation with the procedures for addressing childhood sexual abuse and family violence.
- 2.3 Articulate immediate protection mechanisms against commercial sexual exploitation with educational procedures to guarantee that children stay in the education system.
- 2.4 Create and implement a national early detection system for underage victims of commercial sexual exploitation with specialized guidelines and protocols for the institutions in charge of child protection law, and health, education, and justice system assistance.
- 2.5 Create and implement a reference and counter-reference system at the national and regional level.
- 2.6 Search for and implement a bilateral and regional plan to guarantee protection of children in illegal migratory situations.

3. For prevention

- 3.1 Develop and implement policies, plans, and universal programs focused on preventing exploitative conduct against children.
- 3.2 Develop and implement national and regional research programs that explore the risk factors and groups at risk for exploitative conduct.
- 3.3 Develop and implement local programs to prevent exploitative conduct and community surveillance of such action.
- 3.4 Develop and implement national, intersectoral, and local programs for surveillance of children's and adolescents' rights.

3.5 Articulate efforts for human rights of children and adolescents aimed at reducing the factors that increase children's and adolescents' vulnerability for being trapped by sexual commerce.

3.6 Allocate resources and conduct specialized training for the Ministries of Education to guarantee that children stay in the education system.

3.7 Create strategic alliances and trainings of key sectors with great influence in the creation of public opinion, such as the communication media or community and religious leaders.

3.8 Create strategic alliances with other key sectors, such as the tourist, transportation, and other sectors that can get in the way of some of the means and facilities used by the pimps and client-exploiters to establish contact with the children and to exploit them.

4. For punishment and legislation

4.1 Ratify a set of international legal instruments relevant to the topic.

4.2 Classify as a crime, exploitative conduct, such as the promise, payment, or granting of benefits for any type of sexual or erotic activity to a minor, as well as for those who facilitate or promote such acts in the countries where such conduct is still not considered a crime.

4.3 Classify as a crime, actions of possession, consumption, sale, display, distribution, or production of pornography using children, as well as their participation in such shows, whether they are public or private.

4.4 Guarantee the effective application of such laws through adaptation and reform of the prosecutorial penal codes.

4.5 Guarantee due process for underage victims in judicial processes against sexual exploiters.

4.6 Synchronize domestic legislation of each country in accordance with the commitments made through ratification of international legal instruments.

4.7 Search for and implement strategies and regional and bilateral procedures to identify, detect, and punish national, regional, and foreign sexual exploiters.

4.8 Allocate specialized training and budgeting to the research units for the crimes related to commercial sexual exploitation of children and adolescents to guarantee justice in the region and do away with the impunity that exists for such crimes.

BIBLIOGRAPHY

Superior Council on Scientific Investigations/FAO. First Approximation of the soils, water, and nutrients in Latin America

<http://irnas106.irnase.csic.es/fao/gateway/latinamerica/home.htm>

<http://www.estadonacion.or.cr/InfoRegion/informe1/cap-01d.html>

ILO/IPEC. Commercial sexual exploitation of children and adolescents in Costa Rica. Research Coordinator María Cecilia Claramunt, Project for the prevention and elimination of commercial sexual exploitation of children and adolescents in Central America, Panama, and Dominican Republic, San Jose, May 2002.

ILO/IPEC. The commercial sexual exploitation of children and adolescents in El Salvador. A rapid assessment. Investigators: Zoila González de Innocenti and Cintia Innocenti, Project for the prevention and elimination of commercial sexual exploitation of children and adolescents in Central America, Panama, and Dominican Republic, San Jose, May 2002.

ILO/IPEC. The commercial sexual exploitation of children and adolescents in Panama. Research Coordinator: Enriqueta Davis, Women's Institute, University of Panama, Project for the prevention and elimination of commercial sexual exploitation of children and adolescents in Central America, Panama, and Dominican Republic, San Jose, 2002.

OIT/IPEC. Commercial sexual exploitation of children and adolescents in Dominican Republic. Research Coordinators: Francisco Cáceres, Leopoldina Cairo y Antonio de Moya from PROFAMILIA, Project for the prevention and elimination of commercial sexual exploitation of children and adolescents in Central America, Panama, and Dominican Republic, San Jose, 2002.

ILO/IPEC. Commercial sexual exploitation of children and adolescents in Honduras. Research Coordinator: Mirta Kennedy de CEM-H, Project for the prevention and elimination of commercial sexual exploitation of children and adolescents in Central America, Panama, and Dominican Republic, San Jose, 2002.

ILO/IPEC. Commercial sexual exploitation of children and adolescents in Nicaragua. Research Coordinator: Rosamaría Sánchez Lang from MUPADE, Project for the prevention and elimination of commercial sexual exploitation of children and adolescents in Central America, Panama, and Dominican Republic, San Jose, 2002.

ILO/IPEC. Commercial sexual exploitation of children and adolescents in Guatemala. Researchers: Ramón Cadena, Carlos Peralta Chapetón y Sergio Fernández Morales from the University of San Carlos of Guatemala, Project for the prevention and elimination of commercial sexual exploitation of children and adolescents in Central America, Panama, and Dominican Republic, San Jose, 2003.

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