

Explotación sexual comercial de niños, niñas y adolescentes:

# DEL COMPROMISO

# A LA ACCION

*Lessons to be learned  
about the direct  
contact with the elderly  
and su.sJa11z.itfas*







Explotación sexual comercial de niños, niñas y adolescentes:

# DEL COMPROMISO A LA ACCIÓN

*Lecciones aprendidas  
en torno a la atención  
directa de las personas  
menores de edad  
y sus familias*

# Credits

## ILO-IPEC

**Commercial sexual exploitation of children and adolescents: from commitment to action. Lessons learned about the direct care of minors and their families.**

International Program on the Elimination of Child Labor (IPEC)  
Subregional Coordination for Central America, Panama and the  
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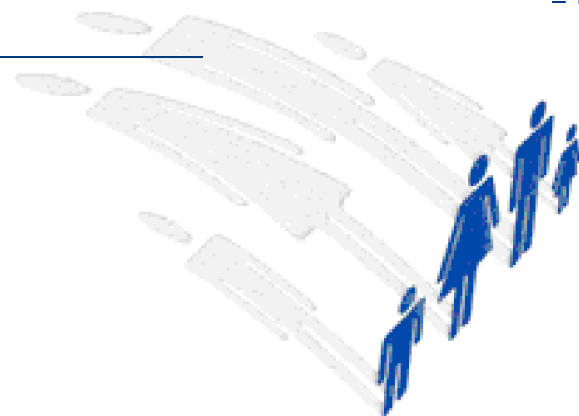
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Commercial sexual exploitation is a severe violation of the human rights of minors and a form of economic exploitation analogous to slavery and forced labor.

The recognition of commercial sexual exploitation as a problem has led to the adoption of commitments for its prevention and elimination in the form of instruments, agreements and plans of action by the countries of the subregion. Of particular note is the recognition of the right of minors to be protected against commercial sexual exploitation and the establishment of commercial sexual exploitation as a crime by those who use, recruit or offer children and adolescents for the sex trade.

This document Commercial sexual exploitation of children and adolescents: from commitment to action. Lessons learned about the direct care of minors and their families, is a systematization of the experiences in the implementation of care programs developed within the framework of the Subregional Project "Prevention and elimination of commercial sexual exploitation of minors in Central America, Panama and the Dominican Republic" of the IPEC Program of the International Labor Office (ILO).

The purpose of the assistance programs is to contribute to the elimination and prevention of commercial sexual exploitation of children and adolescents by strengthening the competent institutions so that they have the information and methodologies required to provide them with comprehensive assistance governed by a human rights approach. In addition, activities are carried out to raise awareness, provide training and promote reporting.

After a period of two years of implementing programs in Guatemala, Nicaragua and Costa Rica, valuable information and experiences have made it possible to carry out this systematization process. This document gathers the main lessons learned and good practices in direct care for child and adolescent victims of commercial sexual exploitation and their families. The experiences were based on international instruments for the protection of the human rights of minors and the need for victim assistance programs to recognize and effectively comply with their rights in general and to enforce the specific right to comprehensive protection as a working premise for intervention in cases of rights violations such as sexual exploitation.

This systematization is expected to contribute to strengthening or reorienting strategies and actions, and to provide inputs to the competent public institutions for the construction of national policies for the care of underage victims of commercial sexual exploitation.

Special thanks to the representatives of the agencies, governments and civil society for their commitment and time dedicated to providing their input and reflections to make this systematization possible, particularly to Asociación Quincho Barrilete in Nicaragua, ECPAT in Guatemala and Fundación RAHAB in Costa Rica, the counterparts who implemented the direct assistance programs for victims of commercial sexual exploitation whose lessons learned are presented in this document.

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# Introduction

Commercial sexual exploitation is a severe violation of the human rights of minors and its elimination represents a great challenge for the Central American region. At the same time, this problem is a manifestation of important inequities in our social organization because it expresses existing inequalities of power based on gender, social gap and age. Entrapment in the sex trade has devastating consequences in the lives of child and adolescent victims, both in terms of physical and emotional health and development and social competencies; in other words, it violates the right to integral and full development of minors.

The purpose of this document is to offer a systematization of the main lessons learned in the direct care of children and adolescents and their families. Specifically, the lessons learned and recommendations emanate from a process of systematization, evaluation and analysis of the experience developed by the three existing action programs in the Central American region (Nicaragua, Costa Rica and Guatemala). They are implemented within the framework of the Project "Prevention and Elimination of Commercial Sexual Exploitation of Minors in Central America, Panama and the Dominican Republic" (ESC Subregional Project) of the International Program on the Elimination of Child Labor of the International Labor Office (ILO/IPEC).

The main purpose of the action programs is to contribute to the governments of the region for the effective liberation of children and adolescents trapped in exploitative conditions.

in the sex trade. To this end, a theoretical and methodological model of care has been developed based on a comprehensive protection approach and a planning model that includes goals, objectives and strategic actions that enable them to achieve their purpose in specific geographic areas of the countries in which they are implemented. This process has generated new lessons learned about the problem and also important findings regarding direct work with the victims, their families and communities.

The document aims to provide inputs to relevant public institutions for the construction and implementation of national policies and strategies for the protection of underage victims of commercial sexual exploitation and their families, based on these new lessons learned. It is divided into two main parts. The first part presents a brief description of the context that gives rise to the experience developed by the action programs, the premises for working with underage victims and the work axes to achieve comprehensive protection of rights. The second part presents the lessons learned and recommendations to achieve this goal. This section also includes specific boxes on the experiences developed by the action programs of each of the participating countries, with the purpose of exemplifying the actions that have generated important lessons or good practices in the area of direct attention to child and adolescent victims of commercial sexual exploitation and their families.





Since its foundation, the International Labor Office has made important efforts to eliminate the economic exploitation of minors. These efforts include the creation of the International Program for the Eradication of Child Labor and the approval of Convention 182 on the elimination of the worst forms of child labor. Although the latter includes activities that are not considered as work, they do constitute manifestations of exploitation; therefore, they are part of the instrument with the purpose of contributing to its elimination. These include, for example, commercial sexual exploitation, the sale, trafficking and recruitment or offering of children and adolescents for illicit activities, particularly the production and trafficking of narcotics.

The problem of commercial sexual exploitation thus becomes part of ILO/IPEC's strategic actions. Specifically, we support governments that have ratified Convention 182 to comply with the responsibilities assigned therein. In particular, in relation to the direct care of child and adolescent victims, ratification of the Convention obliges them to:

- a. Provide the necessary and appropriate direct assistance to free minors from commercial sexual exploitation and ensure their rehabilitation and social insertion.
- b. Ensure that all minors released from such activities have access to free basic education and, where possible and appropriate, vocational training.

- c. Identify children at risk and, in particular, take into account the situation of girls and adolescents.

Within this context, the project "Prevention and elimination of commercial sexual exploitation of minors in Central America, Panama and the Dominican Republic" was created.

## 1. The problem in the region

One of the first actions implemented by the project was a diagnostic study on the situation of commercial sexual exploitation of minors in Costa Rica, Panama, Nicaragua, Honduras, El Salvador, Guatemala and the Dominican Republic, with a view to designing action strategies based on the inputs provided by these studies.

The information gathered in each of the countries includes not only the description and analysis of victimization processes, but also the state response (legal, judicial and institutional) and civil society response to the problem<sup>1</sup>.

With respect to the nature of commercial sexual exploitation, the studies in the different countries, despite certain particularities found, coincided in demonstrating the existence of multiple and varied forms of commercial sex with minors. These include: paid sexual relations, sexual spectacles, pornography and trafficking in persons for sexual purposes within the country and from one country to another. In addition, there was a significant presence of the problem of sex tourism.

<sup>1</sup>The presentation and analysis of the results are available in the publication of each national study and in the sub-regional report entitled Commercial Sexual Exploitation of Minors in Central America, Panama and the Dominican Republic. Regional Synthesis. San José, Costa Rica: ILO/IPEC, 2003.



Studies coincide in establishing that the entrapment of a minor in the sex trade is preceded by a long and significant chain of human rights violations; in other words, a **path of vulnerability** that increases their vulnerability to the sex trade. This route is marked by vital events, framed in a context of social exclusion and lack of protection of fundamental rights. For example, school expulsion and backwardness, family expulsion, prolonged histories of sexual abuse, severe violence against mothers, paternal abandonment and early pregnancies.

In relation to the response to minors in order to free them from commercial sexual exploitation, the most important result was to have demonstrated the low effectiveness of the actions undertaken for this purpose (in the countries where specific programs were found), or the non-existence of such actions.

Regarding the exploiters, the diagnostic studies coincide in finding that the vast majority are adult men and in many cases come from the victim's own locality. Despite this, in Costa Rica and the Dominican Republic, significant percentages of foreign exploiters were found. In all cases, the presence of third parties or intermediaries between the children and adolescents and the sexual exploiters is significant. Although the existence of a criminal and judicial system that makes it possible to punish crimes related to commercial sexual exploitation was found in all the countries, it was also determined that the lack of specificity in the regulations and the gaps in the legal frameworks promote impunity for the exploiters and the persons involved.

Another important effort was the systematization of the public and private programs in the subregion that were providing care to victims of commercial sexual exploitation at that time. The main conclusion drawn from this initiative was that the actions taken generally did not change the vulnerability of children and adolescents to the sex trade. In other words, detection did not necessarily imply freedom from this form of violence, nor the protection of the fundamental rights that are usually violated in parallel with commercial sexual exploitation.

Other findings from the same study point to:

- a. Lack of systematic efforts to identify and register situations of commercial sexual exploitation.
- b. Attention to victims generally focused on health and education, but not on the comprehensive protection of rights.
- c. Lack of standardized care protocols and mechanisms.
- d. The predominant option for protection against the sex trade was the institutionalization of children and adolescents.
- e. Lack of mechanisms to evaluate the impact of the actions.
- f. Responses were generally sporadic and disjointed.

Based on these results, the system's main challenge is to influence risk factors and not only the immediate causes. For this reason, it is recommended that strategies be developed to reduce the incidence of vulnerability factors in the field.



and community based on coordinated and articulated institutional responses<sup>2</sup>.

## 2. The construction of a theoretical and methodological model for the care of minors and their families.

Based on the aforementioned findings, a model of care for child victims trapped in the sex trade was proposed and validated with representatives of state institutions and civil society organizations interested in the issue, which, from a comprehensive rights protection approach, could have an effective impact on protection against the sex trade. The cyclical model of articulated responses is therefore proposed as the strategic framework for the approach to victims in the ESC Subregional Project's assistance programs.

### 2.1 Axes of the model

Based on the fact that children and adolescents suffer from life situations and events that place them in a vulnerable position before sex trade networks, the application of the model seeks to impact and modify these situations. This means that the family and community conditions that play an important role in the vulnerability of children and adolescents to exploiters must be identified and transformed in order to avoid revictimization.

To achieve this purpose, the central axis of the intervention is the family environment (in its broadest sense). Therefore, the strengthening and support of the family is recognized as a key element of the intervention.

as the strategy that allows the rights of minors to be validated and exercised in this context.

Given that the multiple needs and difficulties of the families of child and adolescent victims are recognized, the model proposes the implementation of an articulated response by various institutions and organizations with the aim of contributing to change in the person's immediate environment: his or her family.

To reduce the risk of revictimization, it is not enough to work with victims and their families; it is also necessary to reduce the threat posed by sexual exploiters.

Therefore, another axis or pillar of the model is the linkage with the justice system in order not only to seek effective punishment for their conduct, but also mechanisms that contribute to the safety of minors.

### 2.2 Reduction of vulnerability factors

Vulnerability factors consist of a series of personal, family and community conditions that place certain groups of children and adolescents at greater risk of being trapped by sexual exploiters. This means that in the face of the existing threat of sexual exploitation in the region, there are minors who are more likely than others to become victims. In Latin America, this greater likelihood is associated with social exclusion; therefore, the majority of victimized children and adolescents are at greater risk of being trapped by sexual exploiters.

<sup>2</sup>"Sistematización de programas que brindan atención a víctimas de explotación sexual comercial en Centroamérica, Panamá y República Dominicana", by Patricia Vargas Sagot is available in Explotación sexual comercial. Working papers. Reflexiones sobre programas de atención a víctimas. San José, Costa Rica: ILO/IPEC, 2003.



They come from families experiencing extreme poverty, informal jobs, marginality and poor education.

Higher risk is also associated with coming from families and communities with drug and alcohol addiction problems, or where there is a lot of violence, mainly against mothers, women and children.

The model therefore proposes effective work to determine in each situation the family and community factors that have placed the minor in a situation of risk (poverty, domestic violence, for example) and to influence their transformation. This would not only act as a protection mechanism against sexual exploitation but also as an element that contributes to improving the quality of life of children and adolescents and their families.

### 2.3 The strategy to reduce vulnerability

The fundamental strategy of the model is the construction of a platform of articulated responses and programs among the institutions. This involves three fundamental premises:

- a. Institutional responses cannot be considered in isolation; they must have an orientation that articulates and follows up on them, within an individualized intervention plan according to the characteristics of the family, the community and the minor.
- b. Minors and their families can access in different ways.

moments to available services or programs, depending on the action contemplated in the intervention plan and its follow-up.

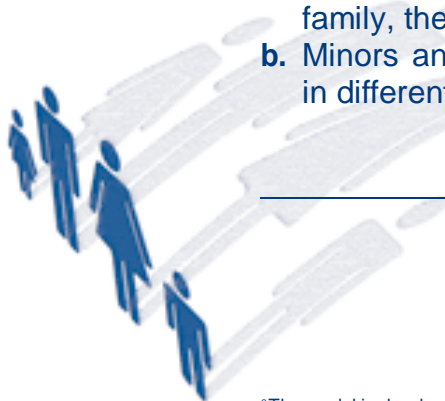
- c. Responses require the participation of multiple stakeholders (governmental, community or family, for example).

The proposed model therefore has a preliminary phase aimed at developing and implementing a management process that first identifies the resources available in the community, state policies on children and adolescents and strategies for action to address the problems that affect them. In addition, the characteristics and possibilities of joint work with the justice system should also be identified, as well as the particularities of the sex trade in the project's area of action, in order to have effective responses before initiating the actual attention to children and adolescents. Subsequently, work is begun to articulate these programs through participatory proposals from the various agencies in terms of detection, care and follow-up<sup>3</sup>.

### 2.4 Implications of the application of the model

The application of the proposed model has important implications for the transformation of institutional management and the objectives of care for underage victims. These include the elaboration and implementation of national policies for the comprehensive protection of rights; national policies and plans for protection against the sex trade; allocation of economic and human resources for the protection of children and adolescents; and the allocation of financial and human resources for the protection of children and adolescents who are victims of sexual exploitation.

<sup>3</sup>The model is developed in the document: Commercial Sexual Exploitation. Guía de trabajo para proveedores/as y encargados/as de servicios dirigidos a personas menores de edad víctimas. San José, Costa Rica: ILO/IPEC, 2003.



to achieve its effective implementation and the change of vision -and with it the actions implemented- based on the approach of the irregular situation. In this last aspect, the necessary transformation of the actions that privilege the internment of children and adolescents suffering from severe violations of their rights stands out, and with it, therefore, the search for actions to support families living in situations of greater vulnerability.

It is important to highlight, for example, the lesson learned in the action programs, that by supporting families, institutionalization can be dispensed with in most cases. At the same time, when this measure has been required, the time spent in institutionalization has been reduced. In these cases, the period has been used to support and transform the family conditions that favored the expulsion of the minor and/or his or her entrapment by the sexual exploiters.

The second part of the document presents the lessons learned from the initial management process, adaptation and implementation of this model in the three countries selected by the ESC Subregional Project.

### **3. Selection of countries and organizations implementing the action programs**

Following the preparation of local diagnostic studies, it was decided to undertake initiatives to assist victims in three countries: Costa Rica, Guatemala and Nicaragua. These three countries were chosen for several reasons: they had made significant progress in terms of raising the visibility of the problem of

The countries also had institutional resources that could be oriented to the construction or strengthening of the response platform or programs for children and adolescents and their families. El Salvador and the Dominican Republic also offered a context of openness to work on the problem, but already had initiatives supported by ILO/IPEC that the countries finally chosen for the action programs lacked. In Honduras and Panama, on the other hand, the problem of exploitation was being addressed very little, which did not offer ideal conditions for the implementation of specific strategies and assistance programs. In the latter, the ILO/IPEC project focused its efforts on supporting the construction of the necessary conditions for a subsequent opening.

After selecting the countries according to the above criteria, the organization in charge of implementing the action program was chosen. In Nicaragua, the Quincho Barrilete Association was chosen; in Guatemala, ECPAT; and in Costa Rica, the Rahab Foundation.

The selection criteria were based on the experience of these organizations in working with the problem. For example, ECPAT is an international organization based in Thailand whose mission is the eradication of commercial sexual exploitation, trafficking and smuggling of minors and has chapters in various countries around the world (including Guatemala). The Quincho Barrilete Association is an organization with a work profile aimed at prevention and direct care of minors at high psychosocial risk, and the Rahab Foundation works specifically with women.





The company had designed strategies to work with the daughters and sons of these women.

Despite the profile and experience acquired by the selected organizations, they faced significant internal and external challenges in implementing the action programs with the proposed model. Internally, part of the challenges they had to face were the education and training of personnel in human rights, mainly in terms of the practical implications in their daily work with families, minors and partner institutions; the adaptation of the model to the institutional dynamics and the ways in which they traditionally carried out their actions; and the search for effective mechanisms to work in coordination with state programs and institutions. In addition, the fundamental challenge was to apply an intervention model that had to be adapted to the particularities of the country and, therefore, was in the process of construction.

Externally, the organizations also faced a number of challenges. Among them, how to address the lack of knowledge of the rights approach on the part of many people working in partner institutions and required in the response platform, and the limited experience accumulated in the region for coordinated and articulated work among the various institutions.

#### 4. Selection of the geographic area for action programs in each country

The choice of the area of action responded primarily to the recognition that the problem exists in this area. However, this was not the only criterion taken into account. For example, in the countries chosen, the diagnostic study on the situation of commercial sexual exploitation in each country was used as a basis, which included the identification of the geographic areas at greatest risk or with the greatest presence of the problem and the type of institutional response in terms of both punishment and comprehensive protection of the rights of minors and the community and civil society response in those areas. In this sense, the fundamental criteria were: the area is characterized by a significant presence of the problem and possesses an institutional and community infrastructure that allows offering articulated responses for the victims and their families.

During the implementation process, however, some changes were made; among them, the modification of the coverage area, since the formal limits do not necessarily represent a real division in the community dynamics.

Another important aspect to consider in the selection of the geographical area can be taken from the example of Guatemala where the capital was selected as the area of coverage; but during the work process it was determined that an important group of victims detected came either from neighboring countries or remote regions. This implied important consequences in the program management process, since it was necessary to travel long distances from the capital city and the surrounding area in order to interact with the families.



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The search for effective mechanisms with consulates, embassies and institutions in neighboring countries to achieve the repatriation of those who had been victims of international trafficking.

### **5. First steps by the organizations in charge of implementing the action programs**

Before starting to work with minors, the organizations established policies or institutional mechanisms to be able to meet the challenge and face some internal challenges. These include, for example:

- Development of an institutional policy for the care of children and adolescent victims of commercial sexual exploitation.
- Staff training on the care model.
- Methodological changes comprising a shift from a linear model of care to a cyclical model of responses.
- Coordination with state entities in charge of families and children.
- Definition of responsibilities and scope of action of each team member.
- Application and adaptation of the model, including the definition of actions related to the structure, care process, coordination with other NGOs, work mechanisms, processes and instruments.

Another important action was the selection of personnel to work directly in the action program. Among the most important criteria were knowledge and experience in the human rights and gender approach, experience in community work and networks, and experience in working directly with children, adolescents and families. In this regard, it may be noted that one lesson learned has been the importance of the approach (rights and gender) and experience in supporting families in the community environment, as characteristics that should be privileged in the personnel selection process.

### **6. The goals of the action programs**

The goals proposed by the action programs in each country are based on three main lines of action: care for victims of commercial sexual exploitation, prevention of the problem and inter-institutional coordination for the coordination of responses, based on the construction of a horizontal relationship with the governing body for children and adolescents in each country.



Part One  
Box 1  
Goals of the action program in Guatemala

**At the attentional level:**

1. Detection and care for 150 children and adolescents who are victims of commercial sexual exploitation and 150 at risk.
2. Strengthening and access to services for families.

**At the preventive level:**

3. Education and training on the problem of commercial sexual exploitation of minors, and the model of care for NGO officials and health, justice and education sectors.
4. Information and sensitization of other NGOs that promote programs and projects for children and adolescents.

**At the institutional level:**

5. Strengthening of the state entity in charge of children and adolescents.

Part One  
Box 2  
Goals of the action program in Costa Rica

**At the attentional level:**

1. Sustained removal of 150 girls, boys and adolescents from the sex trade through detection, protection and comprehensive care and 150 prevented from entering the situation of sexual exploitation.

**At the preventive level:**

2. Prevention of commercial sexual exploitation of children and adolescents.
3. Sensitization and training of government officials in the detection and care of victims.

**At the institutional level:**

4. Creation and consolidation of an articulated platform of state services for child and adolescent victims and their families.



Part One  
Box 3  
Goals of the action program in Nicaragua

**At the attentional level:**

1. Contribute to the progressive eradication of commercial sexual exploitation of children and adolescents in District IV through the implementation of the action program with a rights-based approach.
2. Provide comprehensive care to 200 child and adolescent victims and 200 at risk of commercial sexual exploitation, in conjunction with the service platform.

**At the preventive level:**

3. Promote various actions to raise awareness among different social actors, government officials, NGOs, community leaders, about commercial sexual exploitation as a crime, emphasizing its risk factors.

**At the institutional level:**

4. Coordinate and articulate the response to children and adolescents served by the program, strengthening institutional capacities of public and private organizations and integrating them into the response platform.
5. Formation of an inter-institutional network to enable the implementation of the service platform.





### 1. Management process for the care model

#### 1.1 Institutional policy

The implementation of action programs on commercial sexual exploitation requires a process of institutional management aimed at orienting strategic actions in relation to the care model. One of the first tasks in this process is the development of an institutional policy on the care of victims of commercial sexual exploitation.

The purpose of the plan is to make explicit the organization's commitment in relation to the issue and includes general objectives, goals, strategic actions and also defines the responsibilities of departments, sections and employees. For this reason, it must be drawn up with the participation of the people who work in the organization and it is important that the opinion of children and adolescents and the adults in charge of them be taken into account in its preparation.

The institutional work policy should be set out in a clear and concise document and

The program should be available to all staff members so that it becomes an instrument for consultation and daily work. In this sense, the institutional policy orients actions towards minors and their families.

In the management process, other basic tasks must be developed, such as:

- ◆ Delimit procedures and actions for internal work and coordination with other instances.
- ◆ Designate responsibilities in the implementation of the care model.
- ◆ Design an operational work plan and the persons responsible for its execution.
- ◆ Define and develop an evaluation and follow-up model for the policy in general and the operational work plan.
- ◆ Define ethical criteria for the institutions' employees.

The management process should be understood as a permanent process throughout the execution of the program, aimed at generating the conditions for the confirmation of the institutional policy and the fulfillment of the goals established for the organization in general and for the work plan in particular.

#### LESSONS LEARNED

*The magnitude of the problem of commercial sexual exploitation in its different manifestations requires efforts and actions aimed not only at protecting minors but also the people working within the organization. To this end, in different countries the issue has been incorporated into institutional policies and some guidelines have been established to protect the safety of employees. However, in some cases, the development of these guidelines is only incipient and it is necessary to implement other actions to ensure the physical and emotional well-being of the people working in each organization.*





## Recommendation

*The well-being of the people who work with the issue of sexual violence is a matter for the institution; therefore, it is recommended to design mechanisms through which they feel motivated, listened to and supported. It is also important to create the necessary conditions to encourage the search for individual and collective self-care mechanisms.*

### 1.2 Identification and construction of alliances

In the implementation of any action program, intervention at the community level is essential and, to this end, a series of conditions must be created to build or consolidate the **platform of institutional responses**.

This process begins with the elaboration of a diagnosis of state, private and community institutions that can occupy or already occupy an important place in the platform of responses to reduce the vulnerability of minors to the sex trade. This includes not only those that are committed to the rights of children and adolescents within the program's area of action, but also those that work for community and family welfare; for example, organizations that provide family subsidies, housing or productive alternative projects for women, family groups and communities. Also included are organizations that

work on the issue of violence against women.

The construction of the diagnosis operates concentrically, placing in the first circle the existing institutions in the program's area of action and moving successively to outer circles (regional and national, for example) in those cases where it is identified that the response can only be achieved outside the initial circle.

In this diagnosis, it is important to differentiate between state institutions that have legal and constitutional responsibilities and those of civil society, which may collaborate with the program through internal agreements subject to their mission and corporate purpose. Thus, some countries completed the diagnostic work with a review of the institutional competencies established by law for government agencies and, based on this, signed commitments for support and collaboration. With the others, bilateral alliances or agreements were signed.





## LESSONS LEARNED

*Despite being a state obligation, during the implementation of action programs it has been seen that the signing of institutional commitments does not always result in their fulfillment. For this reason, it is important to transcend the institutional competencies established by law at the outset to incorporate specific mechanisms and actions for joint work and the persons responsible for their execution.*

*In addition, community instances imply an important support in the achievement of the objectives of the action programs, since they make it possible to reinforce and cover needs or weak points of the programs. These range from the monitoring of minors and their families in the communities where they reside, to the provision of services when public institutions are not accessible.*

### Recommendation

*Establish strategic alliances between state and civil society institutions (NGOs, organized groups, for example) aimed at jointly developing community actions, in order to carry out community awareness and prevention processes with respect to the issue of commercial sexual exploitation.*

Throughout this stage, the experience developed by the different programs allows us to visualize the importance of several strategic sectors. These include justice, health, education, local development committees, organized community groups and NGOs. As an example, the alliance with the justice sector has been of great importance in the three countries, since it has made it possible to define coordination mechanisms for the detection of child victims, investigation of complaints, immediate protection operations, follow-up of the complaint process and criminalization of perpetrators.

In general, based on the experience developed in each action program, it has been possible to

The first is the political level, which includes state authorities at both the central and local levels, and the second is the operational level within the area of coverage. The first is the political level, which includes state authorities at both the central and local levels, and the second is the operational level within the area of coverage. At the latter, it is necessary to identify training requirements as well as the definition and adaptation of structures and work mechanisms (including instruments and other resources) for detection, attention and follow-up. The construction of the plan does not therefore require the creation of networks or new working groups, since its objectives can be achieved through existing coordination mechanisms.



## LESSONS LEARNED

*From the beginning of the implementation of a care program, the strategic alliance between the country's leading institution for children and adolescents and the civil organization developing the program is the key point for the success and sustainability of actions aimed at the comprehensive protection of the rights of minors.*

*The joint work from the first steps of the program's management has made it possible to unify methodological criteria for the detection and effective care of children and adolescents and to prevent them from being treated with different approaches or contradictory actions. At the same time, it has been possible to maximize efforts, avoid the dispersion of actions and the use of the program only as a reference entity.*

*The joint development of working instruments (detection form, reference and counter-reference sheets, registration systems, among others) allows not only the institutionalization and standardization of these instruments in the country, but also their proper implementation.*

### Recommendation

*In each country, the rights-based approach (comprehensive protection) must be reflected in the processes of detection, care and follow-up of child victims. It is therefore advisable for the governing body for children to take the lead in this area; this includes the approach, work instructions and the development of coordination mechanisms with other state agencies and private and community organizations to enable coordinated action for the evaluation and reduction of vulnerability factors in particular cases.*



## Part Two Box 1.1

### The Costa Rican experience with institutional commitments

In Costa Rica, the experience of signing the main institutional commitments by the heads (directors, ministers and vice-ministers) of the different State institutions present in the province of Limón was carried out in such a way that these commitments responded to a translation of the legal responsibilities contemplated in the Code for Children and Adolescents of the country, for each of the instances. To this end, an activity was carried out whose main objective was the public presentation of the action program to the locality, and the signing of the commitment of the different institutions to articulate a joint work for the eradication of commercial sexual exploitation of children and adolescents in the locality.

During the implementation of the action program, this strategy did not have a major impact (in the attention and/or enjoyment of the human rights of minors) on the enforceability of the right. This right is already provided for in national legislation.

This is why we are currently facing the challenge of retaking these commitments with a new vision: to translate the human rights ratified in the Convention on the Rights of the Child, in the different competencies that State institutions must assume for the development of specific strategies (including accountability mechanisms) in the protection, care and guarantee of human rights of minors who are victims of commercial sexual exploitation.

## Part Two Box 1.2

### Guatemala's experience with the creation of local support networks

The action program in Guatemala faces the challenge of caring for and following up on minors who are victims of exploitation and have been reintegrated into their families in various departments of the country. In order to identify local resources to follow up on the cases attended to, an information bank of social organizations and state agencies that promote programs and projects for children in the various departments of the country was initially created.

In coordination with the staff of the Protection Home, Mi Hogar of the Social Welfare Secretariat, a Sub-Network is articulated in the Department of Sacatepéquez, in the departmental capital which is Antigua, Guatemala, with the participation of State institutions and social organizations. It coordinates actions aimed at the restitution of rights of the victims assisted by the program as well as information and awareness-raising activities for the population.

*Source: Elizabeth Moreno*



## Part Two

## Box 1.3

## Nicaragua's experience with community diagnostics

Intervention in the most vulnerable communities for commercial sexual exploitation is of vital importance for the implementation of the action program. Therefore, in the case of Nicaragua, three neighborhoods have been identified: Jorge Dimitrov, Barrio las Torres and Barrio 19 de Julio; which have some characteristics that facilitate community work, which can guarantee actions of prevention, detection and referral of situations of commercial sexual exploitation. Above all, actions of denunciation of exploiters before the Justice System, making pertinent the conformation of community support networks to carry out such denunciations.

The communities were selected taking into consideration:

- Risk factors for commercial sexual exploitation present in the neighborhoods.
- Level of community organization.
- Socio-educational resources to support children and adolescents, such as schools, health centers, children's canteens, technical training centers, recreation centers, among others.
- Identification of community leaders.
- Training on reporting procedures and the critical route, as well as other issues related to the problem.
- Constant accompaniment to the leaders.
- Formation of community support networks for reporting.
- Follow-up of the actions executed by the leaders.
- Training on participatory techniques of popular education, elaboration of methodological designs, didactic techniques; for the replication of workshops to leaders.
- Agreements with the Police in the sector to guarantee protection measures for the Community Network.

Source: Mayela Urroz

### 1.3 Some constraints faced by the action programs in building alliances and response platform

The action programs have faced several challenges due to the limitations of the state response in geographic areas far from the capital city or due to the constant changes in

authorities, program coordinators and officials. This has implied the modification of initial strategies such as the search for alliances with other institutions or sectors, previously not taken into account. At the same time, coordination and training efforts have had to be replicated with new authorities and officials.

### Recommendation

*From the beginning of the management process of an action program, the governing body must have a national care policy implemented regardless of the tenure or not of the institution's authorities and employees.*



## 1.4 Training and awareness

The management process includes the development and implementation of a permanent program to raise awareness and provide training on the issue of commercial sexual exploitation and the comprehensive protection approach. This process also allows for the adoption of the approach within the bodies that form part of the response platform for the care of children and adolescents and their families.

The development of this sensitization component allows in the stage of conformation

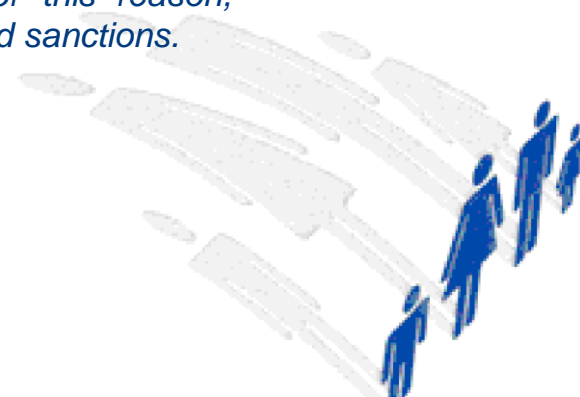
The training-training is a permanent and long term process, and it is a way to identify gaps and strengths for the design of contents and pedagogical strategies. Training-training is a permanent and long-term process. It should be aimed at generating institutional and organizational changes in order to bring joint actions to fruition. Thus, in the construction of this process, the participation of the governing body for children and adolescents is indispensable.

## LESSONS LEARNED

*Traditional training processes (short and isolated) have not had a major impact on the daily work of the institutions. In this sense, the initiatives for the implementation of professional training courses for officials of different agencies in charge of providing direct care to underage victims of commercial sexual exploitation have been successful. A key factor in this is the commitment of the hierarchs and decision-makers of the different state entities.*

### Recommendation

*It is vitally important to create a mechanism to follow up on the training processes developed. This can be achieved by coordinating with managers and decision-makers to establish mechanisms for monitoring and accompanying personnel in changing their intervention strategies. In this sense, training should be part of institutional policies where goals, responsible persons and expected results are defined. For this reason, monitoring should include incentives and sanctions.*



## Part Two Box 1.4 Guatemala's experience with training

The objective of the training is to generate a permanent process of institutional-organizational capacity building aimed at the construction of a policy of care with a human rights approach for underage victims of commercial sexual exploitation; making visible the institutional responsibility and competencies for the restitution of rights to the victims identified, detected and cared for.

The above strategic definition was based on the identification, at the beginning of the management of the action program, of institutional weaknesses, the vision and perception of employees and the need raised by the employees themselves in relation to training and capacity building on the problem.

Thus, the strategy designed includes:

- Training seminar for NGO middle management and decision-makers, coordinated with the Social Welfare Secretariat of the Presidency. This seminar is based on the principles of participation as an approach, method and technique, which allows building approaches, methods and processes of knowledge and transformation from the institutional reality, throughout face-to-face sessions and practice within each institution, generating a multiplying team that replicates and applies what was addressed in each work session.
- Information, education and training processes within and among the institutions and organizations that make up the local networks.
- Coordination with the Prosecutor's Office for Women, Children and Adolescents and Trafficking in Persons to develop training processes that allow the articulation of actions, as well as identification, detection and care. To this end, social workers, health centers and hospitals, administrative technical coordinators and directors of the Ministries of Health and Justice have been involved.
- Information and sensitization process in coordination with the aforementioned prosecutor's office and other ECPAT programs for magistrates and judges.
- Design of a training dossier containing six workbooks that can be used for the training process:
  1. Rights of children and adolescents,
  2. National and international legal regulations,
  3. Commercial sexual exploitation of minors,
  4. Role of State institutions in eradicating and addressing commercial sexual exploitation of minors in Guatemala,
  5. Guide to care with a rights-based approach and
  6. Guidance on the reporting route.

Source: Elizabeth Moreno



Main lessons learned and recommendations		
Task	Main Lesson Learned	Recommendations
Community diagnosis	The community assessment makes it possible to identify leaders, organized groups and resources that facilitate the formation of networks and local actions for the implementation of preventive strategies, denunciation and protection of rights.	<ul style="list-style-type: none"> <li>◆ Implement processes for capacity building in local community structures, so that they assume a leadership role in the reporting, protection and follow-up of cases in the community context.</li> </ul>
Directory	The existence of a directory is essential for the articulation and streamlining of the institutional response.	<ul style="list-style-type: none"> <li>◆ It should be prepared prior to the implementation of the action program and updated every six months.</li> </ul>
Institutional articulation	Inter-institutional coordination must be carried out in different areas and at different levels: <ol style="list-style-type: none"> <li>National leaders, authorities and decision-makers.</li> <li>Directors, leaders, local and community coordinators.</li> <li>By areas of action of the institutions and organizations (health, education, justice)</li> </ol>	<ul style="list-style-type: none"> <li>◆ The action program must coordinate in the different areas and levels with the national governing body, so that the latter assumes its role and leadership.</li> </ul>
Community involvement	The appropriation by the community of its pro-active role in the protection and defense of the rights of children and adolescents contributes to the visibility of commercial sexual exploitation as a crime that must be denounced and punished.	<ul style="list-style-type: none"> <li>◆ Mechanisms for enforcing and monitoring the rights of minors should be created and strengthened.</li> </ul>
Awareness raising and training	Awareness-raising and training strategies in isolation have very little impact on the transformation of institutional practices with respect to the care of victims of commercial sexual exploitation.	<ul style="list-style-type: none"> <li>◆ Education and training should be a process that allows for the development of participants' capabilities and institutional transformation in terms of structure, approach and work mechanisms.</li> </ul>
Working instrument	The work instruments (tests, files and others) should be brief, precise and easy to use. The participation of the governing body in their construction and validation is essential. Those that have been validated by the governing body are more widely accepted by the different authorities.	<ul style="list-style-type: none"> <li>◆ The instruments must be prepared and validated prior to the implementation of the action program.</li> </ul>





## 2. Detection of minors who are victims of commercial sexual exploitation.

For many children and adolescents, an appropriate and early detection process may be the only opportunity to grow and develop in a healthy condition.

The detection of commercial sexual exploitation is the first requirement to guarantee the exercise of human rights, which is why it is also known as the "rights monitoring process". In this sense, institutions that work with children and adolescents should incorporate into their work routines a series of standards and systematic procedures to carry out an adequate detection of the problem; in such a way that not only allows to guide actions to protect the right against such abuse but also against other violations that are generally concomitant to the experience of commercial sexual exploitation.

### 2.1 The detection process

In order to carry out the process of detecting underage victims of commercial sexual exploitation in Guatemala, Nicaragua and Costa Rica, the respective action programs have implemented various mechanisms to recruit underage victims. Among them:

- Reference of public, private and community instances.
- Information provided by the children and adolescents served in the programs about other minors who are also being commercially sexually exploited.

- Coordination with the police and justice operators who carry out investigation activities in nightclubs and places prone to sexual exploitation. Through these activities, we are able to identify underage victims or suspected victims who are then referred to the program.
- Identification of victims in the research work (diagnostic studies) that preceded the action programs.
- Direct request from minors or their relatives to seek care at the premises of the action programs.

Based on the experience in the three countries implementing the action program, it is established that in the event of suspicion of commercial sexual exploitation, an adequate detection process should basically include the following:

- The initial interview with the minor in order to know the context, the characteristics, the risks of revictimization and the manifestations of commercial sexual exploitation of which he/she has been a victim.
- The performance of medical and laboratory tests (blood -ITS, HIV/AIDS, pregnancy tests).
- The interview with the person in charge of the minor or the referrer.
- The initial assessment of the consequences of sexual victimization at the physical and emotional levels, as well as the violations of rights suffered (health, education, family life, recreation, and others).



## LESSONS LEARNED

*Experience has shown the usefulness of having specific interview instruments for detection, where the level of risk for revictimization of the child is evaluated in a special way.*

*It should also be noted that it has been important to establish a good empathy with children and adolescents and their families to guide the work plan and facilitate their participation in it.*

*Experience also indicates that the presence of situations of violence within the family or other situations that weaken the family situation can slow down the detection process. In such cases, it has become necessary to make repeated visits to the family nucleus to obtain all the necessary information.*

### Recommendation

- a. Use detection strategies based on referrals from other programs of the same institution or other institutions (health, education, judiciary, among others).
- b. The tools and strategies for detecting victims of commercial sexual exploitation must be adapted to the social and institutional context of each country and community and take into account the particularities of the victimization (pornography, trafficking, in public places, in brothels, for example).
- c. Design institutional mechanisms related to the safety of employees in the development of detection strategies.

**Part Two**  
**Box 2.1**

**The Nicaraguan experience in coordinating with NGOs in the  
identification and detection process**

Referrals from NGOs that serve adult female sex workers allow for the detection of children and adolescents, daughters or relatives of these women, who are at risk and/or trapped in commercial sexual exploitation.

Source: Mayela Urroz



## Part Two

## Box 2.2

## Guatemala's experience with state coordination in the identification and detection process

In Guatemala, coordination between justice operators to carry out operations in nightclubs, bars, and others has allowed the detection of underage victims, who are referred for protection and care.

Source: Elizabeth Moreno

## Part Two Box 2.3 A

## Facilitator Speaks...

At the beginning of the program, patrols were implemented in public places such as dance halls, night clubs, parks, streets, neighborhoods, hotels, and others, as a model to identify the places where children are trapped by exploitative clients. Although it is true that places were identified, the approach to the victim was not successful because it was not possible to empathize or dialogue with the underage person. They were hidden by the abusers; what we did was to ask for references from the users of the place, for example, where the children came from and later, during the day, we searched for them by means of this information. The truth is that the problem exists, but the patrolling did not achieve much; rather, it was a waste of time, money, effort, and late nights for the patrol coordinator and the volunteer group that accompanied him.

Being there, inspired me more love for the children and adolescents of Limón and repudiation of the organized mafia networks that are exploiting minors. When we did not see results with the patrolling, we changed the way of identifying and detecting. We coordinated with the networks against domestic violence of the National Women's Institute throughout the province of Limón, with the local offices of the National Child Welfare Agency, with the health and education sectors, with the Community Development Associations and other organizations. From there we were able to detect the number of women established for the target population.

Source: Jorge Calvo, Costa Rica



## 2.2 Working tools

The development of work instruments is a necessary procedure for the adequate detection and recording of information, as well as for facilitating decision-making in subsequent phases of the care process. The use of duly validated instruments can ensure that the information is properly detected and recorded, as well as facilitating decision making in subsequent phases of the care process.

adequate systematization and follow-up of the actions carried out. The instruments developed in each country include: the registration form, the initial interview guide for the minor and the family referent, the reference and counter-reporting forms, forms and instructions for reporting, as well as guides to orient the detection and care process.

### LESSONS LEARNED

*The joint development and validation of the instruments between the action program teams and the state entity has allowed the other platform instances to include and apply them in their daily work. It has also been important to adapt the instruments to the information required in the file.*

### Recommendation

- a. It is advisable for the instruments to be designed and validated prior to direct care of the victims and their families; however, it is recommended that the experience enrich them afterwards. This implies that, as far as possible, the people facilitating the care should be clear about the contents of the case file and the instruments that will feed it, prior to the direct provision of the intervention.
- b. The assimilation of the different instruments by the public authorities may favor the construction of a care policy and inter-institutional articulation by all authorities.
- c. The instruments must be agile, brief and intelligible for those who have to use them. They should ensure that clear, concrete and fundamental information is obtained by means of a simple vocabulary, avoiding the use of technical terms or professional jargon. In this sense, it is recommended that they have a friendly and easy-to-fill format.



### 2.3 The registration

The implementation of a registration system is essential during the process of identification and detection of minors who are victims of commercial sexual exploitation. This mechanism contributes to:

- ◆ Gathering more information and knowledge of the dynamics of commercial sexual exploitation.
- ◆ The design of strategies and actions focused on the prevention and reduction of risk or vulnerability factors.

Based on the experience of the action programs in Guatemala, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Nicaragua.

Rica and Nicaragua, it has been possible to determine the importance of recording the following initial information:

- Date the child enters the program.
- Institution that detects and/or refers.
- General data of the minor (schooling, place of residence, health history).
- Name of the person accompanying the child or adolescent.
- Family data.
- Data related to victimization
- Name of the person conducting the interview.
- General remarks on the interview.

### LESSONS LEARNED

*The information obtained from the detection process must be recorded in an expeditious manner; otherwise, it may be lost. In this sense, it is valuable to use a database that facilitates follow-up, and that there is an adequacy or concordance between it and the other instruments for collecting information, and that these are in turn adequate to the characteristics and particularities of commercial sexual exploitation present in the community context where the project is being developed.*

### Recommendation

*Open the file upon receipt of the referral and not at the end of the screening process. In the same vein, information should be recorded as soon as possible to avoid loss or misplacement of data and to expedite decision-making in subsequent actions. With the same idea of speeding up the process, it is recommended to design forms for the immediate recording of telephone interventions.*



## 2.4 Information as a key element for the monitoring of minors and the management of programs

The purpose of the follow-up component is to assess the effectiveness of the actions implemented by the action program. During the development of this component, it is also important to have mechanisms that allow for the clear and effective systematization of basic information on each particular case and on all cases in general.

In this regard, the Subregional Project on Commercial Sexual Exploitation developed a common database for the action programs of Nicaragua, Costa Rica and Guatemala. Efforts have been made to adapt and use it in order to facilitate adequate follow-up of actions carried out with minors and their families. However, this process has not been easy and some limitations and barriers have been encountered in the implementation of this information system.

### LESSONS LEARNED

*The main consequence of designing and adapting the database after the start date of the programs was that the people and institutions in charge of their application implemented other registration mechanisms that were subsequently difficult to modify.*

*The process of getting the respective government agencies to take ownership of the database, its application and implementation may take longer than expected. In this regard, it is important to design a monitoring mechanism to verify that the database is constantly being updated.*

### Recommendation

1. The instruments developed (file, registration forms, etc.) must be consistent with the information system so as not to duplicate efforts or lose valuable information.
2. It is recommended that key information for follow-up be unified within the process of instrument construction. This information should guide not only the contents of the instruments but also the purposes of the database.
3. Necessary strategies should be sought and implemented, such as the negotiation and signing of agreements and conventions with the leading institution in the area of children and adolescents, so that there are standardized mechanisms for the collection, use and destination of data. In this way, the information system can support and streamline the management process not only of the program, but also of the actions that other agencies carry out in the area of care for minors who are victims of commercial sexual exploitation.



### 3. Immediate response

#### 3.1 Mobilizing the response platform to ensure protection from the sex trade

For the implementation of the plan of care for victims of commercial sexual exploitation, there must necessarily be an inter-institutional response platform to address the specific needs of each situation, so that an expeditious response is issued to ensure the exercise of all their rights.

In order to mobilize and establish this platform in Costa Rica, Guatemala and Nicaragua, the respective action programs carried out some important tasks:

- ◆ Strengthening state institutions responsible for guaranteeing the protection of minors, including the governing bodies for the rights and protection of children and adolescents, ministries of education and health centers.
- ◆ The search for key allies within the institutions.
- ◆ The development of training, information and awareness strategies and processes.

The main objectives of the program are to promote the exchange of information on the problem of commercial sexual exploitation and the model of care for victims, such as bilateral relations, joint meetings by areas of action of the State institutions and training seminars.

- ◆ The follow-up of a "shared agenda" with the organizations implementing the action program and the different institutions.
- ◆ Training and case follow-up meetings with technical staff from other institutions.

It is worth mentioning that this component has promoted the creation of support materials and instruments to improve the institutional response and promote practices aimed at the comprehensive protection of the rights of children and adolescents, such as a directory of state and civil society institutions, and referral and counter-referral instruments.

The formation of the response platform begins with a process of information, awareness-raising, training and capacity building. This network must be articulated at different levels: political, local and community, and key sectors.





## LESSONS LEARNED

*Alliances with key people in the different institutions expedite the referral process and ensure that victims and their families receive the necessary responses. These alliances should include the creation of spaces for the exchange of information, which will allow for equalization and clarification of care strategies.*

*In this same sense, it has been extremely valuable to work on the consolidation of a referral and counter-referral system, which facilitates coordinated and articulated work among institutions and the follow-up of the responses provided. However, it is clear that the mobilization of the platform is a slow and long-term process.*

*On the other hand, it is important to point out that agreements with other civil society organizations are sometimes necessary; however, efforts should be directed towards building an institutional platform to strengthen the state's response and the construction of a public policy.*

### Recommendation

- a. Given the institutional weakness of the countries, priority should be given to strengthening the institutional response in response to a public policy. The state body in charge of defending the rights of minors should benefit from this strengthening of the public response. In addition, the centralization of information and attention in civil society programs should be avoided, and instead, the public sector should play a leading role in the provision of responses. To achieve this, clear strategies for action must be established, including training of the personnel of these agencies, the construction of spaces for the exchange of information, negotiation and the design of joint actions, and support for the construction of public and institutional policies aimed at the care of victims and their families.
- b. The articulation of the platform should be an action driven by the governing body.



## Part Two

## Box 3.1

## Guatemala's experience with the platform articulation

From the outset, the action program in Guatemala designed a strategy for the articulation of the service platform in three areas and at different levels.

The central objective of this strategy focused on strengthening the state entity whose mission and mandate is to implement the National Plan against the Commercial Sexual Exploitation of Minors, the Social Welfare Secretariat of the Presidency. Thus, in conjunction with this state entity, a shared agenda was built aimed at energizing the Articulating Group for the implementation of the Plan, made up of social organizations and state entities; at the same time, actions were coordinated jointly with the Coordinator of the Political Advocacy Program and with authorities of the different ministries, the realization of a Training and Education Seminar for middle management and decision makers of the different state institutions (justice, health, education, Public Ministry); and the construction of a policy of care with a rights-based approach in the different protection homes administered by the Secretariat.

On the other hand, actions are generated at the local level. To this end, meetings have been held to socialize the Program, define the competencies of each state agency and social organizations in relation to the restitution of rights of underage victims assisted by the Program in various departments and especially in Antigua, Guatemala, where it coordinates with the Social Welfare Secretariat in the Mi Hogar Protection Home in that locality.

In turn, with the Office of the Prosecutor for Women, Children and Human Trafficking, a process of sensitization, education and training is coordinated in relation to the commercial sexual exploitation of minors and a process of identification, detection and reporting process with national hospitals and the Ministry of Education.

Based on the effects of sexual exploitation on the victims assisted, we have achieved articulation for the attention of particular cases in conjunction with APROFAM, an NGO that provides services related to the reproductive and gynecological health of girls and adolescents, with Doctors without Borders in cases of HIV-AIDS, local schools for reintegration into the educational system, among others.

Thus, the levels of articulation of the Service Platform are:

- With the state entity that has the mandate and competence to address the problem.
- Formation of local sub-networks (departmental, municipal) to articulate efforts aimed at the restitution of rights.
- From the effects of CSEC on underage victims.



### 3.2 Complaint

The process of comprehensive protection of child and adolescent victims requires coordination and a permanent relationship with prosecutors, judges and magistrates in each region for the identification of cases, their immediate protection from commercial sexual exploitation and the respective reporting actions. In order to ensure prompt and effective reporting of situations of commercial sexual exploitation detected, the different programs have carried out a series of essential tasks:

- ◆ Coordination and permanent relationship with judicial instances.
- ◆ Periodic filing of groups of reports of suspected cases of crime.
- ◆ Direct contact with officials in charge of processing complaints, to minimize risk and promote the safety of victims and staff.
- ◆ Accompaniment and support of victims and their families during the reporting and investigation process.

#### LESSONS LEARNED

*As a result of legal loopholes and problems in the judicial system regarding the investigation of crimes, there is a persistent problem of impunity despite the complaints that are filed. This implies an increased risk to the lives of victims, families and officials, which must be foreseen. Both for the denunciations and for the subsequent protection process, it is important to articulate and build alliances with the police and the corresponding security agencies.*

*In order to achieve an improvement in the filing of complaints, it has been essential to provide legal knowledge to those who facilitate the care of children, as well as to include as much information as possible in the complaints.*

*On the other hand, the incorporation of the family, especially the mothers, in the complaint process has been very valuable, which facilitates follow-up during the judicial process.*

*The complaint process does not end with the filing of the complaint; the legal process must be followed up as appropriate.*



## Recommendation

- a. *Given the existence of risks to the safety of personnel when complaints are filed, it is necessary to take measures in this regard from the moment the program is managed, building security strategies and creating alliances with the police sector. In addition, agreements should be reached with the corresponding prosecutors' offices and agencies regarding the form and content of the complaints to improve the possibility of success in the judicial system.*
- b. *The participation of the governing body for children and adolescents in the coordination with the judicial system allows these mechanisms to benefit not only the people served by the action program, but also other children and adolescents from other regions of the country or victims of other crimes.*

### 3.3 First contact with the family

The immediate response to the particular situation of a minor victim of commercial sexual exploitation must necessarily include, among its components, contact with the adult with whom the child or adolescent has the closest relationship (and who is not the exploiter), be it the nuclear family, extended family or others. This contact will make it possible to establish guidelines for intervention with each child and to deploy the necessary resources for the protection and exercise of his or her rights.

Based on the experiences of Guatemala, Nicaragua and Costa Rica, some general guidelines are established for carrying out the first contact with the family:

- ◆ If the minor does not live with his or her family, the best time for him or her to make contact with the family should be considered. In the case of Guatemala, for example, this is often done by telephone first.

- ◆ In order for the program to respond to the needs of the family, thereby contributing to the protection of rights within the family, the screening process should include the areas that are violating the child in the family. For example, economic, health or family relationship problems, and others.
- ◆ The first contact is usually made with the mother or other close family members. It is essential to establish an alliance to work together, and then proceed to identify and work with other family members.

The presentation of the program to the mother or other important figure for the child or adolescent should be carried out with caution. In some cases, during the first interview with the victim's family, the project is presented as an initiative to achieve reintegration into the educational system (at first it is mentioned that it is a support program for children and adolescents at risk; later it is referred to directly as commercial sexual exploitation). This first contact includes family relationships and the exploration of the

The main problems suffered by the mother, so that a process of accompaniment can be initiated to solve them.

In cases where child victims are identified within state or private institutions, strategies and processes for family reintegration should also be carried out; in this regard, it is important to note that the placement of minors in shelters **should always be temporary**. In these cases, the participation of the governing body is necessary in the search for the best possible solution.

affective or family resources. Emphasis has also been placed on the state's responsibility in this regard, since in some cases it is necessary to apply administrative measures implemented by these agencies in order to ensure that the family assumes its responsibilities for protection, legal demands, alimony, legal registration of the minor, etc. It has also been important to work with the child to incorporate his or her opinions on the form of initial contact, reincorporation and family support strategies.

## LESSONS LEARNED

*In all cases, the responses to the specific needs of the family make it possible to establish empathy and achieve the involvement of the family in the implementation of the care plan for the protection of the rights of children and adolescents.*

*The relevance of working with the mother or another close female figure has been justified by the high presence of single mothers or, in many cases, because she is the one who cooperates or because the male figure is violent. In this sense, family support actions involving fathers and older siblings have been carried out after assessing whether they constitute a risk for abuse. When this is determined, it has been necessary to implement legal actions for incest or abuse against the mother, for example.*

*The assessment and follow-up of the family has required travel to areas far from the programs' headquarters. This has required adjusting budgets and establishing coordination with private and state entities present in these regions.*

### Recommendation

- a. Work with the minor, the mother and the family on both the choice of support strategies and those aimed at reunification. It is important to recognize and guarantee the minor's right to participate in the family support plan, although this may be slow and take longer than expected.
- b. The handling of information with mothers and family members about the situation of commercial sexual exploitation should be a gradual process and should be carried out with the participation of the minor.



### 3.4 The right to protection against commercial sex and the right to health

In the execution of the program, the immediate response includes the achievement of actions focused on the protection of the life and safety of the minor victim. In this direction, the exercise of the right to protection against sex trade and the right to health must be guaranteed in the first actions of the intervention.

Protection against commercial sex is sought by assessing those conditions that increase vulnerability to revictimization. This means assessing, for example, the circumstances related to the exploitation. Does the child live in the

Is a close relative the intermediary, is the underage person forced to look for strategies to support him/herself or his/her family?

Does the child have significant addiction problems and is the sex trade a strategy to obtain drugs?

Knowing these conditions helps to guide the immediate and subsequent action plan. Through this plan, these factors of vulnerability must be resolved or reduced. The immediate action plan to protect this right therefore requires the active participation of the child or adolescent. And this can only be achieved through an alliance based on the trust that they can place in the people who facilitate the intervention.

## LESSONS LEARNED

*The immediate action plan should be elaborated together with the minor. In this plan, the child or adolescent must evaluate the pros and cons of each measure or strategy to be followed.*

*Action programs have found that the exclusion of the victim leads to the failure of the objective.*

## Recommendation

*The people who facilitate the care processes should continually review their adultist attitudes<sup>4</sup> since they favor the explicit or implicit imposition of their points of view. In this sense, it is recommended to establish work meetings to evaluate the mechanisms in which joint participation strategies are developed in the elaboration of action plans.*

Taking into consideration that commercial sexual exploitation seriously violates the right to health and endangers the life of the child or adolescent, it is required that the immediate action plan include the following

the consequences of the abuse are assessed and appropriate action is taken.

In this process, the child or adolescent undergoes a general medical check-up, which is carried out by a physician.

<sup>4</sup>Adultism is the belief that adults are better, wiser and always right in front of children and adolescents. These beliefs manifest themselves in actions of authoritarianism, privilege and abuse.



which allows to identify the instance or service to which it should be referred.

In the case of girls and adolescents, it is important to take into account the importance of gynecological examination and, for both sexes, it is essential to assess the risks of sexually transmitted infections and/or HIV/AIDS and other related sexual health problems. Based on the experience of the action programs, it is important to have established a climate of trust and empathy with the minor being attended in order to carry out the respective medical assessments. Some guidelines implemented in the different regions have been:

- ◆ Ongoing coordination with health centers to guarantee not only the right to health but also the quality of services, including the importance of providing information to minors in simple and understandable language.
- ◆ The identification of an adult person within the family to oversee the administration of the prescribed medical treatment.
- ◆ In some cases of complex treatment, the programs have been directly responsible for the administration and monitoring of medical follow-up. For example, in the case of HIV-positive girls.

## LESSONS LEARNED

*Some practices, such as trying to use language understandable to minors and involving an adult to support the process, have been shown to have a significant effect on working on the right to health.*

*It has been necessary to investigate and evaluate problems such as depression and addictions, due to their high prevalence among victims of commercial sexual exploitation. This should be done from the first approach. Likewise, in cases of STIs and HIV-AIDS, underage victims require specialized counseling.*

*On the other hand, it has proven to be very useful to coordinate training and exchange of experiences with health service providers in order to achieve adequate care for victims of commercial sexual exploitation.*

## Recommendation

- It is essential to generate a network among health authorities for the referral and counter-referral of cases. To this end, it is important to have key contacts and to develop a process of education and training to transform approaches, mechanisms and follow-up.*
- It is important to provide underage victims with information and education on sexual and reproductive health, taking into account the importance of self-care and medical control. To this end, the persons facilitating the intervention should have previous training in these topics.*





After the immediate action plan, all actions undertaken during these first contacts with children and adolescents should be followed up in order to evaluate compliance with the actions by other agencies and the effectiveness of the plan as a whole.

### 3.5 Institutionalization as a protective measure

In the region, the institutionalization of child and adolescent victims has long been the most widely used measure. However, in addition to being contrary to the principles of the comprehensive protection approach, it has failed to fulfill its purpose on most occasions. This is because minors "escape", perceive it as a punishment, or because other forms of abuse tend to occur in institutions. Thus, one of the first actions developed in the construction of the model was to listen to the opinion of children and adolescents and pay attention to their recommendations.

Thus, one challenge of the action plan is to guarantee the right of all minors to remain with their families and, at the same time, to guarantee protection against commercial sexual exploitation.

Taking into consideration the characteristics of each situation, the legal norms of the country and the multiple problems that may be present in the family context, it is necessary to

Sometimes, alternative resources to the family must be sought in order to provide protection and security.

According to the experiences of the action programs, the guideline is to contact the family from the moment of detection, identifying at least two family and/or affective resources from the very beginning, in addition to the mother. In this sense, the programs agree that admission to shelters is used only in emergency situations and as a temporary protection measure (the length of time varies from country to country or the type of problem the institution is dealing with; regardless of this, the period can last from a few days to several months).

The reasons for temporary placement in shelters may vary. For example, in Costa Rica, the exceptions include cases of high drug dependency or when the child lives in a street situation; in Guatemala, on the other hand, institutionalization is a judicial measure that is taken prior to the program's contact with the minor. However, in any of them, the ideal is that the time of permanence is short and is used to find family resources (in a broad sense), repatriation (for victims of international trafficking or within the same country), or to support the nuclear family in order to transform those conditions that favored the entrapment of children and adolescents in the sex trade.



## LESSONS LEARNED

*Institutionalization has generally not represented real protection for child and adolescent victims, since the uprooting they experience when they are separated from their daily lives, or because the measure has been taken without their consent, often leads to their "escape" from the shelters, especially in the case of adolescents or children with prolonged experiences in the streets.*

### Recommendation

- a. In countries where institutionalization continues to be a commonly used measure, it is important to carry out activities for the exchange of experiences in order to build and evaluate other protection strategies. For example, in Guatemala, it has been important to develop information and awareness-raising workshops with magistrates and judges, aimed at having them evaluate other mechanisms based on the family and social characteristics of each case and avoiding that the general response is to place the child in a shelter.
- b. Family support requires specialized training for those who facilitate the intervention processes; therefore, it is advisable to include in the program's curriculum content aimed at achieving this objective, including aspects such as poverty and exclusion, family survival strategies, child labor, limits, domestic violence, among others.

### 3.6 Knots for immediate response

In the course of the implementation of the action programs and experiences in the three implementing regions, a number of concerns have been raised with respect to critical points or problematic knots identified in the immediate response processes. Among them, the work with

depression, suicide attempts, severe addictions, prolonged stay in the street (physical and psychological deterioration), transvestism, HIV/AIDS and international trafficking.

Some efforts have been made by the programs to develop a better approach to these situations; however, these still represent a challenge to



The programs offer the following recommendations for each country at the institutional, state, community and family levels. Based on them, the programs offer the following recommendations:

- a. **Addictions:** Detect early and take into account the level, type of drug, frequency, factors associated with use, and awareness of the problem to accept help.
- b. **Trafficking:** Coordinate with the agencies responsible for protecting the rights of minors in other countries in the region to follow up on repatriation cases. In the subregion, Guatemala is the country that has been identified as having the greatest presence of this problem and, therefore, its example is being followed. To achieve repatriation to the country of origin and to the families, actions are coordinated with the Judges for Children and Adolescents, Procurators of the Protection Homes and Consulates of the Embassies.

(El Salvador, Nicaragua and Honduras in particular). The conditions that led to their expulsion from the family nucleus and arrival in Guatemala are identified on the basis of the attention and generation of trust with the minor. The objective is to identify the conditions of the family nucleus for their reunion. Finally, the transfer is coordinated.

- c. **HIV/AIDS:** Through institutional coordination, it is possible to provide medical care and counseling for the affected person and his or her family. It is also possible to coordinate prevention and care actions with the state health system.
- d. **Trave stism, depression, suicidal attempts and other similar knots:** Training and systematic information.



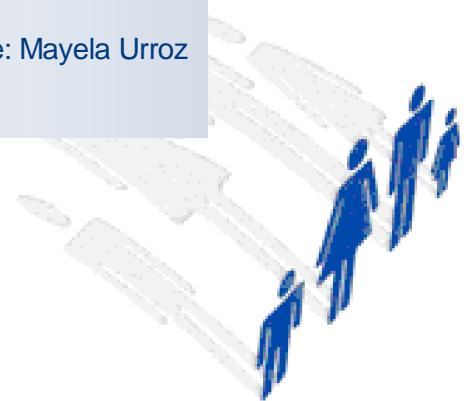
## Part Two Box 3.2

### The Nicaraguan experience with the family approach

To guarantee the success of the interventions and the sustainability of the protection of minors, victims of ESC, it is of vital importance to carry out in parallel a specialized work with the family, either directed to the biological family, extended family, other affective referents and foster homes; therefore the Quincho Barrilete Association, through the Action Program, has carried out interventions with the family directed to:

1. Identify, from the moment of detection, at least two positive family or emotional references, who are willing to support the care process.
2. Conduct a home visit for the selection of a positive family resource for the care process of the child and adolescent.
3. To elaborate, together with the selected referent, minutes of commitment to support the care plan for children and adolescents.
4. Systematically carry out home visits to follow up on the fulfillment of these commitments as well as risk assessment of other family members, detect specific needs in order to provide specific guidance in the approach to children and adolescents and jointly search for alternative solutions.
5. Execution of group sessions with parents and/or affective referents once a month with the objective of orienting and training on prevention and treatment of violence in the family nucleus as well as following up on the effectiveness of the family intervention strategies implemented in order to prepare the affective-emotional conditions for an efficient family stability and sustainability in retirement.
6. In situations where it is necessary to file a complaint, when the exploiter or abuser is a family member, legal and emotional support is provided to family members affected by the situation.
7. Based on the socioeconomic study carried out, support is provided to the specific needs of the family, such as financial support for transportation for health-related procedures and legal procedures, support for income-generating initiatives, scholarships for job training for mothers or members of the family nucleus, integration into technical training workshops.

Source: Mayela Urroz



#### 4. Towards the exercise of all rights: strategies and actions

Monitoring the exercise and full enjoyment of all human rights is a process whose fundamental purpose is to ensure that minors can enjoy those rights that are violated or denied as a result of their experiences of sexual exploitation and social exclusion, such as the right to education, welfare, justice and recreation.

To achieve the exercise of these rights, an individualized work plan is required according to the particularities of each child and adolescent, as well as their family and the identification of the violated rights. It is essential that the minor and his or her family or affective reference group (mother, sister, father, grandmother, partner, etc.) actively participate in the elaboration of such a plan,

among others). Together, the objectives and strategies to achieve them are established.

##### 4.1. The right to family coexistence: strengthening of the family and prevention of family expulsion.

The right of every child and adolescent to remain with his or her family is a condition that action programs have sought to guarantee. However, many family groups have negative conditions to ensure that the human rights of children and adolescents are exercised within them. In this sense, it is important to identify family deficiencies and barriers to achieve the purpose and therefore, a family work plan is essential to enable the welfare of its members. The goal, therefore, is not to find the ideal resource but to support the existing one in order to achieve its own transformation.

#### LESSONS LEARNED

*It is common to find in the region negative attitudes towards the victims' mothers on the part of professionals and process facilitators; in this sense, it has been important to work internally and externally to the program, in the transformation of beliefs and attitudes with the purpose of seeking alliances with maternal figures that contribute to the success of the work plans.*



The action programs have developed a set of strategies to guarantee the right to family coexistence. Among these are: strengthening and support for mothers; food packages for the family group; education for fathers and mothers (for example, in Nicaragua a school for them is being implemented); negotiation with other agencies and organizations for the inclusion of the family group in programs of assisted training with economic reinforcement for microenterprise and the response to specific and immediate needs such as

such as medical care and financial assistance to pay for basic services.

Considering that many child and adolescent victims are mothers, responses must also focus on protecting the rights of their children. These responses should not only take into account factors related to survival (milk, diapers, medicines, etc.) but also those related to their adequate care, nutrition and hygiene.

## LESSONS LEARNED

*In order to guarantee the right to family coexistence, a linear process is not developed, but rather a response and action is taken in accordance with the situations experienced by the minor victim and the members of his or her family nucleus.*

*In this sense, food support does not solve the family's subsistence problem, so it is necessary to look for work and subsistence alternatives.*

### Recommendation

- a. *Subsidies or material support for the family should be conditioned on behavioral changes that favor the exercise of the rights of all minors; for example, school attendance, medical check-ups, elimination of physical punishment, among others. In this sense, these conditions must be continuously monitored.*
- b. *It is necessary to identify and activate local and community resources to support and monitor the family and thus guarantee the permanence and protection of the rights of children and adolescents in them.*
- c. *It is essential to manage economic subsidies, while implementing employability or income generation strategies, as it is common to find the existence of serious family economic situations.*





## Part Two Box 4.1

### Nicaragua's experience with productive initiatives

Poverty is one of the constant risk factors for commercial sexual exploitation. In a good percentage of the families served, commercial sexual activity is tolerated as the quickest way to obtain economic income for survival. In view of this situation, the project has proposed the technical training of mothers, fathers and affective referents in specialties such as: carpentry, bakery, confectionery, handicrafts and beauty.

A training needs assessment has been carried out with mothers, fathers and emotional references, identifying the aforementioned areas. In this diagnosis, the commercial demand of the labor occupation to be learned was taken into account, as well as the acquisition possibilities in terms of machinery and equipment that the families have. The Technical Training Program includes a module on basic business administration concepts.

Another modality that has been implemented in the Quincho Barrilete Association are the Family Production Units. E.g.: Training family groups in hammock handicrafts, providing them with the raw material and allowing them to carry out the commercial activity in their own homes, distributing the work in series or in stages. At the same time, they are trained in basic concepts of business administration, and the capacity to generate profits is monitored for the self-sustainability and profitability of the small family business.

Support for income-generating activities in families has represented a strategy for the withdrawal and prevention of commercial sexual exploitation. The following actions are carried out to evaluate the socioeconomic situation of the family as well as follow-up actions to ensure compliance with the expected results:

1. Assessment of levels of family support and stability for children and adolescents.
2. The mother, father and/or referent is oriented towards a profitable creative activity in accordance with personal and family conditions.
3. Commitments and objectives of the initiative are established with the referent or parents.
4. Assistance is provided in the purchase or management of the material.
5. Conducting home visits.

These strategies have facilitated the development of skills for self-management of small family businesses, promoting containment in the withdrawal of children and adolescents and some necessary economic conditions.

Source: Mayela Urroz



## 4.2 The right to education

Education promotes a protective environment, both physically and emotionally, for minors who are victims of commercial sexual exploitation or at risk of becoming such. In this regard, the action programs in Guatemala, Nicaragua and Costa Rica have established among their priorities the deployment of efforts, actions and alternatives aimed at guaranteeing the insertion and effective permanence of children and adolescents in the formal education system.

To this end, a series of coordinations have been carried out with state and non-state agencies responsible for promoting education in all sectors of the population. Such coordination has resulted in the establishment of institutional cooperation agreements to offer underage victims different alternatives for inclusion in the educational system, as well as guaranteeing the right to education for siblings and other children in the family group, as an indisputable strategy for the protection of rights and also as a means of preventing their entrapment in the sex trade.

In the experience of Guatemala, for example, a cooperation agreement was signed between the state authorities responsible for children and adolescents and public education, to install open schools in the shelters where the judicial system places victims, as well as to guarantee the entry to school or college at the time of the reintegration of the minor.

to their families. In addition, we have coordinated with private schools to accept the enrollment of over-age children who are lagging behind in the educational system.

The following are some tasks to encourage the permanence of the minor in the schooling process:

- ◆ Response and material support (books, school supplies, uniforms, transportation, food, payment of fees for various school expenses, and others).
- ◆ Coordination with the official responsible for the education of the minor (guidance counselor, teacher, and others) in order to develop a program to support the schooling of children and adolescents, and to coordinate efforts to intensively monitor their permanence in the educational system.
- ◆ Allocation of a monthly student scholarship according to the identified needs or search for this resource in state agencies.
- ◆ Methodological support programs for the educational process.
- ◆ Development of other educational alternatives parallel to formal education: technical training courses, computer, first aid, tourism, handicrafts, and others. They do not replace basic education -as a right-, but they allow several things, among them, to favor learning spaces for new skills and abilities, and for older people, new alternatives for self-support.



## LESSONS LEARNED

*It has been valuable to involve both the staff of the educational institutions and the members of the families of the children and adolescents in the process of their school reintegration. This has been done through a process that promotes the exchange of information and the building of commitments, and with the family through the signing of commitments and constant monitoring.*

*Support to the family in the process of educational reintegration of children and adolescents includes guidance in the enrollment process. This often includes obtaining the necessary documents for this process, which may require the hiring of legal services for foreigners.*

*On the other hand, educational options, especially for adolescents, should be extended to technical options, according to the interest of the minor.*

### Recommendation

- a. It is necessary to include in the program's budget a line item for the purchase of educational material for homework.
- b. Close follow-up of the reintegration process is suggested, monitoring the beneficiaries' permanence in the educational system on a weekly or biweekly basis.
- c. The inclusion of beneficiaries in technical training options must be accompanied by a rigorous process of selection, monitoring and follow-up of the centers or individuals providing such services.
- d. Establish strategic alliances with the ministries of education in each country in order to develop educational strategies and programs that not only guarantee the right to education for those who have never attended school, but also for those children and adolescents who are lagging behind in education according to their age.

### 4.3 The right to protection against drugs

The use, abuse and dependence on illicit substances, drugs and alcohol represent one of the risks to which minors who have been caught up in the sex trade are exposed. Tackling this

The action programs have posed a challenge, not only in terms of the immediate response to the problems of each child, but also in terms of the attention and follow-up of the consequences of repeated drug abuse and the high levels of dependency that develop in the victims.



With the objective of protecting children from drugs and guaranteeing this right, the programs have undertaken the task of carrying out inter-institutional coordination and alliances to mobilize prompt and effective responses in cases of drug abuse and addiction.

These responses have included physical and psychological diagnosis of the after-effects of addiction and placement in recovery centers for minors with substance dependence problems.

A number of fundamental principles have been taken into account in this process:

- ◆ Continuous and frequent contact with mothers and/or relatives of the minor (visits, phone calls).
- ◆ Emergency hospitalization in serious cases of crisis and intoxication. For this purpose, it is necessary to speed up coordination with the health sector.
- ◆ The accompaniment of the family group in the process of hospitalization, internment and recovery from addiction of the minor.
- ◆ The implementation of training for the work team in order to carry out adequate assessments of drug use or dependence.

## LESSONS LEARNED

*A linear and homogeneous process for addiction care cannot be defined, since it will depend on each case, the level of addiction and the particularities of the minor.*

*It is essential for the state sector to strengthen outpatient addiction assessment and treatment services in the different localities of the country.*

### 4.4 The right to protection from abuse within the family

The implementation of the model should be based on the fundamental principle of comprehensive protection of rights. This principle includes ensuring the safety of minors and guaranteeing the exercise of their right to live free from any type of abuse in their family environment. Some guidelines for the protection of minors from abuse are as follows:

- ◆ The evaluation of the family nucleus makes it possible to assess the relationships and structure of the family.

family, as well as the conditioning factors and manifestations of abuse.

- ◆ The family assessment should include the presence of alcoholism, drugs, abuse towards the mother and/or other family members and pay special attention to abuse of minors.
- ◆ If physical, verbal, psychological and/or sexual abuse of minors is identified, these problems should be dealt with immediately in accordance with the country's legislation and the resources available for their care in the community. The participation



The child's or adolescent's rights and the non-abusive parental figure is indispensable in the implementation of protection mechanisms.

- ◆ In necessary cases, the corresponding complaints should be processed and

referrals to the state agencies in charge.

- ◆ In situations of abuse, parallel to the legal protection measures, a plan should be designed with security measures within the family.

## LESSONS LEARNED

*The work with the family aimed at providing and building knowledge on the rights of children, adolescents and women, makes it possible to generate conditions and capacities to modify situations of intra-family abuse. In the same sense, the right to education and reintegration into the educational system provides resources for help, as well as the creation of a protective environment for the child in the face of abuse.*

### Part Two Box 4.2

#### The Costa Rican experience with protection against abuse

In cases where the abuse occurred some time ago, and the abuser belongs to the family nucleus (or has contact with it), the mother and the minor are encouraged through emotional accompaniment (including training in personal safety measures) so that they are the ones to file the complaint themselves. This is because in some parts of the country, the victim's story continues to be indispensable as fundamental proof that the crime occurred. In cases where one of the two persons refuses to file a complaint, it is processed by the officials working in the action program. However, this strategy has not had any impact, since the judicial reports deny what happened, thus favoring the impunity of the perpetrator.

Source: Erika Rojas

#### 4.5 The right to justice

The protection of this right necessarily involves the construction of alliances and agreements between the various bodies dealing with children and adolescents and local judicial bodies (courts, prosecutors' offices, embassies, immigration, ministries of justice, local offices, etc.).

In Guatemala, Costa Rica and Nicaragua, these institutional alliances have sought to achieve actions aimed both at detecting cases of commercial sexual exploitation and denouncing and immediately protecting the underage victim. In this sense, it has been essential to generate spaces for reflection and training in relation to the rights approach with justice operators and other legal service providers.



## LESSONS LEARNED

*Holding discussions with the agencies in charge of children, prosecutors' offices and courts makes it possible to reach bilateral agreements between the action program and the judicial body in order to expedite the processing of the complaint, which has yielded better results than workshops with lengthy hourly charges.*

*There have been cases of judicial officials linked to networks of exploitation and trafficking of minors. This is reflected in the detection and reporting processes, aspects that should be adequately handled by the action programs.*

*The constant accompaniment by the program favors the monitoring of the minor, strengthening him/her for the judicial process and the maintenance of his/her story. Likewise, having the opportunity to provide the necessary information and evidence that may be collected helps to avoid impunity for the exploiters and the protection of the victims.*

### Recommendation

- a. *It is necessary to create opportunities for information and awareness-raising regarding the application of the rights-based approach with judges and magistrates in order to avoid revictimization and guarantee the protection of their rights during the judicial process, as well as those of the families.*
- b. *The action programs should coordinate with the governing bodies and the judicial system to accompany the victims during the process.*
- c. *Develop educational material (in popular and professional formats) on whistleblower procedures.*

#### 4.6 The right to recreation

In the development of the action plan, other rights must be guaranteed, one of which is that of recreation, since it is commonly violated or denied in people identified as victims. To this end, the programs have mobilized a series of resources to offer children,

children and adolescents positive and constructive alternatives for the enjoyment of this right. The participation of children and adolescents in recreational-educational activities strengthens their self-esteem, their interpersonal relationships, promotes healthy competition, teamwork and knowledge of the country's culture, customs and history.



## LESSONS LEARNED

*The protection of the right to recreation allows the minors served to have spaces for interrelation and knowledge of their rights. Positive recreation provides spaces for the promotion of values such as respect, equity, non-discrimination, non-violence, etc.*

*The possibility of meeting peers in a different and playful environment also allows the construction of new knowledge with a more positive impact than that of lectures and other traditional activities.*

### Recommendation

- a. The right to recreation should be guaranteed through institutional programs that allow for the sustainability of the initiatives, and it is also advisable to include families in recreational activities.
- b. The development of recreational or playful activities must be coordinated with the state entity, to guarantee a right that children and adolescents have and that is not always considered a priority.

### 4.7 Other rights

In practice, the validation of other rights has proved to be an important task based on the particularities encountered by the action programs. Among them, the right to identity and recognition by parental figures. To achieve this, the following examples highlight some of the actions implemented.

**Right to identity:** implementation of strategies to carry out civil registration procedures, residency procedures, and legal identification procedures for minors.

**Right to legal acknowledgment:** request for responsible paternity testing and

counseling for minors in accessing this service.

On the other hand, although it has been mentioned from the systematization of the lessons to guarantee the exercise of the right to family coexistence, it is important to highlight the importance of the right to well-being. This includes, for example, all actions aimed at ensuring the exercise of the right to adequate food, decent housing, clothing and food.

**Given the poverty conditions of the subregion and particularly of the families of the victims, the programs have faced innumerable challenges.** These range from the creation and search for partnerships with the



The company's main objective is to promote the generation of family income through the integration of the family in programs aimed at the construction or purchase of housing.

In particular, more specific and assistance-oriented actions have had to be implemented in some cases, such as in the identification of severe problems of malnutrition and extreme poverty.

In this same sense, it has been important to include in the programs actions not contemplated at the beginning, such as the development of initiatives related to alternative employment opportunities for minors over 15 years of age, especially in cases where they have already formed a family. These initiatives, however, should never replace basic formal education.

## LESSONS LEARNED

*The processing of documentation for nationals allows for easier access to other **services***

*Alimony and paternity proceedings must be processed in accordance with legal parameters.*

*The religious component should be optional and not imposed, and should not be stereotyped or discriminated against.*

### Recommendation

*Care must ensure that human rights are respected, without the predominance of certain ethnic groups, religious orientation, gender or other status being a consideration. Care programs should promote respect beyond religious or sexual orientation.*





Part Two  
Box 4.3  
Costa Rica's experience in the exercise of the  
right to recreation

Although recreation is internationally recognized as a universal human right, inalienable and integral to other rights, in Costa Rica, it seems that the guarantee of this right has not been as high a priority as the guarantee of the right to health and education.

In this regard, we found that in the town of Limón, there are no regular recreational activities that represent safe and accessible spaces for all minors in the province.

Thus, the guarantee of the right to recreation has been implemented by the program through planning (which includes the search for a financing strategy, since the program did not foresee the existence of a budget line for it), logistics and implementation of different recreational, sports and/or cultural activities on a regular basis (at least one activity every six months) to ensure the enjoyment of this right in the population served by the action program.

Source: Erika Rojas



## Part Two Box 4.4

### Experience from an NGO participating in the platform

In order for adolescent children to see themselves as victims of CSEC, an educational process of understanding, sensitization and accompaniment is required, in the medium and long term and with a rights-based approach. To this end, it is necessary to implement some strategies in the care of children and adolescents. For this reason, the action program has sent victims of commercial sexual exploitation and at risk to Casa Proyecto Bo.Venezuela for technical training in the areas of handicrafts in chaquira, camba and fomy, origamy and crafts in: wood, hammock, piñata and mecate, as well as a computer course.

In my opinion, I have observed that it is of vital importance to be able to establish a relationship of empathy with children and adolescents from the first initial contact.

It is necessary to understand their changes in attitudes and manifestations, positive or negative. These can be generated, manifested and linked to processes of volitional and educational development, taking into account the model of upbringing that their parents or affective referents developed in their childhood and adolescence (mistreatment, abuse, exploitation).

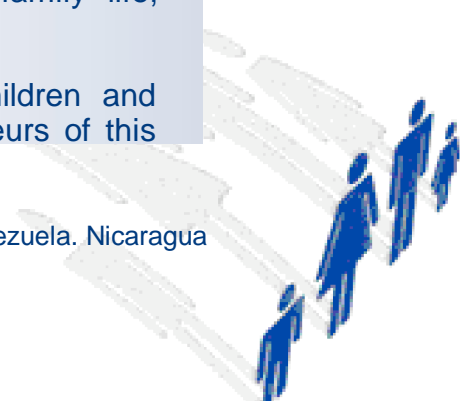
Listen to them, believe them and help them according to their demands and needs; help them acquire confidence, self-confidence and believe that they are capable of achieving their goals.

To provide them with educational and technical tools; to strengthen and promote the development of their capacities and competencies as social and legal subjects; to have an impact on their emotional recovery, to improve their self-esteem levels.

By training them in the promotion and defense of their rights as social subjects, many of them have improved their attitudes. Their human development has been empowered and strengthened and they have established more stable and constructive relationships with their families, emotional references and age groups. All of this has been directed towards the creation of a life project that includes short and medium-term plans, proposed goals related to the right to health, free and compulsory quality education, food security, family life, technical training and employment options.

All of this, in turn, has an impact on the visibility of the children and adolescents as victims of CSEC and not as culprits or provocateurs of this situation.

Source: Coordinator of the Project House of Barrio Venezuela. Nicaragua



#### 4.8 Follow-up

The follow-up of the minor should be a constant process and should take place as frequently as possible. This process constitutes a mechanism for guaranteeing and evaluating the goals proposed in the action plan.

Inter-institutional coordination must remain present and effective at this stage of the program, in order to enforce all the rights of the children and adolescents served. This coordination should include the justice, education, social welfare and family sectors and all state agencies responsible for children and adolescents.

Throughout the follow-up, relevant visits must be made to the minor, either to his or her family group or to the foster home where he or she may be for the time being. During these visits, the process of enforcement of all their rights, including health, education, justice, recreation, among others, is monitored.

Some of the guidelines developed by the programs in this regard are as follows;

- ◆ Follow-up to case reports.
- ◆ Holding weekly meetings to follow up on the technical team's compliance with the care plans.
- ◆ Follow-up of retired beneficiaries. For example, in Costa Rica, this is carried out in most cases at least twice a month, and is done both by visits to the facilities where care is provided and by visits or telephone calls from the work team.

Objectives and how to do it:

In the different regions, a set of common guidelines are established to carry out and guarantee an adequate and effective follow-up process:

- ◆ Institutional strengthening and coordination of political management.
- ◆ Coordination of sensitization, information and training activities.
- ◆ Knowledge in the application of the action model and the human rights approach.
- ◆ Adequate coordination in the assessment, follow-up and monitoring of cases (detection, immediate protection, sustainability of the withdrawal).
- ◆ Review of strategies that have not fulfilled their role of protecting and guaranteeing the enforcement of the human rights of minors, as well as the review of legal processes that have not been completed.
- ◆ Assessment of new risks or problems that violate the rights of minors.
- ◆ Visits of the minor to the physical facilities where the care processes are carried out. Visits may be scheduled (appointment), or when a problem arises in the intervention plan (re-victimization).
- ◆ Visits by the program's work team to the home where the beneficiary lives and/or telephone calls.

The follow-up of victims of commercial sexual exploitation assisted by the action program should be framed within the family follow-up. In other words, there should be an intervention plan at the family level and effective strategies.



## LESSONS LEARNED

*The follow-up of the victims must be coordinated with state and local authorities and their families.*

*Constant contact with the victim and her family strengthens empathy and credibility with the program. In this sense, home visits allow in situ observation and empower the family group. On the other hand, the fact that victims come to the action program's offices a lot prevents family intervention, which decreases the child's vulnerability. On the other hand, it is valuable to cross-check the information provided by a victim with information generated by other agents (other victims, families, and others).*

*Periodic contact allows the intervention plan to be reviewed in order to reformulate those strategies that have not been effective. In this sense, follow-up also allows the exploration of new victimizations and dangers in order to implement safety measures.*

### Recommendation

*It is important to influence vulnerability factors: for example, at school, the child's attendance, academic performance and whether there are adequate protection mechanisms should be monitored. In the family, the ties with which the child lives and strengthen them for the child's protection. The existence of conditions that make the life and safety of the minor possible should be monitored. It is also necessary, in these cases, to help the family to efficiently manage the acquired resources.*



Part Two  
 Box 4.5  
 Guatemala's experience with follow-up

From the first moment of the identification process, the first contact with the family is made by conducting a social investigation to identify the strengths and weaknesses of the family nucleus and especially of the mother.

The main focus of the follow-up of child victims and their families is the restitution of rights. The efforts made during the month of January 2005 focused on reintegration into the formal education system and, in certain cases, on training and qualification activities.

The situation of poverty and extreme poverty in which the families live, confronts us with the challenge, not only of supporting food, education, health of the girl child, the minors at risk in the families, but also in identifying economic alternatives. This is a limitation faced by the Program.

The effects that CSEC has on the various aspects of the life of the minor victim entails a permanent process of accompaniment in aspects related to reproductive health - gynecological, emotional and family relationship dynamics.

It is important to share that as a strategy for the mother's involvement and sustainability in the educational system, as well as for the various services that the Program provides to families, both the child victim and the mother or responsible person sign a letter of commitment (e.g. includes: phone calls from the mother to the ECPAT Team and Casa Alianza, permanence in the educational system).

Given the spatial dispersion of the families, follow-up visits are carried out most frequently in the Department of Guatemala. In the various departments of the country, various forms of contact have been generated (by telephone and/or in coordination with a local institution or organization).

Source: Elizabeth Moreno



## By way of conclusion

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The implementation of the action programs in the countries mentioned above has allowed for the accumulation of important experience in the subregion in terms not only of the application of strategies to guarantee the right to protection against the sex trade, but also of all the human rights of those minors who have experienced extreme deprivation and severe violations in their short lives. The process has not been easy in the context of each country, but it has made it possible to identify initiatives to solve the main problems and challenges.

The process is not over yet; it continues to build on the experience of working with new children and adolescents.

adolescents and with the painful reality of encountering new manifestations of trade and sexual slavery. However, the enthusiasm and creativity of the teams that make up the programs and of the people who work in state and civil society organizations are the main incentive for the creation of new action programs and new strategies for approaching them. The main beacon of hope for the transformation of the conditions of exploitation of minors has been and continues to be the response of hundreds of children, adolescents, mothers and families in general, to participate enthusiastically in the transformation of their own lives.







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*The document "Commercial sexual exploitation of children and adolescents: from commitment to action. Lessons learned about the direct care of minors and their families", specifically aims to provide inputs and recommendations to the competent public institutions, to achieve the construction and implementation of national policies and strategies for the protection of minors who are victims of commercial sexual exploitation and their families. It seeks the comprehensive protection of their rights, based on new lessons learned from the implementation of care programs in three countries in the region -Nicaragua, Guatemala and Costa Rica-.*

*These programs have been developed on the basis of a theoretical and methodological model of care based on the comprehensive protection approach and have produced new lessons learned about the problem and also important findings regarding direct work with the victims, their families and communities.*

*The ILO considers commercial sexual exploitation as a severe violation of the human rights of minors and as a form of economic exploitation similar to slavery and forced labor that constitutes a crime by those who use and recruit children and adolescents for the sex trade, and recognizes the right of persons under 18 years of age to be immediately protected and cared for against this form of exploitation.*



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