

Research coordinator:

Maria Cecilia Claramunt



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General Manager: *Dr. Carmen Moreno,*
Sub-regional Coordinator of the
IPEC/ILO Program

**Coordination, review and supervision by
part of IPEC/ILO:** *Bente Sorensen,*
Project Coordinator, IPEC/ILO

Review: *Angela Martins-Oliveira,*
SIMPOC Program, IPEC/ILO-Geneva

**Researchers
Study coordinator:** *María Cecilia Claramunt*

**Contexto Nacional
research team:** *Ivania Monge
Laura Porras
Patricia Vargas*

Local research teams:
San José / Desamparados: *Alcides Conejo
Marisol Delgado
Miriam Fernandez
Eduardo Solano*
Lemon: *Greta Bennett
Mariela Vega*

Responsible for statistical work: *Ricardo Martínez
Carlos Saborío*

Design and layout *Eric Hidalgo. COMUNICAN R.L.
comunican_rl@racsa.co.cr*

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PRESENTATION

All sectors, institutions and individuals must participate in the elimination of commercial sexual exploitation of children and adolescents, as it implies a very severe violation of their human rights and causes them enormous suffering.

The International Labor Organization (ILO) confirmed its strong involvement in this struggle when ILO Convention 182 on the Worst Forms of Child Labor was adopted in June 1999. This Convention requires ratifying countries to take immediate and effective measures to prohibit and eliminate the worst forms of child labor. Among these worst forms, Article 3 mentions "... *the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances...*".

The ILO, especially through the International Program on the Elimination of Child Labor (IPEC), carries out a series of activities to support the countries of Central America, Panama and the Dominican Republic in their efforts to eliminate this social scourge. This study is part of these activities.

In order to have updated information on the situation of commercial sexual exploitation of minors, IPEC/ILO has carried out a series of seven studies on the subject in coordination with national institutions and researchers to learn about the situation in each of the countries of the region: Panama, Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala and the Dominican Republic.

IPEC/ILO contracted a research team in each of these countries in 2001 to carry out the study. The studies contain information on related legislation and an analysis of the institutional response to the problem. For each study, a large number of key informants were interviewed as well as about 100 victims of commercial sexual exploitation in order to learn about their personal, family and socio-economic situation and their perception of the support received from various institutions. For most of the studies, two hundred adults were also interviewed to obtain information on their knowledge and perception of commercial sexual exploitation of children. All information was collected with the clear objective that it should be useful for action.

Both questionnaires were developed by IPEC/ILO in consultation with the research teams in each country and were applied uniformly in six of the seven countries. This allows comparisons to be made at the regional level on the basis of the information provided in each country and has made it possible to create a regional database.

In August 2001, the preliminary results of the studies were presented at the "Regional Workshop for the Prevention and Eradication of Commercial Sexual Exploitation of Children and Adolescents in Central America, Panama and the Dominican Republic: Support for the Design of Strategies and Plans of Action" organized by IPEC/ILO in San José, Costa Rica. This activity was attended by researchers, representatives of public and private institutions as well as representatives of other international agencies who had the opportunity to discuss the content of the studies and the serious problem in the region.

The results of the studies show a very serious situation. Child victims of commercial sexual exploitation experience - often from early childhood - all kinds of violations of their rights as human beings: extreme poverty, school expulsion, early pregnancies, psychological, physical and sexual violence, drug addiction, neglect or abandonment by family members, ineffective intervention by various institutions, etc. The studies also reveal that many adults are aware of the existence of

The problem in their own community, but also that, unfortunately, there is an unacceptable tolerance of exploitation and a lack of awareness of the need to file complaints with the national authorities about this type of abuse.

The studies also reveal that few institutions have treated the problem with the urgency and seriousness required, despite the state's responsibility to punish offenders and provide effective protection to victims. Although there is pronounced concern about the existence of the problem, the necessary prevention, punishment and protection actions are not being taken.

Most countries in the region have made significant progress in adapting legislation to international legal instruments on the rights of minors and have taken important steps toward establishing child protection systems; however, they need to be strengthened, specified and extended to the national territory. In the particular area of the elimination of commercial sexual exploitation, the studies identify a deficient application of measures to stop the problem. Some professionals and institutions have been working hard and some countries have a national plan for the elimination of commercial sexual exploitation of children. However, to achieve the elimination of the problem, greater coordination of actions is needed, more financial resources are needed and national coverage is required. All studies recommend a higher level of action by all sectors of society, but mainly by public institutions.

The studies were made possible thanks to funding from the U.S. Department of Labor under three different IPEC/ILO projects. The studies of Honduras, Nicaragua, Guatemala and Panama were financed as part of the preparatory activities for the Central American Project for the Elimination of Commercial Sexual Exploitation of Children, which will begin in 2002. The El Salvador and Costa Rica studies were financed by the SIMPOC Program as part of a worldwide project that has conducted 38 studies on various forms of child labor. The Dominican Republic study was financed within the framework of the

preparatory activities for the "Time Bound Programme", which is a project that seeks to achieve the eradication of child labor in a given period of time.

It is hoped that the results of each of the studies will be useful in advancing the formulation of strategies and the implementation of effective measures to eradicate, as a matter of urgency, the commercial sexual exploitation of children.

All minors have the right to be protected by their family, by others, by their community and by institutions against all types of sexual abuse and exploitation. As an adult population we must recognize that we are not doing enough at this time to ensure this protection and to prevent unscrupulous adults from continuing to seek out and recruit children to exploit and abuse them in commercial sexual activities.

Sub-regional Coordination
IPEC/ILO Program

EXECUTIVE SUMMARY

The commercial sexual exploitation of children and adolescents in Costa Rica is a social problem of recent public recognition that has become a topic of national agenda and strong controversies about its magnitude and ways of confronting it. Although there is evidence of the presence of the sex trade with children and adolescents since colonial times, it is only in recent years that the problem has been recognized as a manifestation of sexual exploitation and slavery and, therefore, as a severe violation of the human rights of minors.

The Costa Rican context of the problem of Commercial Sexual Exploitation could be summarized as follows:

The existence of the problem in the country is recognized and it occupies an important place in the public discussion agenda: presidential speeches, political debates, journalistic editorials and reports, academic research, forums, organized discussion groups, among others.

Commercial sexual exploitation is a crime punishable by imprisonment. Related to this, there is a specialized prosecutor's office with a marked interest in the subject and a growing number of complaints. This has contributed with a greater information on the characteristics of the crime, placing it as an organized crime with national and foreign alliances, which in some regions of the country are linked to drug trafficking and other types of crimes.

There is greater awareness to recognize children and adolescents as victims and not as offenders.

The social and governmental responses to effectively and comprehensively address the problem are still disjointed.

The general purpose of this study is to analyze the problem of commercial sexual exploitation in Costa Rica from three main perspectives: the social response of the country, the local response in two Costa Rican communities (Desamparados and Limón) and a characterization of the victimization experience of 100 children and adolescents in a situation of commercial sexual exploitation.

In turn, the research is part of a regional study sponsored by the International Program on the Elimination of Child Labor (IPEC) of the International Labor Organization (ILO), which seeks to analyze the situation of the problem and the social response to it in seven countries: Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama and the Dominican Republic. In this sense, it shares the objectives, the methodological proposal of the "Rapid Assessment Process" (RAP) and the information gathering instruments requested by said Organization. In this sense, this research is characterized as a qualitative study that emphasizes the description and analysis of the results. The accompanying quantitative data, therefore, are presented without the purpose of generalization.

The results of the study are presented according to the three research axes: national context, local contexts and victimization experiences of children and adolescents. They can be summarized as follows:

- a. In the national context, it is noteworthy that the issue is on the public agenda. It is present in newspaper editorials, presidential speeches, ~~and~~ and is a problem of interest to international organizations based in Costa Rica. However, the governmental response is still incipient, with little inter-institutional coordination and fundamentally lacks a model to address the issue.

of integral attention to the victims. Significant progress has been made in the judicial and legislative response.

- b. The local context, characterized through observation of places linked to the sex trade, interviews and workshops with community leaders and professionals working with children and adolescents, and an opinion survey of 200 people in the communities chosen (Limón and Desamparados), can be summarized as follows: Although the existence of the problem of commercial sexual exploitation is recognized, there is an absence of action plans to address it. Opinion polls reflected high percentages of the population that knows or has seen victims of commercial sexual exploitation, as well as places where minors are exploited, but without taking action. This could be interpreted as a tolerance to this form of violation of the rights of children and adolescents.
- c. The experience of victimization, known through interviews with 100 children and adolescents victims of commercial sexual exploitation (50 in San José and 50 in Limón) is reflected in the following data: Most of the girls and boys come from impoverished homes characterized by domestic violence. Their rights have been violated from their earliest childhood. The violation of parental protection and care, protection against all forms of abuse, and protection against the use of drugs and illegal substances stand out.

In summary, the main challenges that the country will have to

The implementation, in specific actions and programs, of the mandates ratified in the Convention on the Rights of the Child and in the Childhood and Adolescence Code and Protocol 182 (ILO) for the Eradication of the Worst Forms of Child Labor, which specifically refer to commercial sexual exploitation.

The promotion and development of universal policies that directly attack the social, economic and ideological factors that promote the vulnerability of the underprivileged population.

18 years of age to commercial sexual exploitation as well as the proclivity to commit such a crime.

The promotion and implementation of intersectoral and institutional programs aimed at early prevention and care for girls and young women at risk of commercial sexual exploitation or who are already involved in it.

The promotion and development of comprehensive care programs for victims with a rights-based and general approach, aimed at the protection and restitution of all violated rights.

Legislative reform with the objective of bringing penal norms in line with the Convention on the Rights of the Child and Convention No. 182 of the International Labor Organization. Similarly, the allocation of a larger specific budget to combat crimes of commercial sexual ~~exploit~~ taking into consideration that the investigation of organized groups and networks requires high-tech resources and specialized training.

The implementation of coordinated and sustainable strategic actions, not susceptible to changes in government administration.

INTRODUCTION

The commercial sexual exploitation of children and adolescents in Costa Rica is a social problem of recent public recognition that has become a topic of national agenda and strong controversies about its magnitude and ways of confronting it. Although there is evidence of the presence of the sex trade with children and adolescents since colonial times, it is only in recent years that the problem has been recognized as a manifestation of sexual exploitation and slavery and, therefore, as a severe violation of the human rights of minors.

It can be said that this paradigm shift is mainly generated by the work of some civil society organizations dedicated in the country to prevent, study and combat child sexual abuse. The experience accumulated since the late 1980s and early 1990s made it possible to move towards other forms of sexual exploitation that had been invisible or minimized until then.

Similarly, with the participation of several non-governmental organizations in the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, a strategic step was taken in the conceptual formulation and the first initiatives for action towards a national plan to combat the problem.

Thus, in 1997, under the leadership of the National Children's Trust, the National Commission to Work against the Commercial Sexual Exploitation of Minors was created, with the participation of various state and private institutions, and the

participation of the following institutions

international cooperation organizations. In 1998, the Commission's programmatic axes were set out in a Framework Plan of Action, in which the need for strong political, legal and attentional transformations was visualized. Thus, one of the first and main results was the drafting, promotion and approval of a legislative reform to punish the sex trade with children and adolescents.

Following this reform, in 1999, Costa Rica adopted international recommendations and considered prohibiting the three recognized forms of commercial sexual exploitation of children: trafficking and sale of children for commercial sexual purposes; sexual commerce with children and adolescents; and child pornography. Thus, the Special Prosecutor's Office for Sexual Crimes and Domestic Violence in San José reports that more than 4,000 complaints have been received since the law was passed in 1999, compared to 30 in the decade from 1987 to 1997.

The growing interest in the subject has led to a better understanding of the problem in Costa Rica: its victims, exploiters and the dynamics in which this type of crime is committed.

Thus, studies coincide in pointing to girls and adolescents as the main victims and adult men as the main aggressors. The vast majority of victims are trapped by exploiters at around the age of 12. Like the boys, the girls detected come mainly from very poor families, where poverty, unemployment or informal employment, violence against mothers, abandonment, child abuse and, to an alarming extent, incest are common. In response to the family experience, many run away from home, or leave their homes to beg or sell objects, and their stay on the streets for one reason or another makes them vulnerable to direct exploiters or their intermediaries. In other cases, commercial sexual exploitation is initiated through neighborhood networks of sexual abusers who trap children from the community for themselves and then trade them in prostitution and pornography. In exchange, they offer them food, clothes, drugs or some money. A third important group, especially in the case of girls, is made up of adolescents aged 12, 13 or 14, who are trapped into the sex trade through their partner, usually an adult male who offers them food, clothes, drugs or some money.

double their age and who then incites or forces them to sell their bodies for 17 money or drugs (Claramunt, 1998; UNICEF, 2001).

In the world of the sex trade, girls and boys can be found on the streets of San José and the main provincial cities, particularly in tourist areas and ports. There they are often found in small groups, which are usually organized by pimps. Other times, the girls or boys are intercepted by other types of intermediaries, such as cab drivers, travel agency, hotel and bar workers, among others. They are taken by their direct exploiters or intermediaries to hotels, motels, private residences, "bunkers"¹, nightclubs, recreational estates or to secluded public places. In turn, the abusers may act alone or in groups and thus buy one or several girls or boys, for a short period of time or for several days. However, the street world, although more visible, is not the most common. Girls, boys and adolescents are exploited daily in closed places: clubs, massage parlors, hotels, brothels, bars and specialized houses for the private sex trade.

Parallel to the internal situation, the problem in Costa Rica has been aggravated by the arrival of sex tourism in the country. The promotion of Costa Rica as a tourist destination together with the globalization of the sex tourism business and the coercive measures implemented against exploiters by some Asian countries traditionally known for their tolerance of this business, turned Costa Rica into a new destination for the so-called "sex tourists". They may arrive with this defined purpose in response to the promotion of the sex trade with minors that is basically offered through the Internet, or, once in the country for other reasons, they seek or accept the offer of sexual contact with children or adolescents, generally proposed by intermediaries.

Thus, Costa Rica is faced not only with "internal demand" for the underage sex trade, but also with legal, administrative and budgetary difficulties in dealing with organized groups of pimps who offer sexual services over the Internet to attract foreigners to the country.

1... Name given to clandestine houses or spaces where liquor and drugs are sold and consumed. In some of them, it is also offered to children and adolescents, who are usually paid with drugs and alcohol.

Despite the legislative reform and the existence of the National Working Commission against Commercial Sexual Exploitation of Minors, the social response in general and the governmental response in particular, is insufficient.

At the legislative level, there are still gaps both in the legal definition of the crime and in the laws related to the criminal process that favor impunity for those who trade in children and adolescents. At the judicial level, despite the increase in the number of complaints of pimping, the criminal investigation lacks financial and human resources to confront organized networks. Similarly, legal reform has not had an impact on the punishment of "client-exploiters", due to the lack of complaints and difficulties in the processing of evidence. At the same time, violence against women by their partners and family members, which is a common characteristic of the victims' families of origin and therefore a risk factor for lack of protection and flight from home, continues to be invisible in criminal laws.

On the other hand, at the victim care level, and despite the efforts made, there is still a lack of a comprehensive model, based on compliance with the Code of the Rights of the Child, that effectively achieves, through detection, care and follow-up, a true protection against organized crime, both for current and potential victims according to their level of social, economic and family risk.

Costa Rica, therefore, must move towards a more equitable social and economic model, as an indispensable strategy to deal with the vulnerability of girls and boys from the poorest sectors of the population to the child sex trade. At the same time, it is necessary to take a break in order to envision and propose different forms of relationship between men and women, adults and minors, with the purpose of guaranteeing the fulfillment of human rights without distinction of gender and age. On a more specific level, but no less important, it is necessary, in addition to legislative reforms, to maximize judicial resources for the true enforcement of laws and the development of a model of comprehensive care for victims that guarantees their right to protection.

This study is part of a regional research project sponsored by the International Program on the Elimination of Child Labor (IPEC) of the International Labor Organization (ILO). It aims to analyze the situation of the problem and the social response to it in seven countries: Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama and the Dominican Republic. In this sense, it shares the objectives and the methodological proposal.

At the methodological level, it was requested to use the "Rapid Assessment Process" (RAP) strategy, which is fundamentally characterized by being a rapid study proposal that emphasizes the description and qualitative analysis of the problem, without the purpose of generalization.

The results of the study are therefore based on the following procedures and strategies:

- a. Documentary research.
- b. Key informant interviews.
- c. Questionnaires on opinions about the problem, administered to two population groups in the localities under study. Given the characteristics of the research, no sampling frame was used, so the data cannot be generalized.
- d. Observation of spaces associated with the sex trade.
- e. Review of court files.
- f. Questionnaires to characterize the experience of victimization by Commercial Sexual Exploitation, applied to 100 children and adolescents.
- g. Life stories of victimized girls and adolescents.
- h. Discussion workshops in the two localities studied with the purpose of returning the data found and thus seeking a space for reflection and search for proposals for action.

Based on the data found, a descriptive and analytical analysis was carried out. In relation to the
The descriptive statistical analysis was carried out on the opinion questionnaires and those applied to victims of commercial sexual exploitation. Specifically, variables were cross-referenced to achieve a better understanding of the dynamics of victimization.²

The results of the study are presented according to the three research axes: national context, local contexts and victimization experiences of children and adolescents.

2 ... See *methodological annex*.

The life story of a 14 year old girl³

"I lived with my mother, my father left my mother because of drug issues. My mother has been a very suffering woman, her childhood and everything; as I understand, my grandmother left her with my grandfather, and my grandfather mistreated her a lot and had to take care of my uncles, he beat my mother a lot, and my mother grew up that way and then my mother drank a lot, and my mother raised us the way she was raised, with aggression. Many men passed through my house.

In total we are five siblings, we are three males and two females. Of those three males, one was addicted to drugs, and the others were not, the other one was an alcoholic, but let's say he was an alcoholic, not alcoholic, but he liked to drink, and my sister and I got involved in this drug thing, but they got out of it.

When I was little, my grandfather tried to molest me several times. Maybe I was about 6, 8 years old, he would lie on my bed when my mom went to work, and he would touch me. He would touch me pull down his pants, show me his penis and touch me like that, and I would tell him that I didn't want any of that because at that time I was a little girl, I was about eight years old, around there, and whenever he was in the house he would come home, and every night, every morning he would do the same thing, he would wake me up.

My brother once saw that my grandfather wanted to give me a kiss, so he told my dad, and my mom told my grandfather that he was my grandfather that instead of doing that, he should have

3 ... Excerpt from an interview with a young woman from the province of Limón, using the life history technique.

take care of me. And my grandfather was my mother's father. He left the house because my dad kicked him out, and he left the house and since he was an alcoholic, he would come home and sometimes he would try to do the same thing, but my mom would tell me not to leave him, to hit him with something.

And another man who lives at _____, he touched me, some friends told me that there was a friend of theirs who gave them money, so I told them who that man was, he touched me, he gave me money, of course at that time I did not feel satisfied because I knew I was doing wrong, but nevertheless to please them and so that they would not embarrass me, so I went. He would give us, two thousand, two thousand five hundred, not much. Sometimes he would masturbate, tell them to take off their clothes and all that, he would see the girls. When he started touching me I was about ten years old, around there.

The man that my sister had, had a lot of contact with that lady, because she was the mother of his daughter, she was in the environment, prostituting herself, so he was a goat, and he had contact with the lady of _____. So, he told my sister and My sister got into prostitution because of him, I got together with my sister, because I had a problem with my mother. My mother got together with a boy, the boy was 18 years old, I got involved with the boy, then my mother threw me out of the house. I was 14 years old. My mom kicked me out of the house, and at the same time she kicked the boy out.

Then my sister came and told me to go to the lady at _____, who worked with girls and prostituted them. At first I was very scared. I worked in a place here in Batán. After that, I told my sister that I didn't want to follow that life anymore, I came to my aunt's place, after a while she came to live, and she told my aunt that she could come and live here, and she came here, and after a while she started using drugs, and then she got to the point that she gave me drugs too. So I became addicted, and that's why I am where I am now.

I got out of sixth grade. I was at school when my mom came and told us to leave the house, and then I was doing badly at school, I left home, there were problems with my mom, my mom kicked me out and all that. I didn't finish seventh grade. I had even received an English scholarship, but the scholarship was sent to my mother.

When we were on the street, and my mom told me that I had an English scholarship, but since I almost didn't like English, I told my mom that I didn't want it anymore.

Later, when I was with my sister in that lady's house, she threw many men at us and prostituted us. I worked in a place in Sixaola, in Valle de la Estrella, Panama, Siquirres, Cahuita, Puerto Viejo, in Limón, Guápiles, Turrialba, not in San José. We would go by bus. And then she took all the money that belonged to us and with that same money she took, she gave us drugs. Then she got to the point of having me and my sister that we could not leave the house, because we owed her money and she gave us, gave us, gave us drugs and even trusted us so that we would not leave, or anything, and I came to owe eighty thousand pesos and my sister seventy and the rest, and with that she told us that we could not leave because we had to pay her.

I was hungry, I was sleepy and I could not sleep, maybe I wanted to, I saw the other people who were well dressed and I wanted to buy something and I could not, because I had no money, I wanted to eat something good and I could not. We put up with it because when you take drugs you don't get hungry, only after a few days, so when we were hungry, we would look for something to eat and he would shout "There is nothing to eat, so don't look for anything".

Many of the clients were from here, from San José, gringos, others were Panamanians, others were from here, from Costa Rica, and some have told me why I was in this, that I was so young and everything, and others treated me like a kick. Once, I even had to cut a man, because he wanted to fuck me from behind, so I told him no, and he told me "that's your job, you know what you have to do", I said "oh, no, not there". Then I had a problem, he hit me and I was not going to let him attack me and I had to cut him, he ran away, he was drunk. Maybe others don't hit me, but they insult me, or say ugly things. On the street too, even here I have a neighbor who hates me, she has talked about me a lot of things, when I passed by she said things to me, but she does not see what she brings, she brings daughters too, so I say that the world turns around,

to see what my mother suffered and what she will also suffer, what I suffer when they call me, her daughter will suffer.

Our salary was, let's say, three thousand five hundred, maybe five hundred a quarter. We were paid three thousand five hundred, of those three thousand five hundred, we got three thousand, because we had to give the five hundred to the owner of the bar for the room, and the lady took those three thousand. Once I danced naked, in Siquirres, in a bar called, oh, what is the name of this bar? well, but the lady left the money.

I want to be someone in life, I want to achieve a goal. I would like to study, and besides that I would like to take courses, whether in sewing or handicrafts. I want to improve myself so that those who talk, as my dad says, so that they don't point fingers at me or anything, say "look, this girl has changed, she has improved, she has made progress". With the help of other people, with the help of family members. And those people who point at me, now let them point at themselves, because they are surrounded by their own family. I say one thing, the world turns around, and sooner or later you pay with what hurts you the most".

I PART

Conceptualization: Commercial Sexual Exploitation of Minors

Conceptualization: The Commercial Sexual Exploitation of Minors

The commercial sexual exploitation of minors is recognized as a contemporary form of slavery, as well as a serious violation of the fundamental human rights of children and adolescents who are victims of the sex trade.

This flagrant violation of the human rights of minors can be defined as:

"The sexual use of minors, where there is an economic benefit for the child or adolescent or the intermediary. The sex trade involving children and adolescents may take different forms, such as sale and trafficking, pornography or the offering of economic benefits or in kind for the performance of sexual activities".

Since the Convention on the Rights of the Child (1989), there has been a worldwide trend to defend and promote the rights of children and adolescents. This international concern has led to placing atrocious manifestations of rights violations, such as the commercial sexual exploitation of children, on the public agenda.

Based on the above-mentioned background, the First World Congress against Commercial Sexual Exploitation was held in 1996, as evidence of international concern about the growing problem, and as a result of the search for concerted actions among the different states, international organizations and non-governmental organizations, to confront the problem and fight for its eradication.

The Congress recognized three manifestations of child sexual exploitation, namely: the trafficking and sale of children for commercial sexual purposes; the prostitution of girls, boys and adolescent women and men; and child pornography.

In 2000, the United Nations reaffirmed these principles with the elaboration of the Optional Protocol, Annex 2 of the Convention on the Rights of the Child. The Protocol is an optional document, which seeks to commit the States Parties to the implementation of the actions defined in the Declaration and Agenda for Action approved by the World Congress against Commercial Sexual Exploitation.

The Annex defines that States Parties shall prohibit manifestations of commercial sexual exploitation of children, defined as follows:

- a. Sale of children means any act or transaction whereby a child is transferred by one person or group of persons to another or others for remuneration.
or any type of consideration. The prohibition is specified in terms of: accepting, offering, or intermediating by any means, in the sale of a child for purposes of sexual exploitation, adoption, forced labor or organ transfer.
- b. Child prostitution means the use of a minor in sexual activities, in exchange for remuneration or any form of compensation. The Protocol calls on States Parties to prohibit offering, procuring, procuring or providing a child for prostitution.
- c. Child pornography means any depiction, by any means, of a child engaged in real or simulated sexually explicit activities, or any depiction of the sexual parts of a child for primarily sexual purposes. The ~~prohibition~~ is specified in terms of intentionally producing, distributing, importing, exporting, offering, selling or possessing child pornography.

Various studies have determined that the commercial sexual exploitation of children involves a number of factors, including sociocultural, economic and political conditions that promote the use of minors in the sex trade. On the other side of the problem is social tolerance, which indicates a form of legitimacy, evidenced in the scant public condemnation of those who sexually trade with children, pimps and brokers, and of the clients-exploiters who abuse them.

The social and ideological basis for the existence of commercial sexual exploitation of children is to be found in the patriarchal social structure.

Patriarchal ideology feeds the belief system that validates, justifies and perpetuates male power, as well as the satisfaction of their needs and interests. This is how women's lives come to be considered male property, so that they are expropriated of their bodies and subjected to the control of their sexuality. From this patriarchal logic, the sexual exploitation of girls and boys is not condemned; on the contrary, objectification is legitimized, since the bodies of girls and their sexuality are within the "domain" of men. In this sense, the First World Congress against Commercial Sexual Exploitation of Children accepted as an important cause the existence of a social and hierarchical order that leads to "cultural attitudes that give little value to women and girls" (1996).

Other causal factors that are rightly pointed out in the same congress are:

Economic injustice and disparities between rich and poor.

Discrimination against minority groups that force migration and family disintegration.

The deterioration of family support structures

The existence of unscrupulous exploiters

In addition to the above, some factors that maintain and are relevant to commercial sexual exploitation can be specifically pointed out, such as the absence of effective mechanisms to ensure the protection and restitution of the rights of sexually exploited children, as well as the effective criminalization of the beneficiaries of the sex trade, since without the existence of their abusers, there would be no sexually exploited children.

II PART

The Costa Rican National Context of Commercial Sexual Exploitation of Minors

Chapter First:

Some data that characterize the country

Chapter Two:

Addressing the problem of commercial sexual exploitation in the Costa Rican context: general characterization

Chapter Three:

What is known about the problem: Research interest in Costa Rica

Chapter Four:

The risk map for commercial sexual exploitation

Chapter One:

Some data that characterize the country

Costa Rica is a small country located in the Central American Isthmus, it is bathed by the Caribbean Sea on its east coast and by the Pacific Ocean on its west coast. It is bordered to the south by the Republic of Panama and to the north by the Republic of Nicaragua. Its territory comprises 50,985 Km² and according to the 2000 population census, it has 3,610,179 inhabitants, of which just over 30% are under 15 years of age.

It ranks 34th (1999) according to the global Human Development Index, although more than 20% of the population lives below the poverty line. Of this, the majority resides in rural areas. In general and in comparison with other countries in the region, Costa Rica shows a higher level of development. For example, the illiteracy rate is 4.8% (2000) and in 1999, its population had a life expectancy at birth of 76.8 years (men, 74.1; women, 79.8). For the same year, the maternal mortality rate per 100,000 live births was 19.1.

On a more specific level, the following figures for 1999 exemplify the situation of children and adolescents in Costa Rica:

Infant mortality rate per thousand live births: 11.8, of which 34.7% was preventable according to the cases analyzed.

Under-five mortality rate per 1,000 live births: 13.9.

Percentage of children with low and insufficient birth weight: 28.2 (of the total births attended by the Costa Rican Social Security Fund).

Children aged 1 to 6 years with vitamin A deficiency: 8.7% and at risk according to plasma retinol levels: 40.1% (UNICEF, 2000).

With regard to adolescent women, the social group most vulnerable to commercial sexual exploitation, a total of 7,138 births to mothers under 18 years of age were identified in 1999 (10 under 12, 556 between 12 and 14, and 6,572 between 15 and 17). Of the 566 births to children under 15, 370 had no declared father and 178 occurred out of wedlock. Data that may reflect situations of abuse, when the father is an adult.

In addition, if low birth weight is related to the mother's age, pregnancy in adolescence constitutes an important risk factor, since more than 40% of children born to mothers under 14 years of age have low or insufficient birth weight, compared to mothers between 20 and 45 years of age, whose percentage is only close to 25% (UNICEF, 2000).

Although adolescence does not represent a numerical risk factor for death by suicide, in terms of attempted suicide, adolescent females are the group that occupies first place. For example, in 1999, there were 28 deaths by suicide among persons under 19 years of age (males and females), compared to 81 in the 20-39 age group and 97 in the 40-59 age group. A total of 194 cases (105 females and 89 males) of suicide attempts were handled by the Judicial Investigation Organism. In the case of women, more than 50% were under 20 years of age compared to 20% for men (UNICEF, 2000).

The above data reflect that an important sector of children and adolescents have unacceptable living standards in the country. In addition, there are indicators related to sexual and reproductive rights for which adolescent women constitute an important risk group.

Chapter Two:

Addressing the problem of commercial sexual exploitation in the Costa Rican context: general characterization

By way of summary, the Costa Rican context of the problem of Commercial Sexual Exploitation can be characterized as follows:

The existence of the problem in the country is recognized and it occupies an important place in the public discussion agenda: presidential speeches, political debates, journalistic editorials and reports, academic research, forums, organized discussion groups, among others.

The main international instruments related to commercial sexual exploitation have been ratified: the Convention on the Rights of the Child, ILO Convention 182 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

Commercial sexual exploitation is a crime punishable by imprisonment. Related to this, there is a specialized prosecutor's office with a marked interest in the subject and a growing number of complaints. This has contributed with a greater information on the characteristics of the crime, placing it as an organized crime with national and foreign alliances, which in some regions of the country are linked to drug trafficking and other types of crimes.

There is greater awareness to recognize children and adolescents as victims and not as offenders.

The social and governmental responses to effectively and comprehensively address the problem are still disjointed.

Chapter Three:

What is known about the problem: Research interest in Costa Rica

The national interest in the problem of commercial sexual exploitation of children has its main antecedent in the belligerent work of civil society, through the joint effort of non-governmental organizations, with the support of international organizations, to bring this serious problem to the public agenda. Thus, since the First World Congress against Sexual Exploitation, significant progress has been made in characterizing this problem as a priority issue of national concern.

The lack of knowledge of the problem in the national context led to the first steps in the last five years in research efforts to unveil the reality of the victims of the sex trade, making it possible to correctly place the responsibility for the crime on the exploiters. The research has also revealed the inadequacy of the social and governmental response to prevent and eradicate this human rights violation against children and adolescents.

In 1994, with the publication of the first research on commercial sexual exploitation in the country, the existence of the problem of commercial sexual exploitation of children in Costa Rica became evident. This is considered a fundamental step in the visibility of the problem, and the path towards a state of enforceability of rights of and for the population victimized by sexual exploiters and traders.

From now on, the research findings are directed towards the characterization of the nature of commercial sexual exploitation of minors, with emphasis on the female population, and the recounting of the consequences in the lives of the victims.

The situation of children in exploitation is then incorporated into the research, as well as the structuring of vulnerability factors in the definition of critical routes to commercial sexual exploitation.

Subsequently, in what can be defined as a second moment, the focus of attention is transferred from the victims to the responses to the problem.

The main findings in this area are presented below.

In 1996, evidence of the connection between tourism activities and the commercial sexual exploitation of minors was documented, mainly in the Dry Pacific and the Atlantic Zone (O'Connell and Sanchez, 1996). This is an important fact given the worldwide concern about tourism activities for illicit sexual purposes.

On the other hand, research has identified among the risk factors for commercial sexual exploitation the expulsion from the family nucleus, based on conditions of poverty and therefore basic material deficiencies that include ~~high~~ food, education and health needs. These factors are included in the macro-structural, social and economic causes of the country (Treguear and Carro, 1997).

A very important finding is the history of experiencing situations of intrafamilial sexual abuse prior to the commercial sex trade of children and adolescents in commercial sexual exploitation, so that it is possible to conceptualize commercial sexual exploitation as a continuum of abuse. Treguear and Carro (1997) report an incidence of sexual abuse of 82% in the experiences of the 50 girls and adolescents between 9 and 18 years of age who participated in the study. Coinciding with the previous findings, Claramunt (1998) reports an incidence of sexual abuse close to 80% before 12 years of age, in a sample of 121 girls and boys. With an insignificant difference by gender, 83.3% of boys and 78.6% of girls reported having been victimized by a family member, a person known but not related, and to a lesser degree by unknown persons.

The above data provide important information about the family context and the situations of abuse in which sexually exploited children grow up and live. Of those who participated in Claramunt's study (1998), 64% indicated that in their home there was spousal violence against the mother; 61% reported physical violence against brothers and sisters by the father; and 28% indicated the existence of sexual violence against any member of the family group.

Based on these conditions of domestic violence, runaways are reconceptualized as a survival strategy for children and adolescents in the face of domestic violence against them or their family members, as well as a mechanism for expulsion from the family group. In addition, a connection is identified between sexual aggression and runaways, and between runaways and commercial sexual exploitation (Claramunt, 1998).

In a public opinion study sponsored by UNICEF (CID-Gallup, UNICEF, 1998) to learn about the population's perception of the problem, it was possible to identify that 9 out of 10 Costa Ricans considered that commercial sexual exploitation has negative consequences in the lives of children and adolescents. Despite the significant progress in awareness implied by the above statement, at least 3 out of 10 Costa Ricans know a minor in their community who is being prostituted, but less than half would denounce someone who was sexually trading with a child or adolescent.

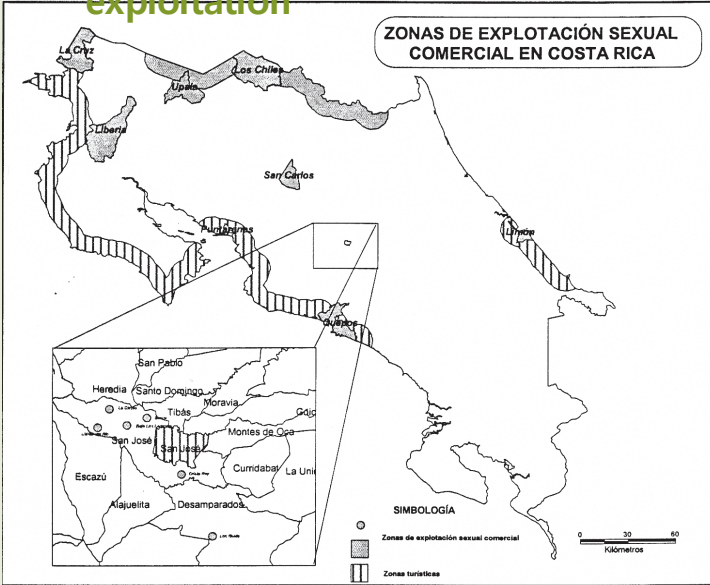
Additionally, the incidence of sexual tourism in the country was denounced in an investigation by Casa Alianza, citing as a source the director of the Judicial Investigation Organism, who indicates that approximately 0.5% of the tourists who visit the country do so for sexual purposes. This implies that at least 5 thousand foreigners visit the country with the objective of sexually exploiting minors and other nationalities residing in the country (Casa Alianza, 2000).

The National Report on the Rights of Children and Adolescents for the year 2000, prepared under an agreement between the University of Costa Rica and the United Nations Children's Fund (UNICEF, 2001), addresses the problem of child abuse and neglect.

commercial sexual exploitation as a severe violation of the rights of minors, with the location of state responsibility in its eradication and in the restitution of the rights of the victims. This study underscores the need for the Costa Rican State to develop universal and strategic policies focused on prevention, with an integral perspective that considers the macro-social factors that cause and maintain commercial sexual exploitation (UNICEF, 2001).

A significant contribution to the journalistic treatment of child sexual exploitation has been the manual "Ojos Bien Cerrados" (Eyes Wide Shut), which analyzes how communicators handle events involving the sex trade, the main conclusion being that *"the media assume the young person as the victimizer rather than the victim"* (Aguilar, 2001, p. 17). This manual offers specific indications on the journalistic work in cases of violation of rights involving the sexual exploitation of minors, as well as the responsibility of the media in social denunciation and the correct location of the responsibilities of abusers and sex traders.

The risk map for commercial sexual exploitation



The risk map for the ~~country~~ commercial sexual exploitation is presented below, taking into account two criteria: risk for victimization and risk for exploitative behavior. The first was based on the identification of the areas of the country with the following characteristics: the highest number of reports of aggravated pimping, the place of residence of the victims of the reported pimps, areas characterized by serious social problems such as unemployment, drug addiction, extreme poverty and lack or

insufficiency of basic services.

Given the difficulties in characterizing the population that sexually exploits minors, the risk criterion was determined based solely on the tourism factor, taking into account that sex tourism is a reality in the country. Thus, the areas of greatest attraction and visitation were selected.

III PART

Costa Rica's social response to the problem of commercial sexual exploitation

Chapter One

**Interest around the sanction:
analysis of the costa rican legal framework relating to
commercial sexual exploitation**

Chapter Two

**Government interest:
plans, programs, and actions to combat Commercial
Sexual Exploitation .**

Chapter Three

**The response of civil society:
the struggle of non-governmental organizations in the
defense of the human rights of children and
adolescents**

Chapter One:

The interest in punishment: analysis of the Costa Rican legal framework related to commercial sexual exploitation.

In Costa Rica, one of the first actions taken to eradicate the commercial sexual exploitation of children and adolescents was the critical review and subsequent reform of current legislation, since it was determined that it constituted a major obstacle to addressing the problem from the parameters of the doctrine of comprehensive protection (binding in our country since 1990 with the ratification of the Convention on the Rights of the Child), and to criminally punish sexual exploiters.

Private organizations and public institutions that have worked to defend the rights of children and adolescents participated in the review and reform of legislation aimed at punishing this serious violation of human rights, an effort that began in 1996 and culminated with the entry into force in 1999 of the Law against the Sexual Exploitation of Minors.
-unique in Latin America.

However, this is only the beginning of a long road. With this law, an important leap has been made in the legal conceptualization of the problem of sexual exploitation, while at the same time it opens the door for all public institutions involved to promote actions aimed at effectively fulfilling the constitutional mandate of comprehensive protection of the rights of sexually exploited children and adolescents, and to bring other legislation into line with this principle.

Specifically, Costa Rican legislation includes the following instruments that directly or indirectly address the problem of

commercial sexual exploitation. Among them:

1.1 The Political Constitution of Costa Rica

The Political Constitution is the highest-ranking norm of the Costa Rican legal system, according to the system of hierarchy of norms that governs it. Therefore, it is necessary to refer to this normative body in the first place, because it is the one that contemplates the provisions of superior hierarchy in matters of fundamental rights and its general principles. Then, we will analyze some international treaties related to the problem under analysis, which are after or below the Constitution, and before or above the ordinary law. This pyramidal structuring of the norms implies that those of lower rank cannot contradict or restrict the rights contemplated in norms of higher rank, and from there derives the importance of analyzing the norms according to their location in the Costa Rican legal system.

Article 51 of the Costa Rican Constitution provides special protection by the State for the family, and specifically for children, mothers, the elderly and "the infirm and helpless". This precept recognizes the different condition in which these sectors are socially placed, a difference that means inequality and often greater vulnerability for the exercise and enjoyment of their human rights.

The Constitution designates the Patronato Nacional de la Infancia as the institution in charge of the special protection of mothers and children.

In terms of fundamental rights and freedoms, the Constitution recognizes in general the right to life and, within this, the right to personal integrity (which is more clearly developed in the Pact of San José, Costa Rica), the right to dignity, to prompt and complete justice, to reparation of damages, the right to equality and non-discrimination, personal liberty and the abolition of all forms of slavery, the right not to be subjected to inhuman and degrading treatment and the abolition of torture, all rights, freedoms and guarantees that legitimize State intervention in the commercial sexual exploitation of minors.

1.2 International Conventions ratified by the Costa Rican State

There are three international instruments that are part of the Costa Rican legal system (International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and the American Convention on Human Rights) that constitute the normative antecedents of the Convention on the Rights of the Child, which is undoubtedly the Magna Carta of the rights of minors, and which arose precisely due to the insufficiency of international norms in this area.

Children and adolescents were included in specific provisions but were not direct bearers of the human rights declared in these conventions. The rights recognized therein were rights for persons of legal age, and in fact, when the principle of equality and non-discrimination is established, no express reference is made to the category "age", which means that children and adolescents were not included - and still are not - in the generality of the norm, and therefore specific norms on childhood are created.

The standards identified in these three conventions, which predate the Convention on the Rights of the Child, are detailed below:

The International Covenant on Economic, Social and Cultural Rights, adopted by the UN in 1966 and in force since 1976, establishes in Article 10, paragraph 3, the duty of States Parties to adopt special measures of protection and assistance for all children and adolescents, without discrimination on the grounds of parentage or any other condition. Without expressly referring to sexual exploitation, this covenant also establishes that states must protect children against economic and social exploitation.

The International Covenant on Civil and Political Rights, adopted in 1966 and in force since 1976, establishes in Article 2 the principle of non-discrimination in similar terms to the previous Covenant, and it is in Article 24 that express mention is made of the rights of children.

Finally, at the level of the Organization of American States, the **American Convention on Human Rights**, known as the "Pact of San José", of 1969, goes a little further in terms of equalizing the subjects of rights, in relation to the previous Covenants -even though it uses the same formulation of the principle of non-discrimination- since it expressly establishes in Article 1, paragraph 2 that:

" 2. For the purposes of this Convention, a person shall be deemed to be a person who is every human being.

Thus, it can be interpreted that the rights contemplated in this regulation are also the rights of children and adolescents, with the exception of political rights.

On the other hand, this Convention establishes some provisions on children and adolescents that are in force in the Costa Rican legal system, in relation to the right of children to the protection that their condition requires from the family, the State and society in general (Article 9), In the matter of prior censorship (article 13), it contemplates an important provision that is of interest for the regulation of child pornography, even though at that time, legislation was not being drafted with this manifestation of sexual exploitation against children and adolescents in mind.

Because of its specificity, the **Convention on the Rights of the Child** is the main international instrument that reflects the consensus of the international community.

-At the end of the last century, the countries that make up the United Nations System adopted the Convention on the Human Rights of Children and Adolescents, which was adopted by the UN in 1989 and ratified by Costa Rica in 1990. It was adopted by the UN in 1989 and ratified by Costa Rica in 1990.

This important instrument sets out the main human rights of minors, referred to under the single category of "child", and embodies the principle of the "best interests of the child", thanks to which the protection and guarantee of the rights of this sector of the population is given priority. The principle is enshrined in Article 3 as follows:

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, *the best interests of the child shall be a primary consideration*. States Parties undertake to *ensure the child such protection and care as is necessary for his or her well-being*, taking into account the rights and duties of his or her parents, legal guardians, or other persons legally responsible for him or her, and to this end shall take all appropriate legislative and administrative measures. States Parties shall ensure that institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly with regard to the safety, health, number and competence of their staff, as well as the existence of adequate supervision" (Italics intentional in this study).

With this convention, progress is made in the recognition of the status of minors as subjects of rights, and their human rights are expressly enunciated, without detriment to those contemplated in other international conventions, and more clearly in the Pact of San José.

With respect to the human rights involved in the sex trade, it is important to highlight the actions to which the Costa Rican State is committed, together with the other States Parties to the Convention on the Rights of the Child, to confront and eradicate this problem:

The Convention on the Rights of the Child is designed to combat the illicit transfer of children abroad and the illicit retention of children in foreign countries (Article 11.1).

promote the development of appropriate guidelines to protect children from information and material injurious to their welfare (Article 17.e).

protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child (Article 19).

protect children from all forms of sexual exploitation and abuse, in particular, to prevent the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitation of children in prostitution or other unlawful sexual practices, and exploitation in pornographic performances or materials (Article 34).

prevent the abduction, sale or trafficking of children for any purpose or in any form (Article 35).

protect children from all other forms of exploitation prejudicial to any aspect of their well-being (Article 36).

ensure that no child is subjected to torture or other cruel, inhuman and degrading treatment (Article 37.1).

Finally, with specific regard to the problem of commercial sexual exploitation, the Costa Rican government recently ratified (2001) the "**International Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor**", adopted by the International Labor Organization in 1999.

This convention includes among the worst forms of child labor all forms of slavery, such as the sale and trafficking of children, debt bondage, forced or compulsory labor; and the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances (Article 3).

The Convention seeks to obtain commitments from States Parties to take the necessary measures to eradicate as a matter of priority the worst forms of child labor, including the worst forms of child labor.

establishment and application of criminal or other sanctions, as appropriate (Article 7.1).

Another international instrument of great relevance for the eradication of commercial sexual exploitation is the **Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography**. It was ratified by Costa Rica and entered into force in February 2002.

The Protocol establishes that States Parties shall take all measures to ensure that, at a minimum, the acts or activities listed are fully covered by their criminal legislation, whether committed within or outside their borders, or whether perpetrated individually or collectively.

These acts related to sexual exploitation, and according to Article 3, are:

the offer, delivery or acceptance, by any means, of a child for the purpose of sexual exploitation, transfer of organs of the child for profit, forced labor of the child.

the offer, possession, acquisition or delivery of a child for the purpose of prostitution.

The production, distribution, dissemination, importation, ~~exportation~~ offer, sale or possession of child pornography.

1.3 Ordinary legislation directly related to sexual exploitation of minors

This section includes the analysis of ordinary national legislation, which does not mean that the Political Constitution and the international treaties ratified and mentioned above are not part of Costa Rican legislation, but that what follows is legislation of lower rank or hierarchy, which includes specific provisions for the enforcement of fundamental rights and general principles embodied in the higher-ranking legislation.

It includes the Code for Children and Adolescents, the Law against Commercial Sexual Exploitation (in reform of the Penal Code) and the Code of Criminal Procedure.

1.3.1 Childhood and Adolescence Code (1998)

Costa Rica's ratification in 1990 of the Convention on the Rights of the Child implied the adaptation of current legislation on children and adolescents. Thus, in 1998, the Code for Children and Adolescents was approved, which led to the creation of the National Protection System consisting of the National Council for Children and Adolescents (CNNA), the Child and Adolescent Protection Boards and the Community Guardianship Committees. This code constitutes the national legal mechanism that collects and develops the rights enshrined therein. It is, so to speak, the main law that operationalizes the postulates of the Convention.

The norms of this Code related to the different forms of commercial sexual exploitation, are:

Right to integrity (Article 24)

Right to honor (article 26).

Right to image (article 27)

Right to free transit (article 15)

This code is characterized by the fact that it does not contemplate norms of a criminal nature, does not create crimes, but only fines for non-compliance with the obligations established in its articles, nor does it make a substantive normative development on violence against children and adolescents, and lacks express provisions on sexual exploitation. It only imposes the obligation to report criminally any reasonable suspicion of mistreatment or abuse committed against a child or adolescent, an obligation of the directors and personnel in charge of health centers, public or private, and the authorities and personnel of educational centers or any other center where minors are attended and stay (article 49).

In accordance with the regime of protection guarantees for minors, Article 19 of the Code establishes the responsibility of the State to provide protection in situations of grave danger, determining the right of this population to receive adequate, timely and effective state attention from state institutions, when there is a threat to the violation of their rights.

One of the most important articles of the Code is Article 4, which states that *"...the State may not allege budgetary limitations in order to disregard the obligations established herein"*. This empowers citizens of legal age to demand the State's effective compliance with the mandates established in the Code, so that they become a reality for all children and adolescents, without any type of discrimination or exclusion based on gender, ethnicity or nationality.

1.3.2 The Law against Sexual Exploitation of Minors (1999)

As indicated in the previous section, this law is actually a reform of several articles of the Penal Code, and was inspired by the need to review such legislation in light of the characteristics of commercial sexual exploitation of minors in our country.

The important advances of this reform are:

The crime of rape is reconceptualized and formulated in such a way as to broaden the factual assumptions of the criminal offense. Before the reform, the introduction of fingers in the anus or vagina did not constitute rape, nor did oral carnal access or the introduction of objects in these places. With the reform, these conducts are punished as rape, which increases the penalties, because before these conducts were punished with the penalty of "dishonest" abuses.

The crime of "sexual abuse" is correctly denominated, and the expression "dishonest abuse" is eradicated, thus achieving greater congruence with the protected legal right, which does not involve honesty at all.

The concept of "statutory rape" and "sodomy" is eradicated, and they are grouped together in a single crime called "Sexual intercourse with minors", thus equalizing the number of passive subjects, and eradicating sexist concepts and unequal protection on the basis of sex.

The crime of "Paid sexual relations with minors" is created to punish the "client" - abuser, because this clearly typifies the conduct of paying or promising to pay or giving in exchange an economic advantage to a person under 18 years of age to perform sexual or erotic acts.

The crime of corruption is modified, eliminating indeterminate concepts such as "perverse, premature or excessive sexual acts", as well as the adult-centric content of "corrupt minor", which responds to the outdated doctrine of the irregular situation, which classified children into "good" and active or potential "offenders/delinquents", who must be controlled.

The crime of pimping is reformed, and subjective elements of the criminal offense such as "profit motive" or "to satisfy the desires of others" are eliminated, as well as the reference to the facilitation of prostitution. "Sexual servitude" is added.

The crime of rudeness is modified and the prison sentence is increased, depending on the age of the victim. The element "coercively" is included, which it did not have before.

The name of the crime of "Trafficking in women and minors" is changed to "Trafficking in Persons" and the reference to sexual or labor servitude is added.

The crime of "Manufacture or production of pornography" using underage persons is created.

The crime of "Dissemination of pornography" to minors or incapable persons is created.

Notwithstanding the progress made by this reform, which is the only one of its kind in Latin America with these dimensions and specialization, the

The entry into force of the law has revealed gaps and some drawbacks identified by the sectors involved in the application of the law. The main criticisms are detailed below:

The crime of rape does not include sexual acts with the use of animals (which some call zoophilia, but in the case of sexual violence, this term is not appropriate - because it refers to a person's pleasure in performing sexual acts with animals - but rather it is a punishment for sexual aggression carried out with the use of animals).

Omission in the crimes of "Sexual abuse of minors"; "Sexual abuse of adults"; "Aggravated pimping" and "Aggravated corruption" of the reference to the "uncle/uncle" as a significant link between perpetrator and victim for a greater criminal sanction.

Inconveniences in the conceptualization of corruption, which was expressly included in the criminal type of corruption. Corruption acts that are carried out with the victim without the presence of third parties were left out, but this does not mean that they are not corruption.

In the crime of pimping, the verb "to facilitate" should be included in order to punish those who carry out acts that do not promote prostitution, but do facilitate it.

In the crime of "Manufacture or Production of Pornography" reference to "erotic material" is omitted, not only pornographic, as it is currently. In accordance with international standards (Optional Protocol to the Convention on the Rights of the Child), this crime should include the possession or possession of this material even if it is not for commercial purposes.

The crime of "Dissemination of pornography", which makes it possible to punish anyone who trades, disseminates or exhibits pornographic material to minors, revealed a gap in the reform: the need to also punish the dissemination or exhibition of child pornography among persons of legal age.

Additionally, for this conduct to be sanctioned it must be done for commercial purposes. If it is done for free, it could not be sanctioned as a crime. This gap is regulated in a legislative reform in November 2001, where the following is added to article 174:

"The same penalty shall be imposed on anyone who exhibits, disseminates, distributes or trades, by any means or any title, pornographic material in which underage persons appear or where their image is used, or possesses it for these purposes."

These points and criticisms of the new law have provoked reactions from different sectors of the Costa Rican society, which have promoted new legislative reforms aimed at both amending gaps and inaccuracies and reinforcing its application in the technical precision of the conducts that are intended to be sanctioned.

Recently, the Minister of the Presidency was appointed in charge of formulating government policies on sexual exploitation, and he in turn summoned representatives of the Executive and Judicial Branches to formulate a coherent and integral proposal for the reform of legislation, including the Law on Sexual Exploitation of Minors. This proposal was already presented as a law reform and partially approved by the Legislative Assembly and published in the Official Gazette in November 2001.

1.3.3 Code of Criminal Procedure (1998)

Procedural aspects refer to the way in which the crimes are known and processed in the courts of justice, through complaints and investigations carried out by prosecutors. Sexual exploitation - as a manifestation of sexual violence against minors - places its victims in a position of greater vulnerability, since they generally face trials in which they are re-victimized (judged from a patriarchal and adult-centric moral perspective) and subjected to an insensitive and non-specialized procedure.

But there are also victims of crimes of sexual exploitation who, for various reasons, do not see themselves as such, and for whom the criminal process is adverse to their most immediate interests. In these cases, prevention and care policies should be strengthened, aimed at creating real opportunities for victims of sexual exploitation to build a life project free of sexual violence, and strengthening the accompaniment of victims in criminal proceedings, so that they do not feel they are the accused, but victims as they really are.

In addition, at the procedural level, the judicial ~~right~~ ^{process} should be strengthened so that, independently of the victim's statement, there is legitimate evidence to accuse the client-exploiter, as has been done by the Office of the Prosecutor for Sexual Crimes and Domestic Violence, with the use of the undercover agent.

With regard to procedural legislation itself, two important aspects related to the rights of children and adolescents are worth mentioning.

This recent code introduces into the Costa Rican criminal procedure system the institute of conciliation, which is one of the causes for the extinction of the criminal action. At first, this regulation allowed conciliation in the case of sexual crimes, crimes against minors and domestic aggression, as long as the victim or his representative expressly requested the judge to convene a conciliation hearing. But then, the Constitutional Chamber came to modify this legal criterion and established that conciliation is not applicable when the victim is a minor, even if the victim requests it, because it is incompatible with the State's obligation to protect the best interest of the child, and to punish all those conducts that imply a violation of their human rights.

Then, the Third Chamber of the Supreme Court of Justice ruled on the inadmissibility of the revocation of the private instance in crimes committed against minors, and said:

"The revocation of the instance is not viable in cases in which it is a matter of safeguarding the rights of a minor or to establish facts that may be relevant to the case.

While the abandonment in crimes of public action does not prevent the subsequent prosecution of the act, the revocation of the instance leads to a dismissal that ends the case; which may result in a greater defenselessness of the minor who has been the victim of pressure or violence (most likely originating from a member of his family) because after the revocation, the case cannot be reopened".

These resolutions make an interpretation of the criminal procedural norm inspired by the doctrine of integral protection, from which the rights of minors are recognized as human rights, they are considered as far as possible and in their condition as victims (and also as perpetrators, with the Juvenile Criminal Justice Act of 1996) as parties in the process with the particularity that the State must provide special protection to their interests (best interests of the child).

In this regard, the need arises to modify the procedural rule to declare that crimes committed against minors are all crimes of public action.

1.3.4 Other reforms

Two important reforms took place at the end of 2001. The first of these is related to combating sex tourism. Thus, by means of Executive Decrees, foreigners who are linked to the commission of crimes contemplated in the Law against the Commercial Sexual Exploitation of Minors (among other crimes) are prevented from entering the country and their applications for residency or entry visas are rejected. Likewise, procedures may be initiated to cancel the stay in the country (either ex officio or at the request of a party) of foreigners who "distort the reasons taken into account for their entry, by carrying out activities not permitted in our legislation, violating in various ways our legal order and the rule of law".

The second reform acts on Law No. 7425 "Registration, Seizure and Examination of Private Documents, Interception of Communications", authorizing such procedures for the

police or jurisdictional investigation of the crimes of aggravated corruption, aggravated pimping, manufacture or production of pornography and trafficking in minors (among others).

1.4 Penalties for operators and intermediaries

Despite the fact that with the approval of the Law against Commercial Sexual Exploitation of Minors (1999), Costa Rica became the first country in Latin America with specific legislation to punish exploiters, there are significant difficulties in its application, especially with regard to the penalization of preparatory acts of the crime, which has diminished the expected effectiveness of the law. For example, to date, no "client-exploiter" has been sanctioned and there have only been 23 convictions for pimping (Gómez, 2001).

The experience accumulated in police investigations indicates that the underage sex trade in Costa Rica is a form of organized crime, even compared to drug trafficking, since it is an illicit activity involving large sums of money, with extensive networks that involve cab drivers, owners of hotels, bars, boarding houses, recruiters of underage persons in communities, and places where children stay, in addition to the unproven evidence of corruption in state agencies.

Therefore, since organized crime is involved, it requires the allocation of a specific budget for the investigation of a highly complex and clandestine crime, for example: night surveillance cameras, high-tech equipment and computer programs, undercover agents and a greater number of officers trained for criminal investigation, including those related to crimes promoted through the Internet.

The above has as a previous implication that the problem has a greater relevance within the Judiciary, which is reflected in budgetary resources to attack one of the main risk factors for the sex trade of children and adolescents, the existence of pimps, intermediaries and sexual exploiters.

Despite the budget deficit and lack of personnel, the interest of the Prosecutor's Office specializing in sexual crimes can be seen in the increase in the number of complaints received, procedural investigations and sentences for the crimes of pimping and corruption. For example, in the decade prior to the approval of the law, 30 complaints were received, compared to 1477 in 2000, and in the first half of 2001, 807. According to data from the Attorney General's Office, 90% of the pimps are male and 80% are Costa Ricans. Of the cases investigated for pimping, it has also been possible to identify the areas of origin of the victims: the areas of extreme poverty in the provinces of San José, Puntarenas and Limón (Data provided by the Specialized Prosecutor's Office for Sexual Crimes and Domestic Violence, San José, 2001).

1.5 Analysis of two complaints processed in court under the Law against Sexual Exploitation of Minors.

First Case:

Against "Ignorado", for the crime of dissemination or production of pornography to the detriment of minors.

- a. **Location:** San José Criminal Court.
- b. **Facts:** The Ministry of Public Security, through the Child Prostitution Section, official letter 214-00 of November 21, 2000, brings to the attention of the Prosecutor's Office for Sexual Crimes and Domestic Violence, the steps taken in relation to an information provided two months earlier by a police officer of the Third Police Station.

The information was that: "in a residence, located in the Province of San José, a man of North American appearance was constantly visited by underage women, whom he apparently took erotic photographs of in exchange for small sums of money".

The informant police officer undertook to conduct his own surveillance because he did not receive a timely response (he said that the events had been occurring for 6 months), and observed that

how the subject of North American appearance frequently took out boxes, and that it was common to observe the presence of minors in his house. Faced with this situation, the police officer opted to talk to him, without finding anything anomalous in the house, and that after this, the subject left and changed residence. It is assumed that he guessed that he was being watched, and that he immediately changed his residence.

- c. **Result:** In view of this report, the Prosecutor's Office of Sexual Crimes and Domestic Violence, on January 15, 2001, requested the dismissal of the complaint for not having been able to determine the existence of the criminal conduct denounced. The Criminal Court of the I Judicial Circuit of San José granted this request and dismissed the complaint because there was no basis to proceed with the complaint.

- d. **Observations:** As indicated by the Coordinator of the Sexual Crimes and Domestic Violence Prosecutor's Office, most cases that reach the trial stage have a high probability of being convicted, because there is sufficient evidence to sustain an accusation and achieve a conviction. Thus, it is difficult to find cases in which the Prosecutor's Office accuses and has not been convicted due to lack of typicity (because the facts do not constitute a crime), or because there is no incriminating evidence linking the accused person to the criminal acts.

This case is one of those that demonstrate the impossibility of filing a criminal complaint due to the lack of elements to attribute to a person the responsibility for acts that constitute a crime. Indeed, there is no information on the name of the suspect, nor is there any information provided by the underage women who frequented the suspect's house, and what is more serious, the actions of the police are inopportune and counterproductive. It is obvious that when the police arrived at the suspect's house to inquire about his activity, they put him on notice and logically if there was a criminal activity -as indeed it seems that there was- the suspect would change his address, as he did after the police intervention.

It is clear that one of the indications that the police must receive in matters of sexual exploitation is the expertise in gathering information and evidence, on the basis that in this field, there are great evidentiary difficulties, and that a coordinated intervention with specialized bodies (police and judicial) is necessary in order to successfully conclude the investigation.

It should also be noted that the police were slow to intervene in response to the information, because the facts were made known six months before the Child Prostitution Section of the Ministry of Public Security took action on the matter. It should be taken into account that in this matter, the intervention has to be immediate, because there are movements on the part of the sexual exploiters that make it difficult to locate them and collect evidence and proof.

In relation to the judicial treatment, it is noteworthy that the Prosecutor's Office considers "minors" as victims-offended, while the Criminal Court points out that the offended party is "the good customs". Technically, it is considered a conduct against good morals. It is considered that the assessment of the Prosecutor's Office is correct, inasmuch as the crimes of sexual exploitation have minors as victims, and therefore, the legal-political construction and legitimization does not lie in the protection of good manners, but in the protection of the human rights of minors.

Second Case:

Aggravated pimping to the detriment of minors.

- a. **Location:** Criminal Court of the I Judicial Circuit of San José.
- b. **Facts:** An informant (private individual) calls on September 21, 2001 to the complaints office of the Judicial Investigation Organism (OIJ) to express her interest in providing information on commercial sexual exploitation of minors. That same day, the Prosecutor's Office for Sexual Crimes and Domestic Violence asked the OIJ to assign an investigator to interview the informant as soon as possible.

The Sexual Crimes, Family and against Life Section of the OIJ, issued its report on October 24, 2000, where _____ was identified as a suspect for the crime of pimping. The report mentions that the prostitution business only handles "small size" (girls from twelve to fifteen years of age).

Even when the suspect's address was located, the OIJ officers did not opt for stationary surveillance, because the house is located in a residential area, where they could be easily detected. "It was decided not to rely on this course of investigation since it endangers the good development and reliability of the investigation, so it was decided to use other means to determine the criminal activity of the investigated person.

According to what the informant was able to determine, this business was managed via telephone, so she phoned the suspect and requested the sexual services of at least two minors for a Costa Rican subject living in the United States.

The judicial police indicate that for this operation, they have two important resources: the support of CANATUR personnel, who would provide the hotel, and the support of CASA ALIANZA, who would provide the money for the marking of banknotes. In addition, the judge orders, at the request of the Prosecutor's Office, and prior to the raid, the search and seizure, identification and marking of banknotes, and the appointment of a public defender to attend the operation on behalf of the suspect. Audio and video equipment is available for filming the operation.

The operation was carried out on the scheduled day, and the suspect was arrested in *flagrante delicto*, when she arrived at the hotel room accompanied by two women aged 18 and 19, and an underage woman, aged 15, and offered them to the client to choose, in exchange for 160 dollars from the client (undercover agent) to have sexual relations with the underage woman. The accused was remanded in custody and charged with the crime of aggravated pimping, punishable under article 170 of the Penal Code with a prison sentence of 4 to 10 years.

The evidence was collected and included the statement of the minor victim and of the adults who accompanied the defendant at the time of the transaction, who confirmed that the defendant contacted them for prostitution, and left part of the money she charged for the sexual services, in addition to promoting the minor for this fact, and charged more money because she was a minor.

- c. **Result:** At the preliminary hearing, no agreement was reached between the prosecution and the defendant regarding the amount of the sentence, so that the latter could agree to an abbreviated sentence, which is why the process continued and the trial stage was reached.

However, prior to the trial, the defendant's private defense attorney requested the alternative measure of an abbreviated trial, accepting the amount of the sentence requested by the prosecution, which is four years and six months of imprisonment.

Thus, the Trial Court of the First Judicial Circuit of San José passed sentence by resolution No. 498-01 of 4:00 p.m. on May 2, 2001, determining the criminal responsibility of the accused for the crime of aggravated pimping, to the detriment of good ~~acts~~ and sentenced her to four years and six months of imprisonment.

- d. **Observations:** This is a case where an excellent, and timely intervention was made by both the Prosecutor's Office and the Sexual, Family and Anti-Life Crimes Section of the O.I.J., who also coordinated with the National Chamber of Tourism and the non-governmental organization, CASA ALIANZA, to achieve the success of the operation.

The judicial agents' expertise in the preparation of the intervention strategy was observed, in order to collect sufficient evidence to prove the crime and establish the responsibility of the defendant.

During the process, the Prosecutor's Office for Sexual Crimes and Domestic Violence notifies PANI of the complaint for the purposes of

to have them as a party to the proceedings, and to appear, in accordance with article 111 of the Code on Children and Adolescents.

Adolescence.⁴ However, the Patronato Nacional de la Infancia did not appear in these proceedings, and there is no record in the court file that it has made any intervention to protect the rights of the minor victims.

In addition, the conviction does not contain citations and references to international conventions related to the matter (specifically to the Convention on the Rights of the Child, which has an express norm on this problem), nor does it cite national legislation on children and adolescents (the Code of Children and Adolescents).

Then, the trial court judge who issues the sentence, at the time of making his assessment of the evidence, legal reasoning, legal qualification and penalty, points out :

" in view of the seriousness of the act of profiting with sexual activity using minors, contributing to their prostitution, damages the values of good social customs and brings the country into disrepute when this situation is known at the international level. "

With this assessment, the judge resorts to abstract and relative values such as the concept of good customs, which do not necessarily reflect the postulates of the doctrine of integral protection. Therefore, it is not by chance that the grounds of the sentence omit to refer to the minor as a victim of the crime of aggravated pimping, because she is not yet seen as such.

4 ... This article states: "Article 111. Representation of the National Children's Trust. In judicial and administrative proceedings in which the interest of a minor is involved, the National Child Welfare Agency shall represent the interests of the minor when his interests are in conflict with those of those exercising parental authority. In all other cases, the Patronato shall participate as an intervener."

Chapter Two:

Governmental interest: plans, programs and actions to combat Commercial Sexual Exploitation

2.1. The National Commission against Commercial Sexual Exploitation (CONACOES)

In 1997, the National Commission against the Sexual Exploitation of Children and Adolescents (CONACOES) was officially created, mainly as an initiative of the non-governmental organizations that attended the First World Congress against Commercial Sexual Exploitation and whose efforts were later supported by public institutions and, within them, specifically by the National Child Welfare Agency (Patronato Nacional de la Infancia).

CONACOES has undergone several restructurings since its creation. It was initially coordinated by PANI, then by the Ministry of Labor, and later as a body attached to the National Council for Children. Representatives of ministries, institutes and state agencies, non-governmental organizations, and observer organizations such as ILO/IPEC, UNICEF and the Ombudsman's Office participated in it.

The main achievements of CONACOES have been:

- The formulation of a framework plan of action.
- The drafting and promotion of legal reform, leading to the creation of the law against the commercial sexual exploitation of minors.
- The creation of a permanent space for discussion and reflection on the problem.
- The development and dissemination of information materials on the problem.

In turn, the main problems of this instance were:

Lack of budget for the promotion and implementation of comprehensive action programs.

Disarticulation

of the response of state

organizations.

Lack of a national plan for the eradication of the commercial sexual exploitation⁵.

Currently, transformations are taking place in the state response, and under the leadership of the Ministry of the Presidency a new front has been formed, again under the executive direction of the Patronato Nacional de la Infancia. A presidential advisor was appointed to direct and coordinate national policies and institutional guidelines with respect to the commercial sexual exploitation of minors. In response to this initiative, most of the non-governmental organizations resigned their participation in CONACOES and it became an advisory group on commercial sexual exploitation.

2.2 Prevention of the problem

In order for a preventive policy on commercial sexual exploitation of children and adolescents to be effective, it requires intersectoral work at the national level and international efforts. Both directed towards the two aspects of the problem: the vulnerability factors of sociocultural, economic and individual order, as well as the factors that promote the existence of exploiters, pimps, intermediaries and abusers who trade and benefit from this nefarious violation of rights.

This process of combating commercial sexual exploitation has allowed us to understand the need to implement universal policies, aimed at the structural causes of the problem, a fair distribution of wealth is required, as well as social investment to ensure the economic and social development of the entire population, especially those strata with greater difficulties in terms of resources and access to services, and therefore, more vulnerable to the sex trade.

With respect to the above, the last Household Survey (2001) estimated that in Costa Rica there is a total of 156,478 poor households, this total includes families that do not meet basic needs and households in extreme poverty. These data show the lack of effectiveness of universal policies to combat poverty, which is one of the structural causes of the violation of the rights of minors.

5 ... After this research was carried out, the National Plan Against the Commercial Sexual Exploitation of Children was created.

The effort to implement the National System of Integral Protection, with its responsibilities at the local levels through the Guardianship Committees and the Protection Boards established by PANI, is an initiative that can be seen as a preventive option against the problems of rights violations and particularly against commercial sexual exploitation, since it could become a social and political platform to give it greater relevance and therefore resources for its consolidation as a priority issue on the public agenda (Sorensen, 2001).

On the other hand, the strengthening of the instances of the National System of Integral Protection will create the necessary structure to put into practice local monitoring processes for children and adolescents at risk, and therefore the early detection systems may become an effective option, which will not be the exclusive competence of the State but also of community instances such as the Protection Boards, strengthening the social response to the problem.

However, it is still necessary to regulate the State's response, since programmatic guidelines and strategic plans are required, with the respective indicators of success as well as goals and evaluation mechanisms, in addition to assigning specific responsibilities to each instance, and therefore to the public officials involved in the problem, since, as has been reiterated, it is the State that is responsible for the protection and restitution of the rights of child and adolescent victims.

As evidence of the weaknesses in inter-institutional coordination and in the definition of specific responsibilities, there are risk indicators for commercial sexual exploitation that are not being addressed; for example, in 1998, 25% of births were to adolescent mothers (UNICEF, 2000). In addition, there is evidence that the younger the age of the pregnancy, the greater the risk of sexual abuse, and according to studies on the problem, there is a strong link between sexual abuse and commercial sexual exploitation (Claramunt, 1998). Therefore, the health system would be a strategic space for the detection of situations of sexual violence and commercial sexual exploitation. Unfortunately, the Costa Rican Social Security Fund has not yet developed protocols for the detection of sexual violence and commercial sexual exploitation.

detection of girls and adolescents in commercial sexual exploitation (UNICEF, 2000).

The educational system also lacks detection mechanisms, as well as follow-up systems in cases of desertion or "expulsion" from the system. Research has also provided references to the permanence of girls within the system who are simultaneously involved in commercial sexual exploitation (Fernández, 2000) and expulsion from the system (Claramunt, 1998).

Despite the fact that the country lacks a universal policy against commercial sexual exploitation of minors, which includes prevention as a fundamental axis, the efforts to articulate an organized defense of the rights of minors, in all its different areas, constitutes one of the strong strategies to avoid commercial sexual exploitation, since "if rights were efficiently enforced from the time children are born, the risks of commercial sexual exploitation would be reduced practically in their entirety" (Sorensen, 2001).

2.3 Attention to victims: protection and restoration of rights

With the establishment of international covenants, specifically the Convention on the Rights of the Child (1990) and ILO Convention 182, and specifically, according to the Code of Childhood and Adolescence (1998), the protection of children is a duty and social responsibility, however, the effectiveness of its compliance falls on the State.

In conceptual terms, there are two important principles that should be taken into account when developing and implementing care actions for victims of commercial sexual exploitation: protection and restoration of rights. The first can be defined as a mechanism that, in accordance with the principle of universality, should guarantee the fulfillment of all rights to all minors, regardless of age, gender or nationality (UNICEF, 1999; Claramunt, Frea, Larumbe and Sorensen, 2001) and the restoration refers to the mechanisms for the recovery of rights and guarantees lost in situations of violation or omission of these rights.

Both principles are intertwined with the principle of enforceability, as an individual and social option, to demand that the State make effective both the protection and restitution of rights.

Although the Costa Rican State has defined among its priorities the attention to the most severe manifestations of rights violations, and although there is a legal regulation based on this approach, it is very difficult to translate it into actions. Actions that should contemplate, from a human rights approach:

Mechanisms for early detection of situations of commercial sexual exploitation.

Comprehensive protection against commercial sexual exploitation and the restoration of the entire system of rights.

The reduction of the consequences of commercial sexual exploitation.

Mechanisms for monitoring and evaluation of protection and consequence reduction actions" (Claramunt, Freañ, Larumbe and Sorensen, 2001).

Actions must also be developed under the principle of integrality, i.e., no right should be opposed to another and it is the State's obligation to ensure that all rights are complied with.

The work of the Costa Rican State in the area of childhood and adolescence is structured on the basis of current legal regulations, which implies that the care policies undertaken by governmental institutions must be the responsibility of the National Protection System.

Thus, the National Council for Children and Adolescents, attached to the Executive Branch and composed of representatives of state ministries, autonomous institutions and civil society, has the primary function of ensuring effective compliance with the rights of children and adolescents, as well as ensuring that state policies are consistent with the policy of comprehensive protection of persons under 18 years of age.

One of the Council's first actions was to draw up a National Agenda for Children and Adolescents, with a projection for the decade 2000-2010. The Agenda establishes priority issues of interest, including "**guaranteeing the restitution of the rights** of children and adolescents in difficult situations". Commercial sexual exploitation is considered within this classification.

The proposed long-term goals, in relation to commercial sexual exploitation are:

Eradicate... the **commercial sexual exploitation** of children and adolescents in our country.

Strengthen preventive measures, especially in terms of access, permanence and relevance of the educational system at the primary and secondary levels, as well as the health and psychosocial protection system to identify early risk situations that lead to these problems.

Guarantee monitoring and attention to situations of... commercial sexual exploitation through the establishment and development of an inter-institutional information system" (emphasis in bold is ours).

The Council creates the organizational structure for the fulfillment of the rights of children and adolescents; however, the process of creating this structure has been slow and ineffective.

In the area of commercial sexual exploitation, the national and, therefore, local response has not been coordinated; the actions proposed in the Agenda lack specific guidelines to ensure compliance. In addition, there is poor planning and a lack of organization of the responsibilities and functions that correspond to the agencies that make up the CNNA, as well as to the Protection Boards and the Guardianship Committees.

In turn, and in accordance with the National Code for Children and Adolescents, the governing institution for children is the National Children's Trust. According to the organic law of this

(1997), its primary purpose is to protect minors and their families in a special and comprehensive manner, as a natural element and pillar of society, in the same terms established in the Political Constitution.

Within the specific purposes of the institution, the law contains specific provisions on prostitution, in the following terms:

"To plan, execute and supervise prevention programs jointly with the respective institutions, with the purpose of eradicating, in minors, all forms of delinquency, prostitution, mistreatment, sexual abuse, drug addiction, alcoholism, abandonment or others that harm their integrity."

PANI, being a body with constitutional rank, has greater guarantees in budgetary matters. Its organic law establishes the sources of financing, which are, among others:

7% of the income tax collected in the fiscal year.

4% minimum of the Social Development and Family Allowances Fund

30% of the proceeds from fines for traffic law infractions.

Although this institution has by law sufficient resources to promote projects for children and adolescents, and specifically for the prevention of commercial sexual exploitation of children and adolescents, and for their care as direct victims of this problem, in recent years there have been reports of budgetary limitations due to the partial disbursement of these percentages by the Ministry of Finance, which prevent society in general from having sufficient resources to guarantee the exercise of the rights of all children and adolescents.

In the specific case of commercial sexual exploitation of minors, the Patronato Nacional de la Infancia,

as the national institution in charge of children and adolescents, has the constitutional mandate to ensure compliance with the right to protection and restoration of the rights of these children and adolescents in the face of sex trade networks. However, this work has lacked the specificity required to provide an effective response to situations of violation of rights, therefore the institutional work has been ineffective.

Thus, there is a lack of a comprehensive model of care for victims that includes not only detection mechanisms, but also and fundamentally, the guidelines through which the institution regulates the mechanisms of effective protection and restoration of violated rights in relation to the situation of vulnerability to commercial sexual exploitation. Likewise, there is a lack of a monitoring and follow-up system for the actions undertaken to verify their effectiveness in terms of comprehensive protection.

With respect to the purchase of care services from NGOs, PANI is in charge of evaluating the quality of the service they provide, in terms of physical space and food and medical services, but not with respect to the restitution of rights, because the absence of a model of care makes these instances that provide services become places of passage, since according to data from a journalistic investigation, 43% of the population that attends the Salvation Army's shelter for women, stays from 1 to 5 days (La Nación, June 2001). A very serious evidence of the ineffectiveness of the state protection measures are the girls, murdered and mutilated during 2001, who attended several protection alternatives on several occasions.

The experiences developed or coordinated by the Patronato Nacional de la Infancia, in terms of care for victims of commercial sexual exploitation, show the ineffectiveness of isolated responses that do not take into account the family context (violence, incest, extreme poverty, among others), or that do not offer viable and attractive economic support alternatives for girls and boys. The latter deserves special attention when it is known that a significant percentage of adolescents are already mothers of one or more children.

The absence of mechanisms for the protection and restoration of rights in the models of care that combat the sexual exploitation of minors could imply that "the State indirectly becomes a subsidiary of sexual exploitation, since it would be improving the quality of life of girls, boys or adolescents enslaved in the sex trade without stopping the violence" (Claramunt, Freañ, Larumbe and Sorensen, 2001).

Therefore, it is possible to point out that one of the most important lessons learned is the need to develop and implement a model of care that contemplates first-order intervention, whose fundamental objective is the mobilization of external resources to provide comprehensive protection to the victim, which includes an immediate action plan to reduce the risks of girls and boys being caught again by the sex trade networks (Claramunt, 1999).

In contrast, the actions carried out by PANI, with respect to the detection and admission to state protection alternatives, are significantly distant from the requirements indicated for the protection and restitution of the rights of minors.

An example of this is the nighttime operations developed by PANI in San José since February 2000, in coordination with the Ministry of Public Security, to detect and intervene in situations of commercial sexual exploitation of minors. These actions lack specific objectives and are carried out in a repressive, arbitrary and revictimizing manner (Report of the Ombudsman's Office, 2001).

Another public (but not state) institution related to the problem is the Casa Hogar Tía Tere, which provides shelter and specialized care to girls and young women with experiences of commercial sexual exploitation. This institution was created by law (7817). This institution is organizationally independent from the Patronato Nacional de la Infancia, but it must coordinate with it the admission, care and discharge of the young girls who are cared for there.

The Casa Hogar Tía Tere operates in the District of Roxana, Canton of Pocococí, Province of Limón; but it accommodates young people from all areas of the country, as it is the only alternative for the care of young people.

The long-term program for the population of victims of commercial sexual exploitation in Costa Rica deserves special attention. Special attention should be given to the inclusion of primary and secondary education programs within the institution, as well as a future technical training project through workshops of the National Learning Institute (INA), which will be directed both to the girls in the shelter and to the community population.

A program specifically aimed at combating commercial sexual exploitation, which is still under construction, is called "Change is in your hands". It is an initiative that combines several axes: a strategy for raising funds from tourists, combating sex tourism, a program to care for victims and a plan to prevent social intolerance of the problem. The program is coordinated by the National Women's Institute and the United Nations Children's Fund (UNICEF), the National Children's Trust and the Costa Rican Tourism Institute participate together with the Institute within the coordination unit.

The response of civil society: the struggle of non-governmental organizations in the defense of the human rights of children and adolescents

In Costa Rica, the belligerent struggle of civil society in the defense of human rights, especially with regard to children and adolescents, has gained strength since the last decade of the last century. Thus, the main antecedents of the fight against child sexual exploitation can be traced back to the efforts of non-governmental organizations, such as PROCAL and PANIAMOR, which in the early 1990s launched public campaigns to visualize and recognize the terrible manifestations of sexual violence that children in this country were experiencing.

Currently, non-governmental organizations continue to play a leading role in the defense of children in situations of rights violations, and thus the implementation of alternatives for the protection of children and adolescents is in the hands of non-governmental organizations. PANI purchases care services from NGOs through agreements and in the metropolitan area, the NGO Salvation Army is the one that offers immediate care programs that include a dining room, a dormitory and two temporary shelters⁶. CASA ALIANZA's regional office for Central America is located in Costa Rica. This organization carries out pioneering work in the area of enforcing compliance with the rights of children and adolescents. It also works in the reception of complaints about the problem and collaborates with the investigation of sex tourism through the Internet. Finally, it should be noted that there are many non-governmental organizations that work in defense of the rights of children and adolescents, and that contribute to the fight against commercial sexual exploitation of children and adolescents through their presence in the National Commission against Sexual Exploitation.

6 ... *As of the date of the last revision of the document, these programs were closed.*

IV PART

The local context

Chapter One:

Institutional and Civil Sector Response to Commercial Sexual Exploitation - Limón Province

Chapter Two:

Institutional and Civil Sector Response to Commercial Sexual Exploitation - Cantón de Desamparados

The local context

In order to characterize the problem and the local response to Commercial Sexual Exploitation, the following two localities were chosen to characterize the problem and the response to it. They are: the central canton of the Province of Limón and the canton of Desamparados in the Province of San José, capital of Costa Rica.

a. Province of Limón

The province of Limón is located in the eastern coastal region of the country, bordering the Caribbean Sea and also shares borders with Panama and Nicaragua. Administratively, it has six cantons: Pococí, Siquirres, Talamanca, Matina, Guácimo and Limón, the latter as the central canton. This is where the local government and institutional representations are located. The criteria for their selection were:

Existence and recognition of the problem of Commercial Sexual Exploitation in the province of Limón, according to previous studies, local newspaper reports and programs aimed at victims.

Zone characterized by significant internal and external migration due to its border areas, large-scale agricultural activities (banana cultivation), port activity (it is one of the two major ports in the country for export and import and cruise ship docking) and for having one of the main state-owned companies (oil refinery).

Zone with tourist destinations of international attraction (beaches, national parks).

Area with one of the highest rates of extreme poverty

Zone recognized for its geographic vulnerability to drug trafficking.

Province with the highest rate of homicides and femicides

It shares with other border areas the problems related to illegal migration.

b. Province of San José, Canton of Desamparados.

It is located in the Central Valley of Costa Rica and is home to the country's capital. Along with other areas of the Valley, it is the most populated area and concentrates similar problems to other Central American and Latin American capitals. Administratively, it has 20 highly populated cantons. Among them is Desamparados. The latter is selected for:

Being a canton in the Central Province of Costa Rica, which allows us to visualize the implementation of ~~non~~ policies in a place within a short distance of their definition.

It represents one of the most populated cantons in the country

It presents problems related to extreme urban poverty.

Problems related to domestic violence, internal and external immigration and other social problems are recognized in the community.

Chapter One:

Institutional and Civil Sector Response to Commercial Sexual Exploitation - Limón Province

1. The context of risk for commercial sexual exploitation in Limon

According to projections by the General Directorate of Statistics and Census (Delgado, 2000), the population of the Huetar Atlántica Region is 278,769 inhabitants, which corresponds to 8.5% of the country's total population. Of this population, Lindo (1995) cites statistical data from the 1993 Comprehensive Adolescent Care Clinic, which indicates that the province of Limón has 18,000 adolescents, about 16% of the total population.

In this province there are great intra-regional differences in terms of natural resources, types of colonization, ethnicity, population, and productive structure. The first formal settlements were established in 1870 with the construction of the railroad to the Central Plateau and the development of banana cultivation, as well as an increase in international migration with the arrival of groups of Italians, Chinese and especially blacks from Jamaica; this caused a considerable increase in the number of immigrants in Costa Rica. This increase has become socially visible, as urban expansion has taken place without any planning in areas less suitable for housing use, giving rise to a city without land use planning and without optimal sanitary infrastructure, with great needs to improve the environment (Diagnóstico - Plan de Desarrollo Región Huetar - Atlántica 1999-2004-2009, cited by Delgado, 2000).

1.1 Social vulnerability factors

In this province there are particular situations of vulnerability at the macro-social level, which directly affect the

individual vulnerability to situations of commercial sexual exploitation of minors.

Limón does not escape the Latin American phenomenon of inequality between population/income distribution (Delgado, 2000). The population represents 8.5% of the national population with an unemployment rate of 7.2% and an active population of 65.57%. A comparison of national figures with those of the locality shows that the country's population is represented by 640,634 households, 25% are classified as extremely poor, women are the sole providers, 31.4%, and 25.5% of these households do not meet basic needs. In Limón, 26% of households are considered poor, 31% are in extreme poverty and 69% are unable to meet survival needs. These figures show the province's disadvantage at the national level.

Although most public sector representatives are located in Limón, both ministerial and autonomous institutions, and development plans have been prepared since 1970, the objectives of all actors have not been harmonized to date, with the following limitations: duplication of functions, differences in the importance of regional planning, concentration of strategic decisions and organizational structures, poor management of budgetary decisions, and historical concentration of regional efforts on a few institutions (Delgado, 2000).

The province's productive activity is concentrated in agriculture and ports. Currently, however, the province is undergoing a severe economic crisis centered on banana production (Barquero, 2001). Various studies indicate that wages do not meet basic needs, and many laborers work more than 12 hours a day, are not paid for holidays, and do not have the protection of the Costa Rican Social Security Fund or the National Insurance Institute.

In terms of women's access to productive activities, 25.8% of women participate in productive activities, with a 74.2% difference in favor of men. Open unemployment among women is 4.9% compared to men in Costa Rica and 12.2% in Limón, which is 7.3% higher than the national average (Delgado, 2000).

At the same time, the port activity carried out by stevedores or muelleros faces a social crisis due to the Port Modernization Program promoted by JAPDEVA, since the current bidding process allows the appointment and participation of several stevedores in the loading and unloading work at the Limón docks, with contracts below basic wages.

Limón is a province with a rich Afro-Caribbean, indigenous, and mestizo ethnic composition and has become a major tourist attraction in the coastal zone. In 2001, 100 ships and 90,000 tourists (Oconitrillo, 2001) are expected to arrive on cruise ships for pleasure trips. The tourist promotion of the area has a sexual overtone; it "sells" the idea of a sexual paradise, where there are myths about the sexuality of the local people, both men and women (Bermúdez, 2001).

The presence of high rates of domestic violence in the area is a risk factor for the sexual victimization of girls and adolescents in the home, which in turn is closely related to commercial sexual exploitation.

Local data on Domestic Violence (VIF) indicate that in the Family Court of Limón, 90% of the complaints for VIF are committed against women and the remaining 10% against children and the elderly. Approximately 70% for psychological aggressions and 30% for physical aggressions are perpetrated by the partner (Delgado, 2000).

In Limón, the Caja Costarricense de Seguro Social centralizes attention to domestic violence in the Social Work office, through referrals from officials of the institutional network against domestic violence and through detection by nurses and occasionally by physicians of the Comprehensive Health Care Teams (16 EBAIS in total).

In the Judicial Police sector, the Family Court has two instances of attention, one for the processing of complaints and request for protection measures and another specialized in Social Work, however, it does not have a specific instance to attend to cases of FIV. The main limitations of the work of this sector are the saturation of work, having to prioritize "serious cases", the shortage of personnel and the absence of registration protocols (Delgado, 2000).

the Central canton of Limón there is a Women's Office, whose main purpose is to intervene in violence against women, based on gender. Among its main services are: containment, crisis care, accompaniment in legal proceedings, support in individual and group strengthening processes. However, despite the high demand for services, only one professional psychologist works there.

2. Characterization of the problem of sexual exploitation in Limón

2.1 Background: What is known about the problem in Limón

In order to provide an approach to the problem, it is necessary to point out two studies conducted in the region of Sixaola, whose data provide information on the dynamics of commercial sexual exploitation in the local context of Limón.

Both works were carried out with the purpose of making a diagnosis of the problem due to the high demand for health services for sexually transmitted infections in minors, as well as the direct denunciation of the head of the Sixaola Police Force of the existence of commercial sexual exploitation in the area.

The results of the investigation indicate that in Sixaola there is a "large market" for commercial sexual exploitation, with a strong presence of minors. Key informants in the community also point out that the scarce border controls make it possible to smuggle illicit substances, consumer goods and even human trafficking directed by criminal networks. They identified as beneficiaries of the underage sex trade the pimps and intermediaries, such as owners of bars, cabins or hotels, shopkeepers, cab drivers, "pimps"⁷ and "bosses" of gangs or youth gangs.

7... A name known in Costa Rica to identify those who live partially or totally on money obtained by a sex worker, generally with whom a sexual or affective bond is maintained.

The dynamics of commercial sexual exploitation of children and adolescents in the area are consistent with previous national studies (Claramunt, 1998; Fernandez, 2000). It was found that vulnerability to commercial sexual exploitation is based on a family with high rates of conjugal violence against the mother and personal experiences of physical, psychological and sexual abuse, as well as situations of extreme poverty, which lead to runaways and revictimization by other figures who force or push children into the sex trade.

Other risks faced by children and adolescents include theft, smuggling, trafficking in prohibited substances, alcohol, tobacco, rape, physical and psychological abuse, and police detention and abuse.

In summary, some of the characteristics of the victims of sexual exploitation in this community are: they have only completed primary school; they come mostly from large families, composed of between 6 and 8 members and with high rates of violence; most of them have run away due to abuse, violence and alcoholism, mainly of the father figure. The victims were trapped by commercial sexual exploitation networks when they were between 11 and 15 years old and denial and minimization of sexual violence were detected as survival strategies. One of the most significant data is that most of those who participated in the study indicate that their situation is known by at least one family member, as well as by the community.

2.2 Characterization of Commercial Sexual Exploitation dynamics

2.2.1 Perception of community leaders and public officials on children's issues

Most of the people interviewed, including officials of public and private organizations that serve children and adolescents, religious leaders and community organizations, agreed that the commercial sexual exploitation of minors is a survival strategy for families, given the precarious socio-economic situation and the unemployment problem in the province of Limón.

It is also considered that sexual, physical and emotional abuse in the homes of origin is a driving factor for commercial sexual exploitation. In this way, both runaways from home and the permanence of the minor in the street are due to situations of domestic violence.

Another factor identified, on which there is considerable consensus, is the impossibility of the education sector to keep girls and adolescents in the formal education system, where the precarious socioeconomic situation of the family plays an important role in explaining school dropout.

The situations of commercial sexual exploitation, mostly identified by the community, involve adolescent victims between the ages of 12 and 18. They are constantly seen on the streets and in public nightlife venues. The illicit and therefore covert nature of the sex trade could explain the scarce identification of girls and boys under 12 years of age, since the networks of exploiters keep this population in places with more restricted access.

According to officials working directly with victims, girls and adolescents in commercial sexual exploitation establish relationships with adult men, where the violence of the family of origin is reproduced. However, it is noted that the victims interpret this as part of an attempt to receive support and security.

The main consequences of commercial sexual exploitation detected in those who participated in the study can be grouped into two levels:

- a. Individual level: school dropout, drug use and abuse, emotional consequences such as devaluation, guilt and frequent sadness; exposure to situations of violence, beatings, rape by client-exploiters, STIs and HIV-AIDS, unwanted pregnancies.
- b. Community level: the presence of sexual exploiters and traders and organized networks linked to other illegal activities, legitimacy of commercial sexual exploitation as a licit activity.

2.2.2 Commercial sex exploiters

The peak tourist season in Limón, due to the arrival of international cruise ships, is between October and May. According to key informants in the community, these months represent a time of greater risk for commercial sexual exploitation, due to the image of the area as a place for sex tourism and the presence of pimps and intermediaries who contact tourist-sex exploiters with minors. The rest of the time, it is noted, the problem is much less.

According to the observation of places linked to the sex trade and according to interviews with informants in the area, the situation of minors in sexual exploitation can be characterized as follows:

- a. **Independent:** Corresponds to girls and boys who are contacted by exploiters in the streets or places recognized as linked to the sex trade (bars, dance halls, among others). These are the most visible situations of commercial sexual exploitation.
- b. **Networks:** According to the Limón sex crimes prosecutor's office, there is no concrete evidence of the existence of a pimping network in the province (Quirós, 2001). However, various sectors of the community agree that they are in the process of consolidation, as evidenced by the information that refers to various groups that trade in minors. Several examples were cited, among them, a network that operates in Batán and works by transporting girls and adolescent women to various cantons of Limón; there are also indications of the existence of a network that operates in San José with girls and adolescents from Guácimo, who are taken to the capital to meet their exploiters and later returned to their community. Another important finding, due to the consensus among community leaders and officials working directly with the adolescent population at social risk, is the link between sexual exploitation and drug trafficking in the area. In this way, the networks recognized around the

According to local perceptions, the problem is very palpable in the area; they are minors both for drug trafficking and for the sex trade. This situation is identified as the main difficulty in approaching the victims, since they say they are threatened by these networks, not because of sexual victimization but because of the illicit nature of the substance trade.

- c. **Pimps:** The third type corresponds to the sex trade that takes place mainly in homes and other clandestine closed places. It is considered that victims of this type in Limón have the most serious consequences because of the parallels with other situations of slavery. Thus, minors are held on site and the offenders are taken to the site. In most cases there is no financial remuneration, but they are provided with food and drugs. Since they are constantly supplied with drugs, even without sexual contact, the victims become "indebted" to the pimp until they become sex slaves, as a way of paying off the debt, which, far from decreasing, increases, thus ensuring their permanence in these places. In this type, unlike the others, the presence of women is identified, benefiting from the sex trade with children and adolescents.

2.3 Institutional statistics on the problem

The province does not have data that provide statistical information on the problem. One of the reasons for this may be related to the registration of complaints. For example, the information provided by the prosecutor in charge of sexual crimes indicates that no complaints have been received regarding commercial sexual exploitation of minors (Quirós, 2001). However, the director of the local office of the Patronato Nacional de la Infancia (PANI) claims to have filed complaints on several occasions. On the other hand, members of the community report having filed complaints with PANI without effective action being taken.

PANI reports having referred 15 minors to Casa Hogar Tía Tere in Guápiles in the past, but to date no new referrals have been made (Brown, 2001).

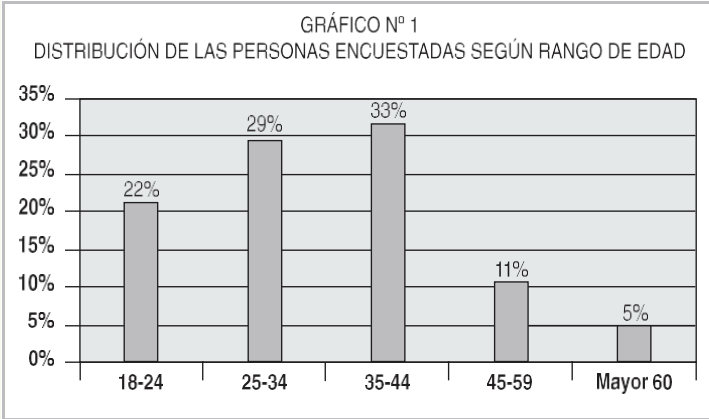
3. Institutions in charge of addressing the problem

The responsibility of the state in addressing the problem of commercial sexual exploitation is recognized, mainly PANI, the Judicial Investigation Agency and the Prosecutor's Office. However, for those who participated in the study, the responsibility for the care of victims falls on PANI as the lead institution for children and adolescents.

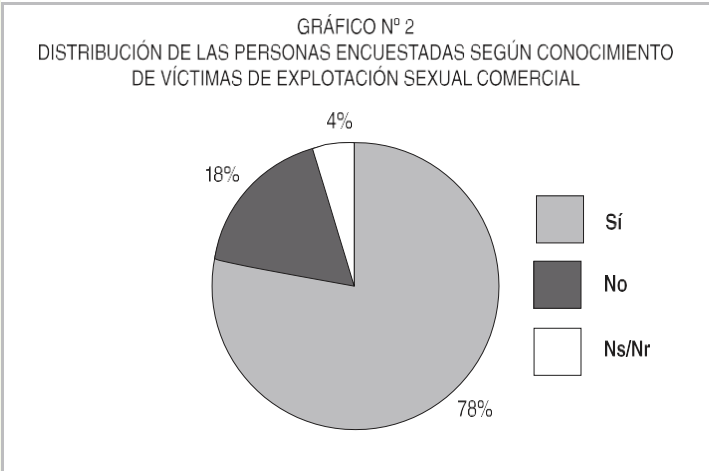
On the other hand, there is consensus on the social responsibility in combating the problem, as well as the recognition that it can only be confronted from an integral perspective, with coordinated actions among various agencies. Some officials pointed out the collaboration of non-governmental organizations such as Casa Alianza and ILPES in specific situations.

4. Community perception of the problem

An opinion survey on the problem of commercial sexual exploitation was conducted among 100 adults in the province of Limón, between May and June 2001, which included 49% of men and 51% of women.



Specifically in relation to the problem, it is noteworthy that a high percentage of people know and/or have seen people under 18 years of age who are victims of commercial sexual exploitation; identifying Limón as their place of origin. Additionally, 68% indicate that they know of places where commercial sexual exploitation takes place.



The reasons for the existence of the problem, according to the people surveyed, are presented in the following graph. Of these, poverty and domestic violence are the most frequently mentioned, which is consistent with the results of the study with key informants in the same province.

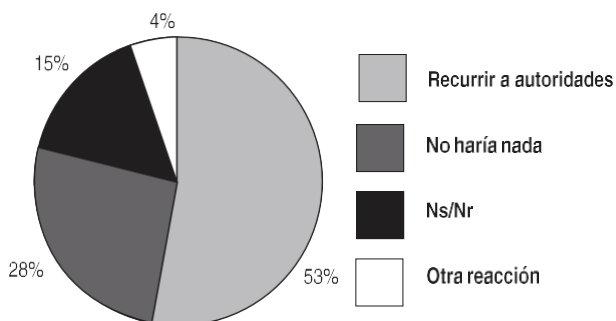
CUADRO N° 1
PRINCIPALES RAZONES DE LA EXISTENCIA DE EXPLOTACIÓN SEXUAL ,
SEGÚN PERSONAS ENCUESTADAS EN LIMÓN

	Sí	No	Ns/Nr
Pobreza	84%	8%	8%
	76%	9%	15%
Falta de eficiencia de las autoridades	66%	10%	24%
	63%	20%	17%
Malos ejemplos en la familia	61%	16%	23%
	60%	23%	17%
Demanda creada por los adultos	59%	19%	22%
	23%	45%	32%

Fuente: Encuestas de Opinión Limón, 2001, N = 100

Regarding actions to address the problem, 53% of those surveyed indicated that they would turn to the authorities to file a complaint; however, this data is contradictory if we take into account the high percentage of those who know victims of commercial sexual exploitation and the low number of complaints filed with the judiciary. Thus, only 2% stated that they had filed a complaint for this cause.

GRÁFICO N° 3
DISTRIBUCIÓN DE LAS PERSONAS ENCUESTADAS SEGÚN ACCIONES ANTE
SITUACIONES DE EXPLOTACIÓN SEXUAL COMERCIAL



Fuente: Encuestas de Opinión Limón, 2001, N = 100

From this graph, it could also be deduced, if one takes into consideration the lack of response or the fact of doing nothing (more than 40%), that there is a lack of collective responsibility to face the problem, as well as the existence of a certain social tolerance to the violation of the rights of minors.

With respect to client-exploiters, there is a position of disapproval among the majority of those surveyed. The most representative opinions indicate that they are men who take advantage of children and adolescents and, therefore, should go to jail or be punished.

5. Local response to the problem

Although attention to the problem and to the victims of commercial sexual exploitation of minors is mainly concentrated in the capital area, in the province of Limón there are institutions and organizations that intervene to structure the social response.

5.1 Government response

5.1.1 Police - Judicial Sector:

The most important findings in this sector can be summarized as follows:

The investigation by the Public Prosecutor's Office into the crime of aggravated pimping is very limited, which results in a high level of impunity for commercial sexual exploitation in the province. For example, in the community workshops, multiple places associated with this crime have been identified and are operating without major problems. The prosecutor's office points out that there are no complaints and therefore, there is no investigation and when operations have been carried out, they have not been effective.

The Prosecutor's Office has budgetary limitations to carry out investigations, lack of ~~with~~ technological resources, as well as lack of trained and available personnel.

The planning of actions from this sector will be carried out starting in October of this year, during the peak tourist season, in control operations for the central canton of Limón (Ruíz, 2001); however, the specifics of the actions to be carried out are not specified, nor are their objectives.

A commission for the Atlantic zone is in the process of being constituted with the objective of confronting the main problems of the region, where the commercial sexual exploitation of minors is recognized among them, along with homicides, assaults and logging. The commission will be composed of the attorney general, the head of the Judicial Investigation Agency, the head of operations of the Ninth Region, the director of the Ninth Region, the head of the Limón delegation and the head of legal support (Padilla, 2001).

Currently, the position of some judicial and police officials is revictimizing towards girls and adolescents in commercial sexual exploitation by placing them in the position of offenders, eliminating the focus of attention from the real perpetrators, the pimps and sex traders.

5.1.2 National Child Welfare Agency (PANI):

In the problem of commercial sexual exploitation, there is a serious lack of knowledge of legal procedures and confusion about institutional competence. According to the local PANI office, its work is limited by the lack of evidence to file complaints; however, the investigative work is the responsibility of the prosecutor's office and not of the Patronato. On the other hand, officials working in the institution report that they lack specific guidelines and directives for intervention in situations of commercial sexual exploitation.

The officials interviewed point out that the only specific plan of the institution in terms of commercial sexual exploitation is the one carried out for Sixaola. As a result of the investigations carried out, and therefore the recognition of the problem in the area, the PANI office was opened in Talamanca. One of the responsibilities of the office was to coordinate and

implementation of the Plan to Intervene and Combat Commercial Sexual Exploitation, created with the broad participation of governmental and non-governmental institutions and the contribution of various disciplines. However, the plan has not yet been implemented and the Office is dedicated to other functions.

5.1.3 Health Sector

The Costa Rican Social Security Fund (CCSS) lacks specific guidelines for both detection and intervention with children and adolescents suspected of commercial sexual exploitation. Despite the above, the CCSS representative in Limón states that complaints of sexual abuse and some of commercial sexual exploitation have been filed with the Judicial Investigation Agency or with the prosecutor on duty. Some doctors, however, have taken a personal interest in the problem and indicate that they are carrying out more comprehensive actions in the presence of indicators that make them suspect commercial sexual exploitation.

5.1.4 Education sector:

The professionals working in the Ministry of Education in the area are unaware of the existence of specific guidelines for detecting, attending to and processing referrals of children suspected of commercial sexual exploitation. According to the State of the Rights of the Child 2000 (UNICEF, 2001), the Ministry has not issued any guidelines on this issue, so it is a situation that is present not only in Limón but in the entire country. In spite of the above, professionals in the education sector, according to the Childhood and Adolescence Code, are obliged to report any reasonable suspicion of abuse.

An important limitation is the perception of the problem of commercial sexual exploitation by the professionals interviewed, which is revictimizing and blaming, as they tend to place the responsibility for the crime on the children.

5.1.5 Municipality of Limón

In the Central Canton of Limón, the local government, as a representative of the national government, has not been involved in the intervention of the problem. This is evidenced by the fact that there is no specific regulation of the licensing of places associated with commercial sexual exploitation, such as nightclubs, bars, discotheques. To date, there is no projected analysis or review of places associated with commercial sexual exploitation (Taylor, 2001).

5.2 Civil society organizations

Kukula, an organization that works with minors at social risk, has had to intervene directly in situations of commercial sexual exploitation. However, its actions have been greatly reduced in recent years due to a lack of resources. At present, they are basically working with a soccer team led by one of their staff members, and they basically work with boys.

6. Limitations of governmental and civil society responses to the problem

Lack of coordination among state institutions working in the province to address the problem.

Lack of a local plan to address the problem of commercial sexual exploitation that coordinates the specific actions of the various institutions.

Social tolerance of the problem due to lack of information, reporting and fear of reprisals by the networks of exploiters.

A limited governmental response has been found, except for the research conducted in Talamanca led by the Ministry of Health, headed by Dr. Bermudez, together with other state and private institutions.

There is no institutional project or program in the Central canton of Limón that specifically addresses children and adolescents in commercial sexual exploitation.

Lack of material and human resources in the Prosecutor's Office to carry out the investigation processes, as well as the absence of ex officio investigations in the face of such a visible problem. In addition, little effectiveness was found in operations and investigations, which leads to the elimination of evidence of the crime.

Chapter Two:

Institutional and Civil Sector Response to Commercial Sexual Exploitation - Cantón de Desamparados

1. The risk context for commercial sexual exploitation

Desamparados is the third canton of the province of San José; it was created in 1862. It is located south of the city of San José. The community has several public services such as banking, Red Cross, offices of the Public Ministry, police stations, PANI office, Family Court, office of the Ministry of Public Education, churches of different religious creeds and various non-governmental organizations.

It is currently the third most populous canton in the country, with a population of 194,690 inhabitants (99,196 women and 95,494 men), with 47,428 occupied housing units (INEEC, 2001). A large part of this population has emerged in the last twenty years with the appearance of a strong presence of urban populations, including a significant number of precarious and high-risk dwellings due to their infrastructure conditions, as well as their socioeconomic, geographic and psychosocial conditions. As of May 2000, according to the official records of the Municipality, 31 settlements or projects of these settlements have been established.

1.1 Social vulnerability factors

The population growth has increased abruptly according to the comparison between the national census data of 1984 and

2000, the population increased by 85,866 people (marking a growth of 93.4%, from 1984 to 2000); with which the rings of poverty and misery that are located mainly in precarious settlements and high-risk housing have thickened.

According to data from the Panorama of Nicaraguan Immigration in Costa Rica, "in these settlements, Nicaraguan families share with Costa Rican families a series of deficiencies in infrastructure and services. Normally, access roads are in poor condition, there is a lack of sewage and sewage disposal, there are problems with the provision of drinking water, schools and health centers are in inadequate buildings and with a capacity (in terms of infrastructure, furniture and human resources) that is less than the demand they serve" (Salazar, 2001, p.18).

The situation described above turns these settlements into economically, psychosocially, culturally and politically vulnerable populations, thus generating situations of social risk such as general delinquency, domestic violence, drug commerce and consumption, sexual abuse and commerce, among others. In this sense, the Family Court of the canton of Desamparados registered from January 2000 to July 18, 2001, 3432 cases of domestic violence complaints (an average of approximately 15 to 20 complaints per day). PANI offices, in the period from 1-01-2000 to 31-12-2000, also reported a large number of complaints (834) for various processes of violence committed against children.

The population is primarily engaged in the service economy, either within the canton or commuting to downtown San José or nearby for work purposes such as commerce, industry, sale of services, and others. On the other hand, in the rural zone, productive activities are concentrated in the cultivation and production of coffee, and in the production of lime and cement.

A significant part of the population works occasionally in jobs such as agricultural work, construction industry, domestic employment, occasional sales, etc. Others are underemployed, in informal jobs that are generally poorly paid, or are out of work altogether.

The analysis of the risk context indicates a high rate of vulnerability of children and adolescents in such a populous canton as Desamparados, especially in areas of high marginality such as Los Guidos, Torremolinos, La Paz, Dos Cercas, San Lorenzo and La Capri, where poverty, precariousness, unemployment and overcrowding are recognized as risk factors.

for commercial sexual exploitation. Other aspects detected are the link with the sale of and addiction to drugs, the lack of study opportunities and recreational options.

In these marginal neighborhoods, there are many children and adolescents who do not attend school. The administrative director of the Office of the Ministry of Public Education in the area reports that school dropout rates can be as high as 50%, which, together with the socioeconomic conditions in which they find themselves, makes them vulnerable to commercial sexual exploitation, drug addiction and delinquency in general; for example, there are reports of children being used to carry or sell drugs.

It is recognized that there are many "bunkers" (establishments such as illegal houses or businesses where legal or illegal drugs are sold and consumed, where prostitution takes place, as well as the trafficking and consumption of pornography; all of this is done ~~under~~), where minors are sexually traded.

Another way in which the exploiters approach the girls and boys, as reported by the Director of PANI in Desamparados, is to pick them up in cars in the vicinity of the park. Finally, the psychologist of the Los Guidos School, refers that some adults sexually and commercially exploit children in exchange for the satisfaction of some needs.

2. Characterization of the dynamics of the commercial sexual exploitation of minors

Specific causes include poverty, lack of employment, domestic violence, sexual, emotional and physical abuse, mainly of women; in fact, the commercial sexual exploitation of girls by parental figures was mentioned. Drug use and trade are other characteristics that also affect the vulnerability of these populations. On the other hand, it was reported that there is reference to the loss of moral and social values such as solidarity and collective commitment, to make room for individualism and indifference to the problem of commercial sexual exploitation.

In the canton of Desamparados there were no records of patents or permits for businesses that allow the commercial sexual exploitation of adults, an aspect that was corroborated by the Mayor in the discussion workshop on the subject, who made reference to the fact that there are no businesses linked to commercial sexual exploitation either. However, it was mentioned that there is commercial sexual exploitation of minors in the canton, because men have been observed contacting adolescents and then driving them in cars to other places.

Reference was also made to the fact that in some marginal areas such as Torremolinos, Los Guidos, Dos Cercas, La Capri and La Paz, underage girls are prostituted in downtown San José. It was specifically in Los Guidos where more information was obtained on the dynamics of the problem of commercial sexual exploitation of minors, where the reports of the dynamics of exploitation revolve mainly around the existence of several "*bunkers*" in which drugs such as cocaine, crack, marijuana and alcoholic beverages are sold.

It was described that in many of these "*bunkers*", in addition to the sale and consumption of drugs, there are also minors who are sexually exploited, as well as the exhibition of pornographic films.

Currently in the Los Guidos school, there are girls from different grades who are infected with sexually transmitted infections.

The consequences of commercial sexual exploitation are not only personal, but also affect the family and the community as an integrated system. The response of the institutions and people involved in this research considered that this scourge is the order of the day; so that progress, health, education and recreation remain stagnant.

There is fear and recognition of a stereotyped image of the entire community, which is stigmatized from both inside and outside, a situation that leads to degradation for the victims and a distancing from a normal and healthy development: a palpable problem in one of the schools in a marginal area with the presence of sexually transmitted diseases in elementary school girls.

Violence between groups and gangs is a result of this problem, which is compounded by drug addiction and crime in general.

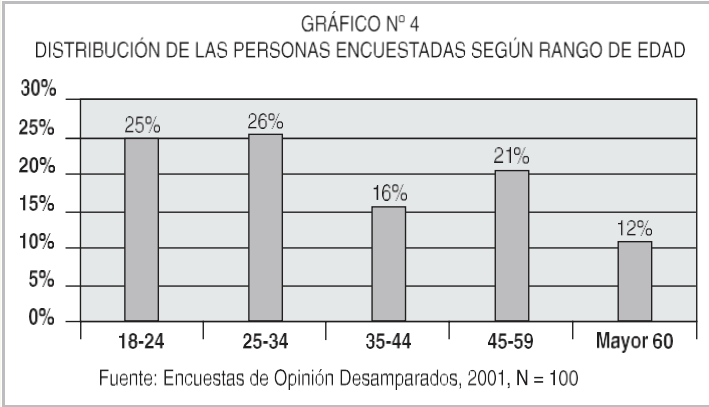
The authorities of governmental and private institutions point out that there is a passive and indifferent attitude on the part of the community, which results in non-reporting, since there is a tendency to blame the victim, including rejection and ~~smile~~ of boys and girls in commercial sexual exploitation, who are seen as worthless and disrespected.

According to community leaders, the fear of reporting is so great that if someone decides to do so, they are advised to do so in a hidden manner, for fear of being noticed and "having their house burned down".

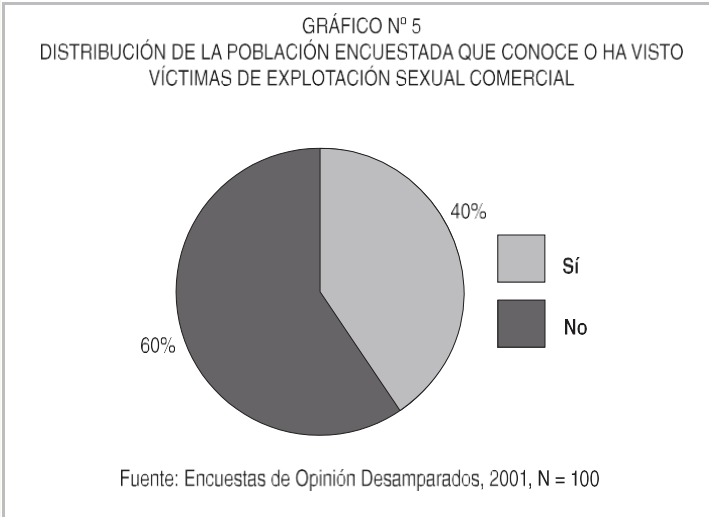
For most of the sectors interviewed, the community's perception of children and adolescents is one of rejection and disqualification. In general, they are excluded, often stigmatized as "*chapulines*", rebels, and linked to drugs. Exclusion, segregation, indifference and condemnation are often directed at women, who are labeled pejoratively. In general, the problems of young people are disqualified because they are young; thus, it was argued that the basic interest of some parents is to have young people in educational centers to keep them occupied in something, with the centers functioning as daycare centers.

3. Community perception of the problem

As in Limón, an opinion survey on the problem of commercial sexual exploitation was conducted in the Canton of Desamparados among 100 adults, whose ages are distributed as follows:



It is noteworthy that a high percentage (40%) of the people surveyed say they know victims of commercial sexual exploitation in the canton, as well as 24% know of places where it takes place. However, only 5% say they have filed complaints.



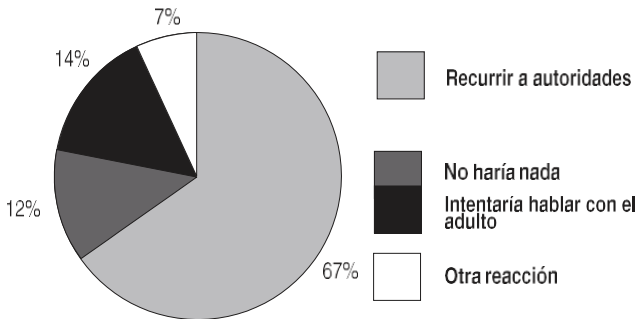
In relation to the causes of commercial sexual exploitation, abandonment of the home due to domestic violence was highlighted in order of importance, followed by the loss of moral values, as well as bad examples in the family and poverty, as the main reasons for the existence of commercial sexual exploitation.

CUADRO N° 2
PRINCIPALES RAZONES DE LA EXISTENCIA DE EXPLOTACIÓN SEXUAL
SEGÚN PERSONAS ENCUESTADAS EN DESAMPARADOS

Abandono del hogar por VIF	93%	5%	2%
Malos ejemplos en la familia	87%	12%	1%
Demanda creada por los adultos	82%	14%	4%
Pérdida de los valores morales de los menores de edad	75%	21%	4%
Fuente: Encuestas de Opinión Desamparados, 2001 , N = 100			

With respect to the question "What would be your main reaction if you found out that an adult paid for having sex with a minor?", it is noteworthy that 67% of the respondents said they would turn to the authorities, but many of them mentioned that they would do so if the victims were their relatives.

GRÁFICO N° 6
DISTRIBUCIÓN DE LAS PERSONAS ENCUESTADAS SEGÚN ACCIONES ANTE
SITUACIONES DE EXPLOTACIÓN SEXUAL COMERCIAL



Fuente: Encuestas de Opinión Desamparados, 2001 , N = 100

Finally, although respondents perceive adults who pay for sex with minors as shameless, unscrupulous, irresponsible, exploitative, corrupt, etc., this response is not effectively reflected in the level of complaints.

4. Social response to the problem

Both representatives of state and private institutions considered that the responsibility for halting the problem is a matter for everyone, where the government, the state and its institutions together with the family, church authorities and some non-governmental organizations and the citizenry must cooperate in halting the problem. In order of responsibility, the following are mainly mentioned:

- Public Prosecutor's Office.
- National Children's Board - PANI.
- Law enforcement agencies: crime prevention police and the Judicial Investigation Agency - OIJ (police in charge of investigating all types of crimes in the country).
- Ministry of Public Education.
- Ministry of Health and Caja Costarricense del Seguro Social.
- Municipalities (local governments).
- Defensoría de los Habitantes (institution in charge of overseeing and protecting the rights of citizens before public institutions).
- Instituto Mixto de Ayuda Social - IMAS (governmental institution in charge of the fight against poverty).

Also mentioned were community organizations (groups of neighbors legally organized for the development of their communities), and non-governmental organizations, such as the Paniamor Foundation and Casa Alianza (organizations dedicated to the defense and protection of children).

4.1 Government response

In general, there is a strong consensus that there is a lack of government response to the problem of commercial sexual exploitation in the area. In this regard,

When the director of PANI in the canton is asked about this, she states that "the demand is higher than the information we have, and there are cases that we do not know about...".

It was reported that PANI does not have specific programs or projects to address the problem of commercial sexual exploitation and its prevention. Cases are dealt with at a therapeutic level, young people are referred to the Tía Tere shelter (a shelter for the protection and education of adolescent girls and women in commercial sexual exploitation) and in cases of abuse, exploitation or aggression, the complaints are transferred to the Public Prosecutor's Office, but there is no comprehensive protection that includes real attention, protection and follow-up. In fact, many of the cases are only reported.

This institution criticizes the judicial institutions because it considers that they lack more training, preparation and specialization in their approach to victims and in the taking of testimonies, due to delays in assessments, delays in appointments for complainants who become tired and the children themselves who have to go through very long and painful processes.

In the opinion of the education sector, it is believed that there are no forceful actions towards the problem and that the laws are handled very favorably for the offender. In this sense, the Public Prosecutor's Office believes that "the legal system is soft-handed, with prison sentences that are not very high...the legal system advocates due process and the principle of innocence that prevails for the freedom of the accused and preventive prisons, which restrict the work of the ministry". At the same time, this instance is critical of the work of PANI, of which it says "its work has not been felt in the community for about three years now".

Other sectors such as the community, the church and education join in these criticisms of PANI, as they consider that its work is not sufficient or even unknown, especially in marginal areas, which are the most vulnerable in the canton due to commercial sexual exploitation.

For its part, the health sector claims not to have a comprehensive approach program that includes care, protection, follow-up and assistance coordinated with other institutions, nor does it have a program for the protection of the environment.

It is concerned that not all judicial officials are adequately prepared to deal with cases of violence or sexual exploitation of minors, or violence in general.

4.2 Civil society organizations

With respect to non-governmental organizations working in the area, such as the Asociación Cristiana de Jóvenes - ACJ (dedicated to protecting and meeting the needs of young people) and the Paniamor Foundation, they do not have specific programs or preventive work against commercial sexual exploitation in the area. The latter NGO, however, conducts workshops on sex education, sexual rights of young women and others with some affinity.

Regarding the role of religious institutions, not only do they not have programs for attention, approach or approach to commercial sexual exploitation, but they are uninformed and do not get involved in the problem, which they consider is outside their church, and should be assumed by other agencies such as PANI, IMAS or the Paniamor Foundation. In this regard, a community leader noted that she would like the church to be more involved, but considers that it is distancing itself from the problem. In this regard, during the discussion workshop, the IPEC representative considered it essential that this sector, which she considers strategic, use part of its resources to denounce and raise awareness of the problem.

Based on the above, other problems are recognized that go beyond the pressing economic, infrastructure, housing, lighting, drinking water, recreation and leisure needs, such as the lack of affection, esteem and appreciation not only from parental figures or authorities linked to the children. There is also a lack of affection, esteem and appreciation from the governmental and political structures that run the country, whose lack of concern often leads the community to infer a negative and devalued image of itself, and to fall into a kind of conformist, pessimistic and hopeless behavior, pessimistic and hopeless behavior that not only has repercussions in the collective or social sphere, but also in the subjective or individual sphere, knowledge or valuation that many times is not conceived consciously or unconsciously by the victims, but is evidenced in the concrete ways of living, thinking and feeling of these people.

The causality of this problem is not only due to economic and spatial needs, loss of values (solidarity, cooperation, affection, etc.), but the concrete reality of these vulnerable and socially and economically disadvantaged groups is ignored, an ideological aspect that was strongly evidenced by some authorities and people in the community in the acceptance of Commercial Sexual Exploitation, or in the resistance or refusal to file complaints about it.

Also at the institutional level, both by governmental and private institutions, in spite of a significant number of denunciations made by them, and others at the media level due to public evidence, there are no strategies and policies for a real and consistent approach to the problem of commercial sexual exploitation, and when actions are implemented, they are selectively carried out only in the peripheral treatment of problems related to commercial sexual exploitation or other problems (such as violence, abandonment and others).

V PART

The experience of victimization

Chapter One:

General characteristics of the study population

Chapter Two:

The right to coexistence and the protection of the family

Chapter Three:

The right to education

Chapter Four:

The right to health

Chapter Five:

The right to protection from drugs and psychotropic substances

Chapter Six:

The right to protection from commercial sexual exploitation and to appropriate treatment to ensure the physical and psychological recovery of the victims.

Chapter Seven:

Characteristics general characteristics of sexual exploitation

Chapter Eight:

The right to state protection

The experience of victimization

This section presents the results of interviews conducted with 100 children and adolescents in the two localities studied in Costa Rica (San José and Limón), who are in a situation of commercial sexual exploitation.

Given that this form of sexual abuse is understood as a severe violation of human rights, the analysis of the ~~inform~~ ^{inform} is carried out according to the rights approach, that is, the life and exploitation history is studied, based on the fulfillment or non-fulfillment of the rights included both in the international norms (C.D.N) and in the national norms stipulated in the Code of Childhood and Adolescence of Costa Rica. Thus, the fifth part is presented under the following axes:

- a. General characteristics of the population studied.
- b. The right to coexistence and the protection of the family.
- c. The right to education.
- d. The right to health.
- e. The right to protection against drugs and psychotropic substances.
- f. The right to protection from commercial sexual exploitation and to appropriate treatment to ensure the physical and psychological recovery of victims.
- g. General characteristics of sexual exploiters.

h. The right to state protection.

Chapter One:

General characteristics of the study population

The children and adolescents identified as victims of commercial sexual exploitation were located using the snowball technique. The first contact was made with a group of girls who were being assisted in state and non-governmental programs in both the province of San José and the province of Limón (specific attention for exploitation or other causes). From this small group, the rest of the girls and boys were located with their help, until 50 interviews were completed in Limón and 50 in the province of San José.

The organization that served as the main initial contact in the province of San José was the Project "Contribution to the Eradication of Commercial Sexual Exploitation of Girls and Adolescents in the Metropolitan Area of San José", executed by FUNDESIDA and sponsored by the International Program for the Eradication of Child Labor of the International Labor Organization, from 1998 to 2000. In this sense, an important part of the girls whose stories are analyzed have the characteristics of the population served by this project: adolescent women.

In the province of Limón, the girls and boys were contacted through the Patronato Nacional de la Infancia (PANI), the Tony Facio Hospital and key informants in the most important communities of the province. These included Sixaola (border region with the Republic of Panama), Guápiles, Siquirres and central Limón.

Given the way in which the population is located and

possibly due to the difference in the generic directionality of the dynamic

In the case of commercial sexual exploitation, most of the people interviewed were women. Only five male children and adolescents were located and interviewed, three in the province of San José and two in the province of Limón.

1.1 Age

The vast majority of the population studied comprised adolescent females between 15 and 17 years of age. The age range is shown in the following table.

Age	Sex		Total
	Women	Men	
	1	-	1
	1	1	
	5	1	
		-	
		-	
		1	
			42
Total		5	

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

1.2 Place of birth

Costa Rica is a country with a significant immigration in recent years, according to the last population census conducted in 2000. This immigration comes basically from the sister country of Nicaragua. This fact is reflected in the distribution of the population studied, where 14% is of this nationality. Of these, all are women and the majority arrived in the country with their families in the first years of childhood, including two girls before their first birthday. This data shows that the Nicaraguan girls participating in the study do not move to Costa Rica for reasons of sex trafficking, but rather for family reasons, mainly economic. However, it can be deduced that their arrival in Costa Rica did not bring the expected result, since these girls have not found in the country the protection and guarantee of their rights, due to the conditions of extreme poverty in which they live.

The main reasons for this are the lack of access to education and health care, as well as the specific dynamics related to commercial sexual exploitation.

Country	Absolute Numbers	Percentage
Costa Rica		85.0%
Nicaragua		14.0%
Panama	1	1.0%
Total		100.0%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

Of the Costa Rican population studied, 29% was born in San José and 38% in Limón. Of those who have migrated to other areas of the country, like the Nicaraguan population, it is mostly due to family reasons in search of employment and better living conditions.

1.3 The physical space of residence

The vast majority of girls and boys live with their families in a rooming house or ranch (68%). However, a significant percentage live in hotels or rented rooms (28%). Although the number of boys is comparatively low, it is worth noting that the only case of living on the street is male.

The physical space	Absolute numbers	Percentage
House or apartment		50%
Rented room		13%
Hotel		
Rancho		18%
Street	1	
Other place		
NS/NR	1	
Total		100%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

1.4 Economic situation of the family

In accordance with the previous table, and taking into account that a high percentage live in ranchos/precarios, the perception of the family economic situation indicates that many children live in a situation of extreme poverty. Fifty-three percent consider themselves poorer than their neighbors, and of the total, only seven consider themselves better off.

Similarly, the condition of poverty can be abstracted by taking into account the occupations carried out by the members of the family group. Thus, most of the activities for which they earn income are in the informal sector. Males (fathers, stepfathers, brothers and uncles) are mostly engaged in construction, agricultural work, itinerant sales, drug trafficking, theft, car wrecking, shoemaking, work at the Limón wharf and private security guards. In the categories that appeared only once, but seem to follow the same profile, a fisherman, a pirate cab driver, a musician, a prisoner, a baker and a driver were identified. In addition, a father and a stepfather were identified as church pastors. In relation to male partners, a pattern characterized by the sale of drugs and robbery was observed. However, two of the girls have a policeman as a partner.

Similarly, the women in the family (mothers, sisters, aunts and grandmothers) also have occupations in the informal sector, including paid domestic work, washing other people's clothes and street vending. In addition, three of the mothers are engaged in prostitution and another in selling raffles. Three of the mothers are salaried employees: two as soda/restaurant employees and one in a beauty salon. Only one woman (mother) can be placed in the technical sector.

Of the girls and boys who live with friends, most of them are involved in commercial sexual exploitation and theft. Some of the girls also earn income from babysitting, working in stores and street vending.

Chapter Two:

The right to coexistence and the protection of the family

It is the right of every child to live with his or her parents, except in cases where separation is necessary for the best interests of the child.

It is the responsibility of fathers and mothers to raise their children and provide them with an adequate standard of living for their development. It is the duty of the State to provide appropriate assistance for the fulfillment of these functions and to take the necessary measures to ensure that this responsibility is assumed, including the payment of child support.

It is the State's obligation to provide special protection to children deprived of their family environment (CRC).

The father, the mother or the person in charge are obliged to watch over the physical, intellectual, moral, spiritual and social development of their children under eighteen years of age. Likewise, minors shall have the right to know their father and mother; to grow and develop by their side and to be cared for by them. (Code of Childhood and Adolescence).

2.1 The family as the first area of violation of rights

Of the total number of girls and boys interviewed, only 6% live with their biological father and 52% with their mother. Of those who live with their relatives, it should be noted that, despite

having insufficient economic resources, as shown by the type of housing and the occupation of the adults, the vast majority belong to large families where, in general, they live together in a single house.

The mother, sometimes a stepfather, brothers and sisters, partners and their own or their sisters' children.

A significant group of girls have experienced constant economic, social and educational deprivation since early childhood. In addition, many have a history of abandonment, abuse and institutionalization.

In relation to paternal abandonment, it is evident that there is a lack of paternal responsibility in the upbringing and provision of an adequate level of care, as indicated in the Convention on the Rights of the Child. The following table exemplifies this violation of the right of every child to grow up with and be protected by his or her father.

Situation	Sex	
	Girls	Childr en
You do not know who you are	16.0%	40.0%
He knows who he is but has never lived with him.	30.0%	-
She lived with him for a while but never saw him again.	19.0%	20.0%
Total	65.0%	60.0%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

The remaining percentages to the question related to the father indicate that 7% are deceased, 21% are related to him even though they do not live together and only 6% live with him.

In relation to the mother, girls and boys have greater contact. Fifty-two percent live with her, 41% are in contact even if they do not live together, and in one case, the mother is deceased. Total abandonment occurs in only 6%. Although it is important to note that at such a young age there is no cohabitation with the mother, the data comparison seems to reflect the cultural belief that child rearing is a female responsibility.

This belief, which is reflected in their life history, is repeated in adolescent mothers, who are responsible for raising their children on their own and in almost all cases. In this way, the violation of the right to paternal protection and upbringing is repeated in them.

2.2 The experience of intrafamilial sexual abuse

One of the common characteristics present in the life history of girls and boys who are victims of commercial sexual exploitation is the repeated violation of their right to be protected from all forms of mistreatment. In general, commercial sexual exploitation is only one link in the chain of abuse committed against them. Thus, and taking into consideration that experiences of sexual abuse in childhood, specifically incest, are factors that make children vulnerable to sexual exploiters, it was identified that a large part of the population studied has experienced this cruel form of abuse.

Incest, defined as any type of sexual contact between a child and an older person with whom he or she is related by consanguinity or cohabitation, leaves deep scars in the lives of those who suffer it. It is accepted that this crime constitutes a traumatic experience because it exceeds the response capacity that children and adolescents can develop in the face of it. The consequences can be understood in the light of the theory proposed by Finkelhor and Browne (1992), who analyze the impact of sexual abuse in childhood on the basis of four traumatic dynamics.

Traumatic sexualization: This refers to the traumatic impact of abuse on a person's sexuality, such that children are rewarded for sexual behavior inappropriate to their developmental level, where the abuser usually offers affection, privileges and attention. This results in a distorted meaning of body schema and personal identity and misconceptions about sexual behavior and morality. This dynamic is expressed in different observable behaviors (not all of which are always present), such as eroticization or sexual activity at early ages, commercial sexual exploitation, enjoyment problems, phobias and abusive sexual behaviors, mainly in boys.

Betrayal: Childhood sexual abuse, and particularly incest, limits the ability to trust other human beings. Through abuse, children learn that those who were meant to protect them cause them harm and therefore

lose the ability to differentiate who is trustworthy and who represents a danger. The most observed consequence of such a dynamic is vulnerability to further abuse.

Powerlessness: It is produced by the lack of personal power of any child to stop the abuse. Thus, desires, will and sense of self-efficacy are continually thwarted. As a consequence, depression, running away from home, sleeping and eating disorders and problems in school performance are frequently observed.

Stigmatization or damage to self-esteem: Victims of childhood sexual abuse acquire, as a result of this experience, a negative self-image. As a result of the messages received, they develop the belief that they are guilty, bad or evil, and specifically because of the sexual content, they become overwhelmed by feelings of shame. Behaviorally, isolation, drug and alcohol abuse, criminal behavior, mutilations and suicidal ideas can be observed.

In this way, sexual abuse, and particularly incest, is understood as a contributing factor that explains the vulnerability of victims of this type of mistreatment to commercial sexual exploitation networks.

In the male population studied, three report a history of sexual violence before the age of 12 years and none after that age, unlike the girls, in whom victimization is a continuum between childhood and adolescence. Of these, two were committed by close relatives: an uncle and a cousin, jointly, and an adult man (50 years old) who "took care" of the child when he was very young. The third young boy was abused by his teacher. In this sense, incest was committed against about half of the boys. In all cases, the perpetrators were male.

In the case of women, experiences of sexual abuse in childhood and adolescence are part of their life history. Fifty-five percent of girls in San José and 50% in Limón identified themselves as victims before they were 12 years old. After the age of 12, a third of them (35%) reported situations of sexual abuse.

With regard to incest, 46 girls and adolescents reported having experienced it, with the father or stepfather being the main aggressor. In other words, closeness to the aggressor figure is the fundamental characteristic of all situations of sexual abuse. It is also noteworthy that the two religious ministers identified as father and stepfather were sexual offenders of their daughters.

In addition, for some girls, the intrafamilial sexual abuse was committed by several people at the same time, however, the figure they consider first is highlighted in the following table.

TABLE 7
EXPERIENCE OF INCEST IN CHILDREN AND ADOLESCENTS, ACCORDING
TO RELATIONSHIP OF THE MAIN PERPETRATOR(*)

Relationship	Absolute numbers	Percentage
Parents/stepparents		29.2%
Uncles		27.1%
Grandparents		14.6%
Brothers/sisters/stepbrothers		14.6%
Cousins		12.5%
Brother-in-law	1	2.0%
Total		100%

(*) The percentage corresponds to the type of relationship and not to the total number of girls with incest experiences.
Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

As could be seen, for approximately half of the girls, the family represents a place where their right to protection against all forms of sexual abuse is violated in the first instance. In addition, other manifestations of intrafamilial mistreatment not identified in the research should be considered, such as beatings, humiliation and emotional abuse, which usually accompany sexual abuse or occur individually. Thus, although the link in the experiences of physical aggression was not specified, 71% reported having suffered them and it is likely that most of them occurred within the family. This interpretation may also be valid for the 68% of boys and girls who reported having experienced psychological violence.

In addition to incest experiences, experiences of abuse committed by relatives, family friends and neighbors were reported. These experiences are highlighted in the section on protection of rights within the family, since, in cases where situations of violence were revealed, the family did not exercise due protection. For example, among the reasons for not filing complaints, they point out:

"My mom said it was better to avoid trouble."

"My mom didn't want to so he wouldn't kick us out of the house, he was the owner."

"My stepfather didn't want to."

"Because he was a friend of my mom's, (although she didn't report him), he didn't sell her drugs again."

"My mom said not to go, they ask too many questions."

"My grandmother said that was nothing."

"My dad is a respected pastor."

The following table shows the frequency and type of extrafamilial sexual abuse committed against girls (excluding experiences of incest abuse/rape by a known person).

Type of violence	Absolute numbers	Percentage
Rape by a person known but not related	15	16.0
Rape by unknown person	18	19.0
Sexual abuse by a known but not related person	7	7.0
Sexual abuse by unknown person	4	4.2
	Total 44	46%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

Despite the high incidence of experiences of sexual violence (incest and extrafamilial abuse/rape) prior to or concomitant with commercial sexual exploitation, the aggressors were almost never reported. In the case of males, there were never any reports. With regard to females, it is noteworthy that in the province of San José no cases of sexual abuse before the age of 12 were reported, and only three were reported in Limón. No cases of incest were reported. A similar situation occurs for older girls and adolescents, where a total of 3 cases were reported.

The experience of lack of protection in family life is reflected in the constant running away from home by both girls and boys.

Of the total population, 73% have run away from home at least once. However, this response, associated with different forms of mistreatment, occurs repeatedly for the majority. This is shown in the following table.

TABLE NO.		
NUMBER DE OF TIMES		RUNAW DE THE HOUSE AY
Number	Absolute numbers	Percentage
1 time		15.0
2 to 5 times		40.0
6 to 10 times		11.0
11 to 15 times		3.0
More than 15 times		3.0
Ns/Nr	1	1.0
Has not escaped		27.0
Total		100%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

Among the reasons given for running away from home that are directly related to the experiences of intrafamily abuse are (the most frequently repeated ones are identified):

"Fights with my mom."

"Because my grandfather abused me."

"Trouble in my house."

"A lot of problems with my mom, she yelled at me a lot and hit me."

"Problems with my stepfather, he used to touch me and tell me dirty things."

"My dad drinks a lot."

"My stepfather drinks a lot."

"My brother raped me."

"In my house there is a lot of fighting."

"They mistreated me."

"My dad would touch me and make me suck him."

"My mother would beat me if I didn't carry silver."

"They beat me a lot."

In the same vein, the reasons why girls and boys indicate that they do not currently live with their families can be understood.

"They don't want me."

"Because I don't love them." "My family is my son."

"They are ashamed of what I am." "I've always been alone or with Pani". "My mom kicked me out."

My mother is in jail.

"My mom just ask me for money."

"Because they would beat me a lot and throw me out on the street."

2.3 Life as a couple

The majority of girls and boys have been in relationships. However, life as a couple has not come to represent a companionship or relief from family situations. Most of them are trapped by older people, which can be interpreted as a repetition of asymmetrical relationships of power and control.

In the case of men, three (60%) have had cohabiting relationships and currently, two of them. Among women, 43 (45.2%) have had the experience in the past and ten in the present. In them, the partner is always male.

As can be seen in the following tables, the age difference is evident.

TABLE 10
AGE DIFFERENCE IN THE FIRST COHABITATION RELATIONSHIP, BY
SEX OF THE RESPONDENT AND THE PARTNER

MALES			
Age of person interviewed	Partner's gender	Age of the couple	Age difference
11 years	Male		6 years
15 years	Male		10 years
15 years	Woman		None

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

TABLE 11
AVERAGE YEARS OF AGE DIFFERENCE FOR
THE FIRST COHABITATING RELATIONSHIP

WOMEN	
Age at first cohabitation	Average Age difference
11 years	6 years
13 years	10 years
14 years	8 years
15 years	8 years
16 years old	8 years
17 years	7 years

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

In relation to current couples, the differences remain. In males, there is one male and one female partner. The female partner is older by 5 years and the male partner is 23 years older than the adolescent.

In the case of women, it is important to observe the average number of years of difference between them and their current partner, as can be seen in the following table:

WOMEN	
Age	Average Age difference
15 years	15 years
16 years old	19 years old
17 years	14 years

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

2.4 The maternity experience

Thirty-nine of the adolescent women and none of the men have children, which represents nearly 40% of the female population in commercial sexual exploitation participating in the study. Of these, 21 were located in Limón and 18 in San José. In addition, seven were pregnant at the time of the interview. Of the group of mothers, more than 30% are separated from one or both of their children (38.4%). Some of these children live with relatives of the girls and others are already institutionalized. One of the children was given up for adoption. These data are of great importance as they verify the generational cycle of non-compliance with rights, since most of these children are growing and developing without the support and protection of their father and mother.

Despite the young age of these adolescents, they have between one and two children, ranging in age from newborns to 7 years old, which implies pregnancies at the age of 10. This is consistent with previous histories of sexual victimization. For example, one of the girls revealed during the interview that the oldest of her children was her own father's son.

TABLE NO. 13	
NUMBER OF CHILDREN AND DAUGHTERS OF THE WOMEN INTERVIEWED, LOCATION OF THE INTERVIEW	
Province	child/a2child/aTotal Absolute numbers
San Jose	1
Limon	5
Total	

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

Chapter Three:

The right to education

Every child has the right to education and it is the State's obligation to ensure at least free and compulsory primary education (CRC).

Preschool education, basic general education and diversified education shall be free, compulsory and paid for by the State. Access to compulsory and free education shall be a fundamental right. The lack of governmental actions to facilitate and guarantee it shall constitute a violation of the Law and shall entail the responsibility of the competent authority.

The Ministry of Public Education must guarantee the permanence of minors in the educational system and provide them with the necessary support to achieve it (Childhood and Adolescence Code).

Despite the stipulations of national regulations on the right to education, this right has been violated for the vast majority of girls and boys. Thus, the chain of unprotection and lack of guarantees continues in their life experiences. Only 8 people are enrolled in the formal education system, and in general, there is a premature abandonment of studies that is reflected both in their level of schooling and in the possibility of knowing how to read. This data is of great importance for programs to restore the rights of victims of commercial sexual exploitation, since they must take into account that with such lack of academic preparation, the options for finding income that will allow them to obtain an appropriate standard of living are very limited if their educational

level is not addressed first.

Similarly, the country should review its policies and ~~procedures~~ ~~and~~ expulsion from school, both in terms of the investigation of each case (regardless of age, gender and country or area of origin) and in terms of actions aimed at reincorporation. For example, in San José, only two of the girls are currently studying and only three of those who dropped out of school have been located for follow-up.

In relation to the second aspect, in the cases where officials from the Ministry of Education were present (mainly in the province of Limón), the work was in most situations, an action of convincing the girl or the mother. For example, some of the girls said:

"They came to convince my mom, but we don't have any money."

"I convinced her, I need to earn money."

"My mom didn't want to."

"Pure talk..."

"I didn't mean to..."

"My mom didn't want to because I suffered from nerves, because my dad used to hit her a lot".

It seems that desertion is not seen as a violation of the right to study and, therefore, as a violation of rights perpetrated by the State.

The state of the right to education among the men interviewed is as follows: of the five men, three can read and two "a little"; four have incomplete primary education and one of them, the only case in the entire study, has a university education. The other three have incomplete primary education. Only one is currently studying, and of those who dropped out, only one was found by state officials in order to be reinstated in "free and compulsory" education. However, the young man says: "a teacher went to look for me but I only lasted five days because the principal expelled me because I got into a fight with a classmate". The situation of women is shown in the following tables:

TABLE 14 READING ABILITY OF WOMEN, ACCORDING TO LOCATION OF STUDIO		
Readability	San Jose	Lemon
Can read	62.0	83.0
A little	34.0	10.0
No	4.0	5.0
NR	0	2.0
Total	100%	100%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

Among the women who do not know how to read or know "a little", there are six Nicaraguan girls, which represents approximately fifty percent of those who come from Nicaragua. In this regard, it is worth mentioning that most of them arrived in the country at a very early age, or during their school years. In this sense, the high percentage seems to mean that their migratory status is a new vulnerability factor.

TABLE NO. 15 DISTRIBUTION OF THE FEMALE POPULATION BY LEVEL OF EDUCATION ACCORDING TO RESEARCH LOCATION		
Level of education	San Jose	Lemon
None	2.0	-
Incomplete elementary school	66.0	42.0
Completed elementary school	26.0	25.0
Incomplete high school	6.0	33.0
Total	100%	100%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

TABLE 16 DISTRIBUTION OF THE FEMALE POPULATION BY INSERTION IN THE FORMAL EDUCATION SYSTEM ACCORDING TO LOCALITY		
Currently studying	San Jose	Lemon
Yes	7.0	34.0
No	93.0	66.0
Total	100%	100%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

According to the Childhood and Adolescence Code, the Ministry of Public Education must guarantee the permanence of minors in the educational system and provide them with the necessary support to achieve it. In this sense, there are institutional procedures to address the problem. The following table shows, however, a low percentage of application of these procedures.

TABLE NO. 17		
DISTRIBUTION OF ADMINISTRATIVE PROCEEDINGS ON FEMALE SCHOOL EXPULSION BY STUDY LOCALITY		A LA (*)
	%	
Administrative procedures Ministry of	Education San José	Limón
Yes	7.0	34.0
No	93.0	66.0
Total	100%	100%
(*) Cases where girls are enrolled in the formal education system are not taken into account.		
Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.		

At the same time, the above table shows the difference observed in the two locations of the study. Thus, it can be deduced that the responsibility of educational officials is greater in the province of Limón than in San José. However, for both provinces, the absence of investigation and insertion procedures is notorious, which represents a violation of the regulations established in the Childhood and Adolescence Code.

Thus, it is not enough to investigate cases of school expulsion; a more effective policy is needed to restore the right to education, since none of the cases in which the girls or boys were sought were successful.

Chapter Four:

The right to health

Children have the right to the enjoyment of the highest attainable standard of health and to have access to medical and rehabilitation services (CRC).

The directors and personnel in charge of health centers, public or private, where minors are taken, are obliged to report to the Public Prosecutor's Office any reasonable suspicion of mistreatment or abuse committed against them (Childhood and Adolescence Code).

Hospitals, clinics and health centers, both public and private, shall be obliged to create a committee to study the assaulted child. Likewise, public health centers must immediately evaluate any minor who is presumed to be a victim of abuse or mistreatment. This committee will evaluate the results, carry out the ~~appropriate~~ investigations and recommend the actions to be taken to protect the integrity of the minor (Childhood and Adolescence Code).

As with the right to education, the boys and girls participating in the study see their right to the highest attainable standard of health violated.

In relation to sexual and reproductive rights, it is observed that half of the girls have experienced pregnancies and abortions at ages when they should be playing and studying, and a third of the population as a whole has suffered sexually transmitted infections. However, less than 25%, despite the risk they

experience, have received information or been tested for sexually transmitted infections.

laboratory tests for HIV/AIDS. It is noteworthy that a large proportion of women and men have used health services for contraception, pregnancy control and childbirth. This is a fact that can be extracted from the study and from the fact that in Costa Rica, the coverage of hospital delivery is almost total. However, the action of reporting reasonable suspicion of sexual violence, including commercial sexual exploitation, has not been carried out, despite the legal obligation of health centers.

In relation to the experiences of abuse and in accordance with the availability of health services in the country for this type of problem, almost the totality of the population reported non-utilization (93% for physical aggression and 96% for psychological aggression).

A similar conclusion can be drawn about the right to protection from drugs and access to health services for this reason. As will be seen in the chapter on substance use, most of the population has a high consumption of drugs and alcohol, but only five people have used health services to address their alcohol problem and six have used them in relation to drugs.

It can be concluded that the population interviewed not only has its right to a high level of health (physical and emotional) violated, but also has limited access to services.

Chapter Five:

The right to protection from drugs and psychotropic substances

It is the right of the child to be protected from the use of narcotic drugs and psychotropic substances, and the child shall be prevented from being involved in the production or distribution of such substances (CRC).

The interviews indicate that a significant percentage of the population that participated in the study has a direct link to drugs and psychotropic substances. Thus, the chain of violations of their fundamental rights continues.

The following table indicates consumption according to some drugs:

Drug/ Addictive Substance	Consumption	
	Yes	No
Alcohol	86.0	14.0
Tobacco	82.0	18.0
Marijuana	80.0	20.0
Cocaine	34.0	66.0
Crack	41.0	59.0
Basuko	30.0	70.0
Tablets	7.0	93.0
Cement	11.0	89.0
Gasoline	2.0	97.0*

* One young woman did not answer the question so the data does not add up to 100%.

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

The sex trade is linked to other crimes and illicit actions such as the sale and consumption of drugs. For the population under study, the links with the drug world can be traced back to their home or neighborhood, as noted above among the occupations of the people who make up the family group. Thus, it was found that the sale and trafficking of drugs is common. Such is the case of one of the young women, whose father is in prison, having been convicted of drug trafficking.

The presence of girls and boys in high-risk places for the commercialization and consumption of drugs increases the ~~level~~ of initiation and maintenance of drug use. For example, as observed in the study in the town of Limón, sexually exploited boys and girls are also used for drug trafficking, and because of this pattern, many were afraid to participate in the interviews because they feared threats from traffickers that they would be involved in police investigations into drug trafficking. Similarly, in both Limón and Desamparados, many girls and boys who are victims of commercial sexual exploitation do not receive economic remuneration for their sexual activities, but are paid with drugs. According to the interviews, many young women claim that the drug debt (mainly to pimps) keeps them as victims.

In addition to the social environment as an important risk factor, it can be said that the history and experiences of victimization also constitute another factor that makes these girls and boys prone to the use of alcohol and illicit substances. Thus, their use can be a means to abstract from reality, a mechanism that allows them a momentary break from experiences of sexual victimization and other abuses; it also helps them to cope with the dissatisfaction of basic needs, such as hunger. For this reason, drug and alcohol consumption is frequent, as the following table indicates:

Frequency	Alcohol	Other drugs
Every day	27.0	29.0
One or more times per week	32.0	22.0
One or more times per fortnight	28.0	27.0
Does not consume	13.0	20.0
NR	0	2.0
Total	100%	100%

*Tobacco is not included
Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

Establishing a relationship between tables 18 and 19, it can be seen that most of the people interviewed consume alcohol very frequently. On the other hand, it is worth noting that of the group of young people participating in the study, 29% consume psychotropic substances on a daily basis, such as marijuana, cocaine, crack and basuko, which is especially significant if it is related to the insufficiency of state services that provide options to care for the population in sexual exploitation and with high consumption of addictive substances. Information on this subject will be presented in the section on rights to health care.

Chapter Six:

The right to protection from commercial sexual exploitation and to appropriate treatment to ensure the physical and psychological recovery of the victims.

It is the right of every child to be protected from sexual exploitation and abuse, including prostitution and use in pornographic practices.

The children and adolescents who participated in the research constitute a social group characterized by a history of violation of their rights. Their experiences of mistreatment, abandonment and deprivation can be understood, therefore, as part of a path of vulnerability to the increasingly organized networks of the sex trade. And just as their rights to education and better health were violated, or protected from sexual abuse and other forms of mistreatment, they are not currently safeguarded from the crime of commercial sexual exploitation. All of the minors interviewed are now facing new and worse forms of abuse; they have been turned into objects of exchange and human degradation. Their lives, already in childhood or adolescence, take place within the dynamics of a modern form of slavery. Often on the street, in lonely hotel rooms, or in private centers, they are trapped, on the one hand, by unscrupulous exploiters and drug traffickers and, on the other, by the ineffectiveness of state institutions to stop the continuous violation of their rights.

Although some children were captured at an early age, the age of greatest vulnerability to sexual exploiters is between 14 and 16 years of age, with a particularly high incidence at 15 years of age (30%), as can be seen in the following table:

TABLE 20 THE
AGE DE HOME EN OPERATION COMMERCIAL SEX

Age	Frequency	Cumulative percentage
		2.0
	1	3.0
		5.0
		12.0
		30.0
		50.0
		80.0
		98.0
Total		100.0

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

Like other forms of sexual violence, commercial sexual exploitation has a generic directionality: the majority of victims are women and the majority of sexual exploiters are men. This directionality is interpreted by the relations of inequality between men and women within a social system of male privilege. Thus, those who pay for sexual contact, both boys and girls, are predominantly men.

TABLE NO. 21
SEX DE PEOPLE WHO EXPLOIT CHILDREN AND ADOLESCENTS, ACCORDING
TO THE MOST COMMON OCCURRENCE

Sex	Percentage
Men only	92.0
Women only	1.0
Men and women	7.0
Total	100%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

In relation to the previous table, the person who indicated that he only has sexual activity with women is a 16-year-old adolescent from the province of Limón. In turn, the category of men and women is only mentioned by the girls, and they point out that it occurs when a man is present in the company of his female partner.

The dynamics of commercial sexual exploitation for males can be described with the following examples:

12-year-old male resident of Limón province: He was initially exploited by a known pimp in Limón province when he was 9 years old. Currently, this man is the main intermediary between the boy and other exploiters. They are basically from the province, although he also claims to have had contacts with foreign tourists arriving on cruise ships to the region. He claims to charge C. 1,500 colones, of which one third goes to the pimp. The money received is spent on food and drugs. The boy says that because he is a victim of commercial sexual exploitation, he has suffered scorn and humiliation from people and arrests by the police, as well as beatings by his pimp. In his conceptual scheme, his exploiters are perceived as friends who do him a favor when they ask him for sex for money. Thus, he expresses: *My friends are looking for me because I am very poor, but I am not a homosexual.*

17-year-old male, resident of San José province: He was initially exploited by a teacher who gave him money, favors and gifts when he was 12 years old. Currently, he claims to have a steady "clientele" that locates him through his cell phone. Direct contact is made in a park in downtown San José, known as a place linked to the sex trade. He lives with two friends who are also in a situation of exploitation and together they pay the rent and food. He says that his family does not like him and is ashamed of him and that is why he does not live with them, but he adds *"I need them, a little"*. He is currently studying.

The other men are contacted in the streets, bars or dance halls and state that as a result of their victimization they have also experienced humiliation by people, police arrests and drug abuse.

In the case of women, the dynamics can be summarized with the following examples:

A 17-year-old girl living in the province of San José, she lives with a friend and is managed by a pimp. She refers to her first experience of commercial victimization as: *"One day, a man came and... (now he is still her pimp). (currently still her pimp), I was in the Plaza de la Cultura, he told me that I could earn a lot of money by sleeping with very fine gentlemen and good people and that no one would find out"*. She never receives the money directly from her ~~clients~~ but through the pimp, and he justifies this by telling her that she does not know how to handle money because she is a "big spender". He looks for contacts and calls her. She states that because of commercial victimization she has suffered sexually transmitted infections, abuse/beatings by the pimp and the beginning of substance abuse.

A 14-year-old girl living in Guápiles, in the province of Limón, is currently studying and lives with her grandparents. She reports, as her first experience of victimization, that in the vicinity of a hotel in the city of San José, known as a strategic place for sex tourism, she was intercepted by a man who offered her a lot of money in exchange for sex. She is currently being exploited by a pimp in the capital, who calls her and other girls from Limón to meet tourists. The pimp bought them pagers and, by this means, warns them and sends for them in a cab to bring them to a hotel.

Nicaraguan adolescent, 17 years old. Her recruitment for commercial sexual exploitation began in the neighborhood where she lives. She says: *"A friend from the precario introduced me to some men and she explained to me what I had to do, then I became the girlfriend of a cab driver, we broke up, but he is very good to me, he introduces me to men, sometimes he takes me to the motels himself, when they are foreigners, like gringos, between the two of us we make good money"*. The money she receives is basically spent on food for her and her family. As a result of this victimization, she reports having experienced pregnancies and sexually transmitted infections.

Initiation into sexual exploitation for women is generally mediated by other people, with the following standing out in order of frequency: friends, neighbors, relatives, including uncles, aunts, cousins, cab drivers and family friends. In these cases there does not seem to be a great difference between the localities of Limón and San José. However, women in the province of Limón mentioned more frequently having gone out on the street alone to "arm-wrestle", driven by pressing economic needs.

As general data on the dynamics of commercial sexual exploitation, the following tables are presented:

TABLE 22
DISTRIBUTION OF THE FEMALE POPULATION BY CONDOM USE BY
"CLIENT/EXPLOITER".

Condom use	Percentage
Yes, always	63.0
Yes, sometimes	31.0
No	4.0
NR	4.0
Total	100%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

TABLE 23
DISTRIBUTION OF THE POPULATION BY EXPERIENCE OF ATTACKS PHYSICS
CAUSED BY "CLIENTS/EXPLOITERS".

Physical attacks	Percentage
Yes	31.0*
No	69.0
Total	100%

*All are women
Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

TABLE N° 24
DISTRIBUTION OF THE POPULATION BY EXPERIENCE OF ATTACKS SEXUALS
CAUSED BY "CLIENTS/EXPLOITERS".

Sexual assaults	Percentage
Yes	20.0*
No	77.0
Ns/Nr	3.0
Total	100%

*All are women

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

TABLE N° 25 DISTRIBUTION
OF THE POPULATION BY POLICE
ARRESTS

Detentions	Percentage
Yes	60.0
No	40.0
Total	100%

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

TABLE NO. 26
DISTRIBUTION OF THE POPULATION BY POLICE ABUSE DUE TO DE LA
COMMERCIAL SEXUAL EXPLOITATION

Police abuse	Percentage
Yes	35.0*
No	62.0
Ns/Nr	3.0
Total	100%

*All are women

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

In relation to other forms of sexual exploitation, 31 women stated that they had been recruited to dance nude and 16 of them to pose nude in videos or photographs. However, the offer to move from one place to another for sexual relations is much greater, as shown in the following table.

TABLE NO. 27
 DISTRIBUTION OF THE POPULATION BY OFFER OF PAYMENT TO MOVE
 TO PERFORM OTHER TYPES OF SEXUAL ACTIVITY

	ActivityPercentage
Moving region or country to have sex38	.0
Transfers from region or country to accompany tourists22.	0
Region or country transfers to become a model17	.0
Transfers for nude dancing12	.0
Transfers for photography or video (nudity)	9.0

Source: Interviews with minors in commercial sexual exploitation,
 2001, N = 100.

Chapter Seven:

General characteristics of sexual exploiters

Given that Costa Rica has become an important destination for sex tourism in recent years, it is interesting to know the general origin of the exploiters of these girls and boys. Thus, although the majority are local men, most of the population studied has had sexual contact with tourists and foreign residents, and for some of the girls, they are their main victimizers.

7.1 The ultimate "client/exploiter"

The data presented here illustrate in a better way some of the general characteristics of the people who sexually exploit children and adolescents. Although they cannot be generalized for all clients/exploiters who abuse children and adolescents in Costa Rica, they do reflect elements that are consistent with what was studied during the research process.

TABLE N° 28
SEX OF LAST CLIENT/EXPLOITER BY SEX OF PERSON INTERVIEWED
(ABSOLUTE NUMBERS)

Last sex	Girls	Males	client/exploiter	
			interviewees	interviewees
			Man	944
			Woman	1
			Couple	1-
			Total	955

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

TABLE NO. 29
ORIGIN OF LAST CLIENT/EXPLOITER BY SEX OF RESPONDENT
(ABSOLUTE NUMBERS)

Origin of last client/exploiter	Girls	Male
From the same locality	4	12
From other locations in the country	1	30
Foreign tourists	2	71
Foreign residents	9	1
Ns/Nr51		
Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.		

TABLE 30
AGE RANGE OF LAST CLIENT/EXPLOITER BY SEX OF
RESPONDENT (ABSOLUTE NUMBERS)

Age range of last client/explorer	Girls	Male
Under 22 years of age	4	0
22 to 29 years	3	41
30 to 50 years	4	91
Over 50 years of age	8	3
Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.		

TABLE 31
CHARACTERISTICS OF THE INTERMEDIARIES BETWEEN THE LAST
CLIENT/EXPLOITER AND THE VICTIM,
BY SEX OF THE PERSON INTERVIEWED (ABSOLUTE NUMBERS)

Intermediaries	Girls	Males
Friends	5	-
Family members	3	-
Cab drivers	10	-
Pimp	8	1
Drug distributor	1	-
Couple	2	-
Workers in the tourism sector	3	-
No intermediaries	6	34
Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.		

TABLE 32
PLACE WHERE THE LAST EXPLOITATION OCCURRED, BY SEX OF THE PERSON INTERVIEWED (ABSOLUTE NUMBERS)

	Location	Girls	Men
	Hotel	39	3
House of the operator/pimp	Motel	20	1
	Pension	4	-
	Cabin	6	-
	Carro	8	-
	Room	5	1
	Others	2	-

Source: Interviews with minors in commercial sexual exploitation, 2001, N = 100.

To summarize, it can be said that as general characteristics, the person who sexually exploits children and adolescents in the sex trade is an adult male, between 22 and 50 years of age. In equal proportion he may be a national or a foreign tourist. In this regard, the concern of various non-governmental organizations that warn the country about this growing problem is confirmed.

Chapter Eight:

The right to state protection

It is the State's obligation to protect children from all forms of abuse perpetrated by fathers, mothers, or any other person responsible for their care and to establish preventive and treatment measures in this regard.

It is the State's obligation to provide special protection to children deprived of their family environment (CRC).

The vast majority of girls and boys have been in contact with state institutions, such as schools and colleges, health services for pregnancy and childbirth, and services for children in vulnerable situations (PANI). However, this contact has not represented, for any of them, a guarantee of fulfillment of their rights. This is evident from, for example, the absence of policies and procedures for reincorporation into the educational system, the absence of investigation/denunciation of suspected abuse during abortion care, pregnancy and childbirth during childhood and adolescence by the health services, or the lack of real and effective protection alternatives offered by the National Child Welfare Agency (Patronato Nacional de la Infancia).

Nearly half of the population has at some time been institutionalized in shelters, either because they were abandoned as children or because they were on the streets as victims of commercial sexual exploitation. However, these experiences have not meant a change in their lives since the perception of these alternatives is negative and most of them have run away from them.

TABLE Nº 33
 DISTRIBUTION OF THE POPULATION BY EXPERIENCE OF INSTITUTIONALIZATION
 ACCORDING TO LOCATION OF THE RESEARCH AND SEX OF THE INTERVIEWEE
 (ABSOLUTE NUMBERS)

Institutionalization	San Jose	Lemon
Women		5
Men		1
Total		

Source: Interviews with minors in commercial sexual exploitation,
 2001, N = 100.

On the other hand, the institutional assistance offered, which does not involve institutionalization, is little perceived by the population studied. Most is provided by non-governmental organizations and includes psychological support and talks. At the state level, assistance was provided by the Instituto Mixto de Ayuda Social to six girls through a support program for pregnant ~~adults~~ (all from the province of Limón) and a student scholarship from the Ministry of Education.

CONCLUSIONS AND RECOMMENDATIONS

In general terms, Costa Rica has made significant progress in legislation on children and adolescents, especially since the adoption in 1999 of the United Nations Convention on the Rights of the Child, which establishes the basic postulates of the doctrine of comprehensive protection, the current paradigm in this area. Thus, both the Code for Children and Adolescents and the Law against Commercial Sexual Exploitation of Minors reflect this progress, and in fact, Costa Rica is the only country in Latin America that has modified its criminal legislation with the special objective of punishing the perpetrators of this human rights violation.

It is recognized that the Law against the Commercial Sexual Exploitation of Minors is an important effort to bring criminal legislation in line with international human rights postulates, but in reality, there is no documented or systematized information on the impact and application of this legislation.

Costa Rica, however, must take on new legislative challenges, such as the criminalization of the possession of this type of pornographic material, which is recommended in the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Since the entry into force of this protocol, there is one more legal basis - with constitutional rank - to legitimize the criminalization of the different forms of commercial sexual exploitation.

Another challenge is also the strengthening and specialization of the Judiciary, as it is responsible for administering justice, to achieve higher levels of efficiency, including specialized training for all judicial agents involved in these complaints and investigations, and of course for judges who ultimately resolve these cases, so that criminal proceedings express and develop the postulates of human rights of children and adolescents. In addition, the institutional strengthening of the Sexual Crimes and Domestic Violence Prosecutor's Office and the creation of other specialized units in key places in the country is recommended, so that specialized prosecutorial intervention is not only concentrated in San José.

This strengthening should also be aimed at providing judicial agencies with the necessary personnel and equipment to carry out the investigation in accordance with the complexity of the matter. It is especially important for prosecutors to have the possibility of a judge authorizing the intervention of communications when there is a well-founded suspicion that crimes of this nature are being committed, and for this purpose, it is necessary to approve the bill that intends to make the corresponding legislative reform.

In relation to the victims, the multi-causality of factors associated with the vulnerability of children and adolescents to being trapped by sex trade networks is recognized. Among them, the level of education, poverty, poor access to social welfare services, and the absence of social networks to support and protect their rights stand out. All this, together with a family history of high levels of sexual, physical and patrimonial violence. These factors are in accordance with a patriarchal culture of objectification and appropriation of women's sexuality as a masculine good and with adultcentrism, which dialectically promote the existence of sexual exploiters of children and adolescents.

Thus, although the country has made progress in sanctioning commercial sexual exploitation, the study shows a lack of effective actions to comprehensively protect the victims of this severe human rights violation.

Thus, the major challenges that the country must face in order to eradicate the problem can be summarized as follows:

The implementation, in specific actions and programs, of the mandates ratified in the Convention on the Rights of the Child, the Optional Protocol Annex 2, the Code of Childhood and Adolescence and Convention 182 (ILO) for the Eradication of the Worst Forms of Child Labor, which specifically refer to commercial sexual ~~exploit~~

The promotion and development of universal policies that directly attack the social, economic and ideological factors that promote both the vulnerability of the population under 18 years of age to commercial sexual exploitation and the proclivity to commit this crime.

The promotion and implementation of intersectoral and institutional programs aimed at early prevention and care for girls and young women at risk of commercial sexual exploitation or who are already involved in it.

The promotion and development of comprehensive care programs for victims with a focus on rights and a generational ~~appro~~ aimed at the protection and restitution of all violated rights.

The allocation of a larger specific budget to combat commercial sexual exploitation crimes, taking into consideration that the investigation of ~~criminal~~ groups and networks requires high-tech resources and specialized training.

The implementation of coordinated and sustainable strategic actions, not susceptible to changes in government administration.

Legislative reform with the objective of bringing penal norms in line with the Convention on the Rights of the Child, the Optional Protocol, Annex 2 and Convention 182 of the International Labor Organization.

In summary, given that the existence of the problem of commercial sexual exploitation is recognized in the country as a phenomenon that restricts the development and full enjoyment of individual potential in the lives of girls and boys subjected to these systematic sexual violations, it is essential to transcend the discussion towards the implementation of actions for its effective eradication.

The need to offer effective responses today is the only solution to the problem. The longer the search for effective action strategies and their respective operationalization is delayed, the greater the consequences for children in this situation, as well as the greater the number of minors at risk of being recruited by commercial sex networks.

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CONVENTIONS INTERNATIONAL

- Convention on the Rights of the Child.

- Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor.

- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

- International Covenant on Economic, Social and Cultural Rights.

- International Covenant on Civil and Political Rights.

- American Convention on Human Rights. Pact of San José.

LAWS NATIONAL

- Childhood and Adolescence Code.
- Law against sexual exploitation of minors.
- Penal Code.
- Code of Criminal Procedure.

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- Sanabria, Jorge. Technical Manager. PANI.

- Lilliam Gómez. Coordinator of the Specialized Prosecutor's Office for Domestic Violence and Sexual Crimes. San José.

- Ana Salvadó. Alliance House.

- Henry Issa. Professor of the Law School of the University of Costa Rica.

- Gonzalez, Sonia. CONACOES Coordinator.

- Katherine Quirós Leiva. Prosecutor in charge of sexual crimes in the Central Canton of Limón.

- Yorlenny Ruíz. Psychologist of PANI, Cantón Central Limón.

- Johana Brown. Director and legal representative of PANI, in the Central Canton of Limón.

- Orvil Ruíz. Director of the Limón Command.

- Gilberth Padilla. Director of the Guácimo Command.

- Sandra Bryan. Teacher at Pueblo Nuevo School. Limón.

- Cecilio Coleman. Religious leader of the Province of Limón.

- Xianie Reid. Municipal Councilor.
- Virginia Solórzano. PAILIM Social Planner.
- Romel Arias. Kukula Facilitator.
- Dr. Bermudez. Representative of CCSS Limón.
- Kimberly Taylor. Municipal official.
- Elías Muñoz. Representative of the Ministry of Public Security.
- Rodrigo Rodriguez. Officer of Radio Casino.

ANNEX 1

Interviews with specialized informants:

- Henry **Issa El Khoury.**
Professor of the UCR Law School
- _Lilliam **Gómez.**
Coordinator of the Sex Crimes and Domestic
Violence Prosecutor's Office
- _Ana **Salvadó.**
Director a.i. of Casa Alianza

Interview N. 1

Interview with Henry Issa El Khoury. San
José, June 2001.

1. *What is your opinion or your assessment of the importance and impact of the legal reform of the Law against Sexual Exploitation of Minors?*

It seems to me that it has had a strong impact, although it cannot be measured yet, in the sense that it creates the criminal type of commercial sexual exploitation that did not exist. From this point of view, the police can now act, before they had to look for ways to act for pimping, ruffianism, now they can act more directly. I do think that the type just provides a basis, and that it would be necessary to mentalize how the police should act because what I understand is that the evidentiary aspect has not been able to judge it as it should be, it is a crime that is obviously difficult to prove.

2. *In that sense, what are the gaps that exist, if you consider that there are gaps?*

I tried to draw a picture which is to place the type of sexual exploitation as the center, and a series of satellite types that lead to exploitation in the end. If we talk about commercial sexual exploitation, the crime of paid sexual relations with minors, that would be the basic form, and therefore I place it as the central criminal offense and that there begins to connect with any other criminal offense, because it could be acts of corruption, acts of viewing pornography, of posing for pornography, of abuse, of relationships, of trafficking, so that is why I see it as central. In that sense, let's say that one of the most important criminal types is the

The law does have fundamental loopholes in it. We are innovating by removing "perverse, premature and excessive acts" but one of the criticisms that have been made to us curiously is that these concepts were eliminated, because it seems that the national jurisprudence was very clear about what it was. It seems to me that it was not convenient, because at some point we were going to fall with the principle of legality that goes against the interpretations, but the definition that is currently given is very narrow, because it leaves out the criminalization of acts of an adult person who performs them alone with a minor. That is why the reform is indispensable, and now we are proposing with Lilliam and Eduardo, to return to the "premature, perverse and excessive acts" for an emergency matter, but I feel that if we want to make a reform within the framework of legality, it is better to work on these paragraphs, because this criminal type is very important, since it is almost the prelude to sexual exploitation. To go back to the perverse, premature and excessive is not convenient, because it seems to me that we have to eliminate these concepts from our penal codes, because how to see perverse, if we see it from the Freudian point of view, then if it is a heterosexual vaginal relationship is it not perverse, and what is premature, we have to see the cultural position of the passive subject to see if it is premature or not and to judge the victims again, and excessive, who measures the excessive, they are too indeterminate concepts.

Another gap is located in the crime of sexual violation, which does not include zoophilia. It seems to me that in article 161 we should go back to "touching" and remove "in an abusive manner" because the sexuality of an adult person with a minor is always abusive, so let's talk about sexual touching, it seems to me that this is the best formulation. Actually, I do not see the latter as a loophole, I see it more as a problem of criminal purism. In relation to the crime of production of pornography, a reform must be made on the possession of pornography that uses children; then in the crime of dissemination of pornography I understand that the dissemination is made by any means, including the Internet, but there are those who say that it is not so clear, it should be made explicit, so that it says "any means, including electronic means". It is also necessary to include "erotic and obscene" in both types (production and manufacture) to avoid any misinterpretation that could lead to impunity. It is also necessary to analyze what happens if the entry or transportation of this material is done without commercial purposes, that is, free of charge, then, this is another reform that must be made.

3. *In your opinion, what are the mechanisms to attack these legal loopholes? Would you agree to open the law to reform?*

It seems to me that this is a matter of sufficient care for the deputies to understand that we have to enter into the reform directly. What I would do is to form a group so that we do not have a new loophole, to consult more with judges, with the members of the chamber and in general with those who participate in the application of the law (who were left out in the discussion of this law, which I believe was a fundamental omission, but it was not on purpose), to incorporate them and with their experience enter the Legislative Assembly with a good motivation, and tell them "this is missing", "these and these impunities are happening to us" and when the deputies are told about impunities there is greater receptivity. It would be necessary to be careful not to touch those aspects in which some deputies were opposed to the law, so as not to go backwards in the reform. It is necessary to make the legal reform, because the loopholes would not be corrected by means of jurisprudence. The only thing that I consider can be saved by interpretation of the judges is to include the electronic media as part of the criminal type of dissemination of pornography.

4. *In terms of criminal legislation, do you consider that any reinforcement is necessary to enforce the law?*

Let us not yet go to the procedural law, let us stay in the Penal Code, in the article of international crimes, it seems to me that we must clearly talk about commercial sexual exploitation, explicitly, in article 7, and I would go further, because I would include sexual abuse against minors. A foreigner who comes to corrupt minors but is not committing commercial sexual exploitation, because there was no payment and there was no advantage or retribution, this assumption should also be included in the mentioned article, because this is very important because it allows the country to capture and judge people who commit these crimes regardless of the place or nationality of the perpetrator, because they are considered punishable acts against human rights.

In the procedural aspect, it seems to me that it should be clarified in that article which states which crimes are of private instance, it seems to me that it should be turned upside down and say that whenever the victims are minors, they are of public action. To make it very explicit, but it does need to be reformed.

5. *From your experience and at a practical level, what have been the problems detected in the application of the law and the imposition of the corresponding sanctions on sexual exploiters?*

It seems to me that there are two aspects in relation to the Public Prosecutor's Office. It seems to me that what is needed is to shore up economically and technically the investigation of both the Judicial Investigation Organism and the Public Prosecutor's Office. I believe that there are excellent intentions of the people, I have seen that they act very well, but what happens with the investigation in other parts of the country such as Puntarenas and Limón, if the Sexual Crimes Prosecutor's Office only works in San José? Sexual exploitation does not only occur in San José. It seems to me that it is necessary to specialize more in this field and in sexual abuse against minors, and to give them the adequate budget and the adequate personnel. If this does not happen, things are working well out of good will, because Lilliam is a fajada, also the police officers of the O.I.J who work there are also aware and fajados, they are people who deserve congratulations, but they do not have money or means to act, now they also complain about problems of frightening evidence, they would like the law to be easier for the evidence, I think it can not come to that unfortunately, And the fact is that sexual exploitation is so difficult to prove because it is necessary to carry out follow-up operations, that is why money is needed for them, they would have proof but it would be very easy, to set up the operations would be very easy and there it cannot be said that they are experimental crimes, obviously, there what can be there is an agent provocateur, and the crime is maintained.

At the judicial level, it seems to me that we have to work more on the matter, I feel that there is a lack of confidence at the judicial level in the application of this law, I feel that there is resistance, I perceive it, I do not know how to explain it, but I do feel that there are similar reactions to the deputies, when the law was being discussed, I hear "how, but if the girls do not see how they walk, then, appearance is everything, if the girl walks with a short petticoat, with a blouse that shows her navel she already has sexual experience, she should not be protected any more! It is a lack of sexual education and an incredible adultcentrism, it is a lack of education of what sexuality is in themselves, and in themselves, it is a lack of education of what sexuality is and of what childhood is, of what the culture of dress implies, which has no relation whatsoever. So they see a very painted, very carved

woman and she is a whore without realizing that this is an archetype that creates the

fashion, not that it creates sexuality for them. Fashion is always creating archetypes for us, let's say, of a lot of exhibition in women with very wide necklines, very short skirts, but well, if it is learned since we were little, it is normal, and that has nothing to do with sexuality, nor how it is practiced. It is a vision absolutely full of prejudices, I feel that our failures or mistakes are there, I can not affirm it, but it is a feeling that I have out there.

Zaffaroni himself says in his work -I don't know if he has already changed it- that if there is sufficient provocation in a woman who enters a barracks naked and is raped, then she provoked the rape! I think that this denigrates us men, that it corresponds to a false vision of the male, we are macho, male, masculine, we are animal beings that cannot contain ourselves, that we have irrational sex is a self-definition of ours that even authors like Zaffaroni express in one way or another, and that permeates their conceptual positions, too.

6. *Is there or is there not consistency between national legislation and international standards on commercial sexual exploitation of minors?*

It seems to me that this law begins to bring the country much closer to the canons of international protection of minors. It seems to me that we have gone up several steps over what we had before, we did not punish sexual exploitation, we punished rape very badly. I think we have reached a good level. Now it seems to me that judicially we have to use the international laws ratified by Costa Rica, to interpret, because they are sources of interpretation with constitutional rank.

7. *What is your opinion on the criminalization of possession of pornographic material using underage persons?*

Because of my ultra-legal background, I am afraid of the subject, but well, I accept it in the case of minors. For the purposes of protecting the image of minors, I accept it, I yield in my rigidity, partly because they are minors and because it is not possession of any material.

Interview N. 2

Interview with Lilliam Gómez. San José, June 2001.

1. *What is your opinion on the value of the Law against Sexual Exploitation of Minors?*

As an advance, I believe that something extremely important is that some elements were eliminated from the law that were more of a cultural nature, that came to revictimize, as in the crime of rape, the condition of "honest woman" should have been eliminated years ago, however, it was achieved with this law in 1999. These elements brought problems because it was always at the judge's discretion to determine what was "honest" and according to the judge's own culture, many times the concept was closed, although in my opinion it had to do with the sexual sphere, that the victim was not promiscuous, however, there were judges who, for example, in a case of a 14 year old victim, the accused reported that he drank beer and smoked, and that alone was enough, so she was no longer honest, and she was acquitted. Of course, it could always be reversed in cassation, but it meant a fight against those concepts. It is also really important that the reference to "corrupt minor" was eliminated in the crime of corruption, that for me are very important steps in the law, as well as to individualize conducts as new crimes, I am referring to production and manufacture of pornography, that is excellent, because as criminals are getting ahead in means and technology to come to commit crimes, we always have the law that is lagging behind, but there it goes.

2. *What are the gaps that you have been able to detect in this law?*

Regarding the legal loopholes, I identify possession. Possession has to be seen as a crime, we are not talking about merchandise, we are talking about children who are being reduced to merchandise, in that sense, I consider that it has to be considered as a crime.

The possession should be penalized, for the protection of the image of the minor. I was reading an existing law and that law speaks of "or in appearance are minors", and here an interesting issue is introduced, and that is that it is the image of a child created, I think this requires study.

Regarding the crime of corruption, this crime is a problem, basically the second and third paragraphs. I believe that the criminal type started well when it describes the conducts to be sanctioned, but the problem arises when it enters to define and I believe that a criminal law should not contemplate definitions because the definitions as it happens in the specific case do not necessarily cover all the possible situations that occur so that a situation that does not fall within what it says does not fall within the crime of corruption. The problem here arises because the norm limits us to the presence of minors, it turns out that they are making the child perform sexual and erotic acts in front of the corruptor, nothing more, according to the penal type it would not be corruption. So, I have to leave for another rule, because of the problems with this rule.

In the aggravating factors of sexual crimes, the uncle was left out. In the crime of rape, the elements of zoophilia are left out. There is still no jurisprudence on this aspect. In the crime of sexual abuse against minors, "in an abusive manner" was eliminated, because any sexual approach with a child is abuse.

In paragraph 4 of article 161 on sexual abuse, where it says "prevails", it should be replaced by "has", because it would be necessary to make a greater effort at the evidentiary level, on the other hand, if it says "has", it is more objective, and it is easier to prove. In the crime of procuring, "facilitare" was eliminated, and doctrinally "promote" and "facilitate" are differentiated, because the two conducts do not necessarily converge in the same person.

It never seemed to me that the element "coercively" should be included in the crime of misprision of felony, why do we have to give it another element to make it an additional burden of proof? This crime is not widely reported. Then in the crime of production and manufacture of pornography, "erotic material" is not included, only pornographic material, and it must be expanded to include this concept.

3. *What changes need to be made to strengthen the enforcement of criminal sanctions against sexual exploiters?*

I believe that it is necessary to reform the Wiretap and Communications Law for some of the sexual exploitation crimes, as this would help a lot to gather evidence and strengthen the judicial investigation.

The confiscation of assets should be expressly included, similar to how it is applied in drug trafficking, and not just what the Penal Code says. I think it is important to be clear that the pimp who uses his luxury vehicles to transport the children, and the houses where they take those children, should be placed in a fund. The prosecutor's office works with material difficulties, now the equipment has been updated, because before, in order to print a 52-page indictment, it was necessary to be there on Saturdays and Sundays. There have been no resources for anything. The confiscation can help to support the investigation of these crimes, and these goods can be under the administration of CONACOES itself, as CONADRO exists.

There are some crimes that do not fall under the provisions of Article 18 of the Code of Criminal Procedure, because they are neither aggravated nor qualified crimes, and therefore, a private instance would be required, in strict application of the law. This reform is extremely important. I believe that in the case of underage victims, who are being abused, the crimes should always be of public action. I am absolutely clear that conciliation does not proceed and that the revocation of the instance does not proceed when dealing with minors, according to the most recent resolutions of the Constitutional Chamber.

4. *What are the practical problems that hinder the application of this law in the administration of criminal justice?*

Problems of material and human resources. I still continue, since the law was created, with two investigators. Now that I have returned I have one more researcher, but what is one more researcher? We are attacking this problem, we have tried to prepare ourselves, but the problem is not only here, but at a national level. We need a specialized investigation team that can act at a national level, I am not talking about prosecutors' offices, because we have national jurisdiction, I am talking about the police.

Another thing that could favor the application of the law is to institutionally strengthen the prosecutor's office itself, and convert it into a Deputy Prosecutor's Office, and the planning study was done, and it was determined that it meets the requirements to convert it into a Deputy Prosecutor's Office, but it did not pass in the Court because they said that there are no resources. The competencies of the current prosecutor's office are very broad, because in addition to sexual crimes, it also deals with domestic violence, including homicides. The Deputy Prosecutor's Office would have to have national scope, because currently I do it, to the point of giving guidelines, going over the heads of the deputy prosecutors, and that is not convenient.

Another reform that I believe is necessary is at the administrative level, the closing of premises. In sexual exploitation, I take a girl out of a place, and tomorrow she is placed in another place at once. The municipality has shown absolute inefficiency in this regard. The problem occurs when it is carried out in rented houses, we should think of a clause in the lease that says that the contract is terminated immediately when an intervention of this nature is made. I believe that it is necessary to go further, and I do not want to reach an inquisitive state, but there are landlords who are renting it for that and charge dearly, because they know that the business is very lucrative, then what happens, even this should be made clear there for the recidivist landlord. It could also be seen as a form of participation.

5. ***In international matters, do you believe that Costa Rica complies with the requirements and regulations dictated in this area?*** I believe that Costa Rica has taken good steps, it is on the right track.

At least there is now a clear awareness that the problem exists, and that it is not as minimal as previously thought. The President of the Republic, by himself, ordered an investigation where it was determined that the issue is not what has been said, the problem is an extremely serious one. If it could be really materialized as they are thinking it would transcend the governments, but the plan they are trying to set up, according to the guidelines they have, would be a national and transnational plan. By the way, there is a project on extraterritoriality, which would be good if it were approved.

Interview N. 3

Interview with Ana Salvadó. San José, June 2001.

1. *What is your opinion on the impact and scope of the Law against Sexual Exploitation of Minors?*

I think it was a 100% positive step forward. Even in the regional consultation we had in February of this year on sexual exploitation, in the part of the legal group in which I was part of, we saw the legislation of each of the Latin American countries represented there (which were the majority) and we saw that in some countries, for example, there is not even a specific chapter for sexual crimes. In other countries, they do not even have a Code for Children and Adolescents (for example, El Salvador). So, the result of that group, which was quite interesting, was precisely that, that Costa Rica was the country with the best legislation and that is why I think that Costa Rica is the country that is at the forefront. Apart from Costa Rica, there have not been reforms as specific as the one made here with the law, that is why the reform was in itself an advance, with all the weaknesses it has, but it was a great step forward, of course it was.

Regarding the impact, I believe that the law has been applied thanks to the awareness campaigns that have been developed since it came into force, and to the number of complaints that have increased as a result of these campaigns. The law by itself does not imply a greater impact if the population is not sensitized and encouraged to denounce these acts.

2. *Of the work that you develop from Casa Alianza, Have you been able to detect any loopholes in this legislation?*

One of the major problems we have encountered is in Article 174 on the dissemination of pornography, which only punishes the

dissemination of pornography to minors, and leaves out the dissemination of pornography using minors to other persons who are of legal age, for non-profit purposes. And the cases we have - because we work with children- are cases of child pornography where adults are passing this type of pornography among adults, so article 174 does not apply, and they are cases we have specific, concrete, fully investigated, and the law cannot be applied, because there is an omission. And we did not see this at the time when the bill was proposed, and precisely we find ourselves in a situation that was not foreseen. And it is that most of the cases are of pimping, in fact there is no dissemination of pornography, and no paid sexual relations either.

3. *What are the mechanisms to attack these legal loopholes?*

I believe that it is necessary to promote a reform of the Sexual Exploitation Law, involving prosecutors more in the drafting of these articles, because they are the ones who work directly with this problem, such as Lilliam Gómez, for example. Civil society organizations should also participate in this reform, but more to give their opinions, ideas and verify that the proposed legislation is the one that is really needed, and responds to the protection of children. The role of the organizations for the defense of children's rights is fundamentally to create awareness of the dimensions of the problem, so that this does not happen again, because the dimensions of pornography trafficking are serious, very serious, and involve pedophiles. The reform must be done soon, the lobby must be done well so that the reform passes as soon as possible.

as soon as possible.

4. *What are the main problems that you have detected in the application of the law in the courts of justice?*

Information leakage. Information leaks out... How can it be possible that we file a complaint today against x person, and two days later, that person is calling the victim to threaten her? I think there is a lot of money involved. I don't know where the information comes from, but it is true that this happens.

5. *Do you consider that national legislation is consistent with international standards?*

It seems to me that Costa Rica has always been concerned about complying with this type of commitments, and signing agreements, and that

The legislation should be adapted as much as possible to this type of agreements, at that level, Costa Rica is doing quite well. I think the problem is one of social conscience, for example, the issue of Baruch, the Minister who says he is not going to give money to PANI, I think it is a matter of conscience, of being coherent with one thing and the other, that is, we sign agreements, we commit ourselves to certain things, but well, besides adjusting the legislation to this type of agreements, we also have to give the resources needed for that, that is where there is no balance that expresses the priority. We work at Casa Alianza based on the phrase "Tolerance: zero", that is, with children there are no valid excuses, children's rights are above any loyalty or any freedom. How can my freedom to have pornography come before the rights of the child, if we are talking about the rights of the child, that is a separate point. In conclusion, although the legislation is fairly well in line with international legislation, there is still the problem that there is a lack of awareness that there are priorities.

6. *What is your opinion on the criminalization of mere possession or only possession of child pornography?*

The best interest of the child has to be above any freedom the adult may have, and I fully agree that the possessor of this type of material should be sanctioned.

ANNEX 2

Methodological procedures of the study

A. National Research

Methodological strategy:

Documentary research supported by interviews with key informants.

Product:

Analysis of the legislative and administrative legal framework related to commercial sexual exploitation in Costa Rica.

1. Methodological procedures for the collection of information:

1.1 Selection and review of:

International conventions ratified in relation to children in general, and commercial sexual exploitation in particular.

International Cooperation Treaties or Agreements related to Commercial Sexual Exploitation.

Childhood and Adolescence Code.

Penal Code.

Law against sexual exploitation of minors.

Code of Criminal Procedure.

Law of the National Child Welfare Agency (PANI).

Related laws: migration, human trafficking and others related to children and adolescents.

Proposed laws related to domestic violence and commercial sexual exploitation.

Institutional regulations of the government agencies that directly or indirectly deal with the problem

The following organizations are responsible for the prevention of commercial sexual exploitation: PANI, Ombudsman's Office, Mixed Institute for Social Assistance, Children's Council, among others.

- 1.2 Selection and review of institutional documents on child care, taking into account, for internal policies, the documents studied under point a. For example: Children's Council, National Commission for Work against Child Sexual Exploitation, National Children's Board, Sexual Crimes Prosecutor's Office.
- 1.3 Focused interviews with key informants. Each interview was audio-recorded and then transcribed verbatim.

Thematic Areas or Contents:

Key informants in legislative matters:

Achievements in legislative changes and success criteria for their evaluation.

Gaps in legislation and legal and procedural difficulties in sanctioning direct exploiters, pimps and other types of intermediaries.

Necessary reforms.

Problems detected for the administration of criminal justice.

Consistency of legislation on sexual exploitation in the country with current international standards on the human rights of children and the eradication of CSEC.

Achievements and administrative obstacles in governmental institutions to operationalize the legal regulations for the protection of children.

Key informants in government response:

Institutions that provide care to children at risk of commercial sexual exploitation and those who are already in this situation; as established by law and political designation, and compliance with this mandate.

Government policies to prevent, evaluate, punish, address and follow up on the problem.

Victim referral and counter-referral system.

Policies, programs or projects for the prevention of commercial sexual exploitation exist in the country.

Criteria for assessing the priority or not of ~~government~~ policy for the eradication of commercial sexual exploitation.

Success criteria for assessing the effectiveness of the institutional and governmental response.

- 1.3 Selection of files that denote judicial and governmental response to the problem of commercial sexual exploitation.

2. Information Analysis Procedure

The analysis of documents and interviews was based on content analysis, for which analysis categories were chosen, which would then be analyzed according to established indicators. This is intended to answer the questions posed in the IPEC-ILO Terms of Reference and thus achieve products A1 and A2.

Product:

Analysis of the activities promoted by civil society and the private sector to stop the problem of commercial sexual exploitation.

1. Methodological procedures for data collection:

- 1.2 Search, selection and review of documents describing civil society's response to the problem: surveys, research, institutional reports, among others.
- 1.3 Focused interviews with key informants. They were audio-recorded and then transcribed verbatim.

Interviews with NGO representatives:

Thematic areas or contents:

Objectives and type of intervention of the organization.

Institutional success criteria.

Institutional alliances.

Visualization of the response of civil society as a whole and the government in particular to eradicate commercial sexual exploitation.

2. Information analysis:

The analysis of documents and interviews was based on content analysis, for which categories of analysis were chosen, which would then be analyzed according to established indicators. The aim was to describe and analyze the response of civil society to the problem of commercial sexual exploitation.

3. National mapping

1. Methodological procedures for data collection:
 - 1.2 Search, selection and review of documents that denote the areas of greatest concentration of the problem of commercial sexual exploitation and related problems. Among them:
 - National Census.
 - Household Survey.
 - Government documents on the main areas of poverty concentration (priority attention cantons and areas included in the Triangle of Solidarity).
 - Governmental and non-governmental documents on areas with the highest concentration of the sex trade: Fight against AIDS, control of sexually transmitted infections.
 - Documents of the Sexual Crimes Prosecutor's Office regarding the detected areas of sexual exploitation in the judicial system.
 - Documents of the Costa Rican Institute of Tourism that allow to know the zones of greater concentration of the tourist area, type of tourism, etc.
 - 1.3 Interviews were conducted with key informants, including officials from offices that deal with the problem of commercial sexual exploitation and leaders of the communities identified as having the greatest poverty and tourist concentration. They were audio-recorded and then transcribed verbatim.

Areas or thematic content of the interview:

Areas detected or perceived as being at higher risk for CSF. Criteria for risk assessment or the presence of the problem in different areas or communities in the country.

Explanations provided.

2. Information analysis:

The analysis of documents and interviews was based on content analysis, for which categories of analysis were chosen, which would then be analyzed according to established indicators. The aim was to carry out a national mapping.

B. Local investigations

General methodological strategy: Rapid Assessment Process (RAP), which includes the use of the following techniques for data collection: observation, in-depth interviews, focused interviews, discussion workshops, surveys, documentary analysis and life histories. In the breakdown of the methodological procedures, the products that follow the same methodology were grouped together. Given the research conducted on the characterization of the problem in the country, the Central Canton of the Province of Limón and the Canton of Desamparados in the Province of San José were chosen.

Criteria for the selection of communities:

Presence of the problem according to specific studies on commercial sexual exploitation, journalistic reports or documents from the Public Prosecutor's Office.

Locality with problems related to migration, extreme poverty, crime rate, domestic violence, child sexual abuse and drug addiction.

Perception of the presence of the problem according to community leaders.

Products:

Factors that influence and maintain the commercial sexual exploitation of minors detected in the locality.

Trafficking of children and adolescents for sexual purposes in the locality.

1. Techniques and procedures for data collection.

1.1 Search, selection and review of documents indicating the cultural, economic and criminal factors that influence and maintain commercial sexual exploitation.

Among them:

Documents on predominant economic activities in the locality.

Documents on poverty, migration, drug trafficking and criminal behavior (in terms of CSEC).

Municipal documents on the distribution of patents for night clubs, brothels, bars, massage parlors and others associated with commercial sexual exploitation.

Studies and journalistic reports on ESC in the locality.

Documents on the presence of domestic violence and child sexual abuse.

- 1.2 Discussion workshop to evaluate the perception of community leaders regarding the factors that promote and maintain the problem in the community: religious leaders, teachers, leaders of community groups, local journalists, officials of non-governmental and state organizations working in the field of care for children at social risk.
- 1.3 Interviews focused on key informants about the form and mechanisms by which the commercial sexual exploitation business operates, characteristics of the "clients-abusers", as well as the existence of child trafficking networks, possible routes and destinations of the trafficked children, the role of intermediaries, the effective application of migration laws, etc. It also includes information on the origin of trafficked children, victims of sexual exploitation and the circumstances under which they have arrived in this locality.
Interviews were carried out, by mutual agreement between interviewers and interviewees, at the informants' workshop site or place of work, as long as it was not associated with commercial sexual exploitation.
- 1.4 Observation of places prone to commercial sexual exploitation (streets, parks, bars, hotels, discos and brothels).

Products:

Characterization of children in situations of commercial sexual exploitation in the locality (includes the presentation of the life history of three girls or boys who are victims of commercial sexual exploitation).

Characterization of "client-abusers" according to the perception of their victims.

1. Study population:

Girls, boys and adolescents between the ages of ten and seventeen who are in a situation of social exclusion.

sporadic or frequent commercial sexual exploitation at the time of the interview.

Inclusion criteria:

Be at least 10 years of age and no older than 17 years of age. The minimum age criterion is established to facilitate the understanding of the informed consent for participation in the study and the understanding of the dynamics of the interview.

Men and women.

Being able to read in order to facilitate the reading and signing of the informed consent form. This criterion, as well as that of age, is taken as a precaution in view of the possible ~~difficulties~~ in obtaining the consent of parents or guardians, since children may be in situations of running away from home, wandering or other characteristics associated with the lack of adult protection in a large part of the population of CSEC victims.

Being in a situation of commercial sexual exploitation in public places or private businesses, on a frequent or occasional basis, obtaining money or any other economic benefit and victim of any manifestation of commercial sexual exploitation: sex tourism, pornography or performing any type of remunerated sexual activity.

Exclusion criteria:

Being under the visible effects of any type of drug that impedes fluid communication during the interview.

Currently housed in a permanent shelter for children at social risk.

Suffering from some type of obvious intellectual disability that prevents fluent communication for the purposes of the interview.

Being a victim of sexual exploitation exclusively with family members, even if there are economic benefits.

2. Criteria for the protection of children and adolescents under investigation:

The protection of the children and adolescents who participated in the research was a priority of the ~~research~~ To this end, and taking into account the Code of Children and Adolescents and the Executive Decree related to research with human beings, the study guaranteed:

- a. Confidentiality of the interview.
- b. Informed consent for participation in research.
- c. The mandatory reporting of any adult person identified by the child or adolescent or by suspicion of the interviewer, of the crimes considered in the Penal Code.
- d. The provision of appropriate information.
- e. referral to child protection agencies.
- f. emotional support from the interviewer or through referrals with previously established contacts in the two locations.
- g. referral to health centers.

3. Sampling procedure

For the selection of the 50 children in each locality, collaboration was requested from people or institutions that work directly with the problem, in order to locate at least five children or adolescent victims of commercial sexual exploitation. From them, the requested number was completed by means of the snowball technique. No quotas were established by sex or age, given the limited time available for the fieldwork. Therefore, 95 girls and 5 boys could be interviewed.

4. Framing

Once the children had been identified, the purpose of the research was explained. Once the participation framework was explained according to the requested format, a space was opened to clarify doubts.

There was no pressure to participate and in the case of acceptance, an informed consent form was read and asked to be signed. In some cases, either due to illiteracy or express request, the interviewer signed for the girl or boy. No interviews were conducted at the sites of exploitation. commercial sexual exploitation. For this purpose, an interview space was requested in a neutral place to be chosen between the interviewer and the child.

Throughout the interview, the interviewers, duly trained, were open and aware of the children's emotional needs and offered support when needed. At all times the interviewers were willing to clarify doubts about the purpose of the interview or any of the questions.

At the end of the interview, a space was opened again for containment, evaluation of the interview by the child and relevant information was provided to contribute to reducing the risk of recurrence of the abuse. By mutual agreement, the child was referred to other channels of help.

5. Interview

For the characterization of the children, the interview format offered by IPEC - ILO was followed.

Product:

Local response to the problem

Methodological procedures for the collection of information:

1. Questionnaire with open-ended questions to local government officials and civil society organizations.

In addition to the requirement to live or work in the locality for more than one consecutive year, with the following criteria for selection:

- a. An official of the Prosecutor's Office or Public Prosecutor.
- b. Two officials of the Patronato Nacional de la Infancia in charge of direct attention to children at social risk.
- c. An official with the position of director of the National Child Welfare Agency in the locality.
- d. Two school teachers from the community located in the priority attention zone.
- e. A school principal and a representative of the Ministry of Education.
- f. Two officials from non-governmental organizations working with children at social risk.
- g. Two representatives of the Municipality or local government.
- h. Three community leaders.
- i. Two religious leaders.
- j. A representative of the Costa Rican Social Security Fund.
- k. A representative of the Ministry of Security.

2. Discussion workshop

Based on the results of the questionnaire, namely the quality of the answers (knowledge of the subject) and the strategic position of the position, a group of participants was selected to discuss the results obtained and thus complete the analysis of the local response.

3. Review of files

Product:

Perception of the local population to the problem

Methodological procedure:

The survey offered by IPEC-ILO was applied to 100 people, 50 women and 50 men living in the locality and will deal with the perception of the problem of sexual exploitation in the locality.

Selection criteria:

- _ Live in the locality for more than one year
- Be over 18 years old

The location of the people to be surveyed was done in:

- a. outpatient clinic at a state health center.
- b. passers-by in the main streets of the town, divided into three groups, between ten and twelve o'clock noon, between two and four in the afternoon and between six and eight in the evening.
- c. Meeting of parents of school children or schoolchildren.
- d. Street vendors.
- e. Central government officials in positions ~~undat~~ to addressing the problem of CSEC.

Exclusion criteria:

Working directly in governmental or civil society organizations in the field of commercial sexual exploitation.

Once the forms were completed, the results were processed and analyzed in order to obtain the desired product.

ANNEX 3

Bills related to domestic violence and commercial sexual exploitation

1. **Bill "Criminalization of Violence against Women".**

The draft Law on the Criminalization of Violence against Women, file 13,874, seeks to punish certain conducts constituting violence against women, with the creation of crimes of physical violence, crimes of psychological violence, crimes of sexual violence and crimes of patrimonial violence. The proposal consists of creating a special law of a criminal nature where the crimes applicable to specific situations of gender violence are contemplated, with specific substantive and procedural provisions and particular to the characteristics of this type of violence, and in the generic part, the provisions of the general part of the Criminal Code would be applied.

All the crimes proposed in this law would be applied within the framework of power or trust relationships (current or not) where the woman of any age would be the victim of these conducts.

Among the proposed figures in the chapter on Crimes of Sexual Violence is the economic exploitation of a woman (Article 45), which punishes the person who is partially or totally maintained by a woman through the use of force, intimidation and coercion. It also includes the figure of "indirect sexual abuse" which consists of forcing a woman to perform or watch acts of exhibitionism, watch or listen to pornographic material or acts with sexual content.

This draft includes the repeal of Articles 92 and 93(7) and (8), which were already commented on in the previous section. 5.2 on the Penal Code.

2. Bill for the addition of an article 170 bis and repeal of the first paragraph of article 380 of the Penal Code.

File No. 13,952 to establish a prison sentence for persons who allow the use of their establishment for child prostitution. It is located in the Legal Affairs Committee, in the 52nd place.

3. Bill for the Addition of a paragraph 4 to article 6 of the Penal Code Extraterritorial Repression of Sexual Crimes against Minors.

This bill (No. 14.204) seeks to add a subsection to Article 6 to include the possibility of initiating proceedings for punishable acts committed abroad, when dealing with Costa Ricans or habitual residents of Costa Rica suspected of being perpetrators of sexual crimes whose victims are minors, even if the sexual crime in question is not punishable according to the legal system of the place where the act was perpetuated.

The project is in the 59th place on the agenda of the Legal Affairs Committee.

4. Bill for the Prohibition of Sexual Exploitation and Remunerated Sexual Activity

This bill (No. 14,108) seeks to prohibit the remunerated sexual exercise in all persons, without distinction of age (prohibition of adult prostitution) and contemplates regulations of commercial and non-commercial sexual exploitation, and seeks to create the Institute for the Protection of Sexually Exploited Persons. It is located in place No. 58 of the Committee on Legal.

5. Bill "Reduction of the Political Debt to Combat Child Prostitution".

File No. 14,320, intends to allocate 0.95% of the GDP for the implementation of programs to combat child prostitution.

It is in the Social Affairs Committee, and has not been published in the official newspaper.

ANNEX 4

Questionnaires

QUESTIONNAIRE No. 1

APPLIED TO CHILDREN AND ADOLESCENTS IN COMMERCIAL SEXUAL EXPLOITATION

(No. of questionnaire)

(Date)

(Interviewer's name)

INTRODUCTION TO THE INTERVIEW

"We are people who work in

(include name of Institute/University)

and we are conducting research on the problems experienced by some of the children and adolescents in

(country name)

We would like to request your collaboration to carry out the study and we would be grateful if you could provide us with very useful information for our study.

(Fill in the declaration of consent)

DECLARATION OF CONSENT

I agree to participate in the research

"Commercial sexual exploitation of children and adolescents."
coordinated by

I declare that I have been informed that the information I provide is confidential, that my participation in the research will not harm me physically or emotionally, that my identity will be protected, that I am participating voluntarily, and that I may withdraw at any time I choose.

(Country)

(Date)

(Signature of person interviewed)

(Interviewer's signature)

I. GENERAL DATA

Cou

ntry code 1.

- Country:..... ()
2. Area of application: ()
1. Capital.....
2. Outside the capital
3. Sex: ()
1. Female.....
2. Male
4. What is your age in years completed? ()
5. In which country were you born ?
(If you are from a foreign country, skip to question No. 6) (If you are from your country of origin, skip to question No. 7)
6. How old were you when you first came to this country? ()
..... (Skip to question No. 8)
7. In which province were you born..... ?
(If you are from this province go to question No. 10)
8. Who brought you to live in this place? ()
1. A family member
2. An acquaintance
3. A stranger
4. The couple
5. Other person
6. Ns / Nr
7. N/A
- (If this question does not apply, enter 0 as the answer.)
9. Why did you come to live in this place? ()
.....

II. FAMILY

A. LET'S TALK ABOUT YOUR CHILDREN

10. How many children do you have? ()
(If you say you have no children, skip to question No. 14.)
11. How old is your oldest child? ()

12. Do your children live with you? ()

1. Yes, all(Skipto question No. 14)
 2. Yes, some(Skipto question No. 13)
 3. No, none(Skipto question No. 13)
 4. Not applicable

13. With whom do your children live? ()

(Applies only to children who do not live with the respondent) (Check only one answer)

1. With the children's maternal grandmother
 2. With the paternal grandmother of the children
 3. With his/her father/mother (the person not interviewed)
 4. With other relatives (uncles, aunts, uncles, godparents, godmothers, godfathers)
 5. With foster or adoptive family
 6. In a shelter, home or institution
 7. Another
 8. Ns/Nr

B. NOW LET'S TALK ABOUT YOUR RELATIONSHIP

14. Do you have or have you ever had a cohabitation relationship? ¹ ()

1. Yes
 2. No (Skip to question No. 21)
 3. Nr (Go to question No. 21)

15. How old were you when you started your first cohabitation relationship ?..... ()

16. How old was your partner at the time? ()

17. What was the sex of your first partner? ()

1. Male
 2. Female

18. Do you currently live with a partner? ()

1. Yes
 2. No (Skip to question No. 21)
 3. Nr (Go to question No. 21)

How old was your current partner? ()

.....1When the respondent lives with a person he/she considers to be a boyfriend/girlfriend, partner, husband or wife.

20. What is the sex of your current partner? ()

- 1. Male
- 2. Female
- 3. Nr

C. TELL US ABOUT WHERE YOU LIVE AND WITH WHAT

WEIGHTS 21. Where do you currently live?

..... ()

- 1. In a dwelling house or apartment
- 2. In a rented room
- 3. In a hotel
- 4. On a ranch / precarious ²
- 5. On the street ³
- 6. Elsewhere

22. What people do you live with in that place?

YesNo

- 22.1. Mom..... ()
- 22.2. Dad..... ()
- 22.3. Your own children/as..... ()
- 22.4. Stepmother..... ()
- 22.5. Stepfather..... ()
- 22.6. Grandparents..... ()
- 22.7. siblings/as..... ()
- 22.8. Friends/as..... ()
- 22.9. Partner/wife ⁴..... ()
- 22.10. Couple/man ⁵..... ()
- 22.11. Solo/a..... ()
- 22.12. Other persons..... ()

(If you do not live with your parents, step-parents, grandparents and/or siblings, please inquire)

23. Why don't you live with your family now? ()

.....

24. Let's talk about your dad? ()

- 1. You don't know who it is
- 2. You know who he is but he passed away

m

4. You lived with him for a while but never saw him again.

2 Housing built with materials of low durability.

3 Sleeps in parks, on sidewalks or other outdoor areas.

4 Includes cohabitation with a girlfriend, wife or common-law partner free or married.

5 Includes cohabitation with a boyfriend, husband or partner in union free or married.



- 5. You lived with him for a while and still associate with him.
- 6. You live with him
- 7. Other (please specify)

25. Let's talk about your mom? ()
- 1. You don't know who it is
 - 2. You know who he is but he passed away
 - 3. You know who she is but you have never lived with her
 - 4. You lived with her for a while but never saw her again.
 - 5. You lived with her for a while and still associate with her.
 - 6. You live with her
 - 7. Other (please specify)

26. What money-earning activities do the people you live with do?
KinshipActivities for which they receive money.
-

27. How do you think your family's economic situation compares to other families in the community? ()
- 1. It is poorer
 - 2. It is similar to that of other families
 - 3. It is better than that of other families
 - 4. Nr

28. Have you ever run away from home? ()
- 1. Yes
 - 2. No (Skip to question No. 32)
 - 3. Nr (Skip to question No. 32)

29. How many times have you run away from home? ()
- (Check only one answer)
- 1. Once
 - 2. 2 to 5 times
 - 3. 6 to 10 times
 - 4. 11 to 15 times
 - 5. More than 15 times
 - 6. Nr

30. Why did you run away from home? ()
-

31. Who took you back to the house? ()

III. EDUCATION

A. NOW LET'S TALK ABOUT YOUR STUDIES 32. Can you read

? ()

1. Yes
 2. No
 3. A little
 4. Nr

33. Can you write ? ()

1. Yes
 2. No
 3. A little
 4. Nr

34. What was the last grade or year you passed in school?
 or school ?..... ()

1. Incomplete elementary school
 2. Completed elementary school
 3. Incomplete high school
 4. High school completed
 5. None
 6. Another
 7. Ns/Nr

35. Are you currently studying? ()

1. Yes What are you studying?
 (Skip to question No. 40)
 2. No

36. Why did you stop attending school or college? ()
 (Inquire about the reasons)

37. When did this happen, someone from the school or college
 tried to find a way for you to continue your studies? ()

1. Yes (Goto question No. 38)
 2. No (Skip to question No. 40)
 3. Nr (Skip to question No. 40)

38. Who was that person ? ()

39. What happened next?

IV. HEALTH

A. LET'S TALK ABOUT YOUR HEALTH

40. Which of the following situations have you lived or experienced?
 (You must answer in all options)

	Yes	No	Ns/Nr	N/A	
40.1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pregnancy()
40.2. Venereal ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	diseases
40.3. Treatment of venereal ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	diseases
40.4. AIDS (testing, treatment, information)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
40.5. Physical ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	aggression
40.6. Psychological ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	aggression
40.7. Drug					use ()
40.8. Alcohol ()					consumption
40.9. Other					
(Specify)					

41. Indicate the reasons why you have used health services. (You must answer in all the options)

	Yes	No	Ns/Nr	N/A	
41.1. Pregnancy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	control ()
41.2. Pregnancy ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	avoidance
41.3. Treatment of venereal ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	diseases
41.4. AIDS (testing, treatment, information)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
41.5. Physical ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	aggression
41.6. Psychological ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	aggression
41.7. Drug					use ()
41.8. Alcohol ()					consumption
41.9. Other					
(Specify)					

42. Please indicate any complaints, comments or suggestions regarding

the service received.

.....

.....

.....

.....

.....

V. EXPERIENCES OF SEXUAL VIOLENCE

Let's talk about sexual experiences with adults before you were twelve years old. You can include family members, friends, acquaintances, or strangers.

- 43. Before your 12th birthday, did you have any sexual experience? ()
 - 1. Yes
 - 2. No (Skip to question No. 51)
 - 3. Nr (Skip to question No. 51)

- 44. Could you tell me what happened? ()

.....

.....

..... Inquire about sexual abuse before age 12 (there may be several experiences).

 - 1. Non-penetrative sexual abuse by a person known
 - 2. Non-penetrative sexual abuse by a person known but not related
 - 3. Sexual abuse by a family member
 - 4. Rape by a family member
 - 5. Rape by unknown person
 - 6. Rape by a person known but not related
 - 7. Rape by several people at the same time
 - 8. Other
 - 9. Ns/Nr.....

- 45. When did you have this experience, was the person denounced? who mistreated you?..... ()
 - 1. Yes (Skip to question No. 47)
 - 2. No (Skip to question No. 46)
 - 3. Nr (Skip to question No. 47)

- 46. Why was this person not denounced? ()

.....

- 47. When you had this experience, were you treated in an institution ? ()
 - 1. Yes (Skip to question No. 48)
 - 2. No (Skip to question No. 49)
 - 3. Nr (Skip to question No. 50)

- 48. What type of care did you receive? ()

.....

49. For what reason were you not attended? ()

50. What sex was the person who abused you? ()
 1. Male
 2. Female
51. After the age of 12, have you had any sexual experience?
 forced or against your will? ()
 1. Yes
 2. No (Skip to question No. 64)
 3. Nr (Skip to question No. 64)
52. Could you tell me what happened? ()

 a. Incest (non-penetrative sexual abuse by family members or persons
 living in the same household, initiated after the age of 12 years).....
 b. Rape by unknown person
 c. Rape by a known person
 d. Rape by several persons at
 e. Rape by client-exploiters
 f. Sexual Abuse / Partner Rape
 g. Sexual abuse by unknown person
 h. Other sexual violence
53. When you had that experience
 was the person who mistreated you reported? ()
 1. Yes (Skip to question No. 56)
 2. No (Skip to question No. 55)
 3. Nr (Skip to question No. 56)
54. Why was this person not reported? ()

55. When you had that experience
 were you treated in any institution for this reason? ()
 1. Yes (Skip to question No. 56)
 2. No (Skip to question No. 57)
 3. Nr (Skip to question No. 58)
56. What type of care did you receive? ()

57. For what reason were you not attended? ()

- 58. What sex was the person who abused you? ()
 - 1. Male
 - 2. Female

B. INCEST EXPERIENCE

If incest is present in any of the above answers, describe the most important one at the discretion of the interviewee. Incest will be understood as any sexual experience with relatives or persons who lived in the same household, including direct sexual abuse (with physical contact) and indirect sexual abuse (without physical contact, e.g. exhibitionism, exposure or pornography, observations for sexual purposes, etc.).

If there is no incest go to question No. 64.

- 59. How old were you when this experience happened to you? ()
- 60. Sex of the other person

- :..... ()
 - 1. Male
 - 2. Female

- 61. How old was this person when he/she started abusing you? ()
 - 1. At least five years older than you
 - 2. An adult person
 - 3. Do not know
 - 4. Nr

- 62. Relationship or kinship to that person: ()
.....

- 63. How long did you live in this situation? ()
 - 1. Once
 - 2. Several times in one year
 - 3. More than one year but less than two years
 - 4. Several years How many?
 - 5. Do not remember

VI. COMMERCIAL SEXUAL EXPLOITATION

A. LET'S TALK ABOUT THE SEXUAL ACTIVITY YOU ENGAGE IN WITH PEOPLE WHO PAY YOU.

- 64. How old were you when you were first paid or given a gift for having sex or for performing another activity? sexual activity? ()

19465. Who contacted you that first time and what happened? ()

.....

66. Most often, the people who pay you for having sexual relations are:.....()

- 1. Men only
- 2. Women only
- 3. Men and women
- 4. Ns/Nr

67. Where are the people who pay you for sex or other sexual activities from? (You have to choose only one answer) ()

- Always S.
- Almost C.S.
- always A.V.
- Sometimes C.N.
- Almost never N.
- Never

S.C.S.A.V. C.N. N.

- 67.1. From this locality
- (insert name)
- 67.2. From other locations in the country
- 67.3. Foreign tourists
- 67.4. Foreigners living in the country
- 67.5. Ns/Nr

68. How do the people who pay you for your services contact you? (ask about ways, means, intermediaries) ()

.....

69. How much money do customers pay you each time they are with you? ()

70. Of the money you receive per customer, you have to give them a part to any person ?..... ()

- 1. Yes How much ?
- 2. No (Skip to question No. 72)
- 3. Nr (Skip to question No. 72)

71. To whom and why do you have to deliver part of the money? ()

.....

72. What do you spend your money on?

	Yes	No	
72.1. House	<input type="checkbox"/>	<input type="checkbox"/>	rental payment
	<input type="checkbox"/>	<input type="checkbox"/>)
72.2. Food.....	<input type="checkbox"/>	<input type="checkbox"/>	()
72.3. Food and child care.....	<input type="checkbox"/>	<input type="checkbox"/>	()
72.4. Assistance to family members.....	<input type="checkbox"/>	<input type="checkbox"/>	()
72.5. Drugs or alcohol.....	<input type="checkbox"/>	<input type="checkbox"/>	()
72.6. Other expenses you have on a regular basis	<input type="checkbox"/>	<input type="checkbox"/>	()
)
(Specify).....			

73. Do you have any other source of income?

1. Yes Specify

2. No

3. Nr

74. Do men who have sex with you use condom or condom? (Check only one answer)

1. Yes, always

2. Yes, sometimes

3. No

4. Nr

75. (If the interviewee is male, ask)
Do you use condoms or condoms? (Check only one answer) ()

1. Yes, always

2. Yes, sometimes

3. No

4. Nr

76. (If the interviewee is a woman, ask)
Do you use contraceptives? (Check only one answer)

1. Yes, always

2. Yes, sometimes

3. No

4. Nr

77. Have you had any of the following problems during your time in this activity?

	Yes	No	NA	NA	
77.1. Venereal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	disea
77.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Aids
77.3. Customer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Preg
()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
77.4. Physical attack by customers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(
77.5. Sexual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	assau
customers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(
77.6. Police					arrest
77.7. Police					abuse
(sexual, harassment, rape)					

- | | Yes | No | Ns | NA | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|----|
| 77.8. Insults and humiliation from people in general. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 77.9. Contempt of your family | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 77.10. Onset of drug addiction / alcoholism a
cause of prostitution | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 77.11. Threats or blows from the pimp | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 78. Have you ever been paid to dance naked, in nightclubs,
bars or private parties?..... () | | | | | |
| 1. Yes | <input type="checkbox"/> | | | | |
| 2. No | <input type="checkbox"/> | | | | |
| 3. Nr | <input type="checkbox"/> | | | | |
| 79. Have you ever been paid to be photographed nude or for
pose nude for video? () | | | | | |
| 1. Yes | <input type="checkbox"/> | | | | |
| 2. No | <input type="checkbox"/> | | | | |
| 3. Nr | <input type="checkbox"/> | | | | |
| 80. Has anyone offered to pay you to move to another region?
from this country or to another country to perform any of the following
activities? (You must answer all questions) | | | | | |
| | Yes | No | Ns/Nr | | |
| 80.1. To have sex | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () | |
| 80.2. For dancing in nightclubs, bars, hotels | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () | |
| 80.3. To accompany tourists | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () | |
| 80.4. To attend photo or video | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | shoots () | |
| 80.5. To be a model | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () | |
| 80.6. To give massages | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () | |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |

VII. CUSTOMER INFORMATION

We are going to ask you for some information about the last person who paid you for sex or other sexual activity. You do not have to give that person's name.

81. What sex is this person? ()
1. Man
2. Woman
3. Couple of man and woman ⁶

⁶When the clients are a couple and the interviewee is having sexual relations with the man, with the woman or with both.

82. What is this person's age? ()

- 1. Under 22 years of age
- 2. Over 22 years old but under 30 years old
- 3. Over 30 years of age but under 50 years of age
- 4. Over 50

83. Where is this person from? ()

- 1. From this locality(insertname)
- 2. From other locations in the country
- 3. Foreign tourists
- 4. Foreigners living in the country
- 5. Ns/Nr

84. Did that person contact you through an intermediary? ()

- 1. Yes How much ?
- 2. No (Skip to question No. 86)
- 3. Nr (Skip to question No. 86)

85. Who was the intermediary person? ()

Explain your relationship with the interviewee or his/her occupation
(cab driver, receptionist, etc.)
.....

86. Where did you have sexual intercourse? ()

(Specify where the sexual activity or intercourse took place)
.....

VIII. ADDICTIVE SUBSTANCES

A. NOW LET'S TALK ABOUT DRUGS

87. From the following list of substances mention the ones you have tried,
have you consumed?

	Yes	No	Ns/Nr	
87.1. Alcohol.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
87.2. Tobacco.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
87.3. Marihuana.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
87.4. Cocaine.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
87.5. Stone/crack.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
87.6. Basuko ⁷	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
87.7. Tablets.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
87.8. Cement.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()
87.9. Gasoline.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	()

7.....A mixture of marijuana and cocaine, or marijuana and crack.

Every dayTD
 One or more times per weekU/s
 One or more times per fortnightU/q
 Do not consumeNC

TD U/s U/q NC

88. How often do you consume alcohol? ()
89. How often do you use tobacco? ()
90. How often do you use other drugs? ()

IX. INSTITUTIONAL PROTECTION

A. NOW WE ARE GOING TO TALK ABOUT THE INSTITUTIONS THAT PROTECT OR HELP CHILDREN AND ADOLESCENTS.

91. Have you received help from any institution? ()
1. Yes what kind?
 2. No Why?
 3. Nr

92. Have you ever been taken to or placed in an institution for being on the street ?..... ()
1. Yes which one?
(Name of institution)
 2. No
 3. Nr

93. Please indicate any comments, suggestions or complaints about the service received at this location.
-
-
-
-

94. What things would you like the institutions and the people who work in them to do to help you?
-
-
-
-

At the end of the interview, thank you.

INTERVIEW EVALUATION

Once the interview is over, ask:

What did you think of the interview?

.....
.....
.....
.....

How did you feel during the interview?

.....
.....
.....
.....

What things do you think you would have liked me to ask you but I didn't

.....
.....
.....
.....

QUESTIONNAIRE No. 2

APPLIED TO ADULTS IN THE COMMUNITY "PERCEPTION AND KNOWLEDGE OF THE PROBLEM". OF COMMERCIAL SEXUAL EXPLOITATION".

(No. of questionnaire)

(Date)

(Interviewer's name)

I. GENERAL DATA Cod

1. Country:..... ()

Area of application:

1. Capital..... ()

2. Outside the capital

3. Gender :..... ()

1. Female.....

2. Male

4. Profession or trade? ()

5. Edad..... ()

1. 18-24 years old

2. 25-34 years old

3. 35-44 years old

4. 45-59 years old

5. Over 60 years old

6. Do you know or have you seen persons (male or female) under the age of 18 years old who are in prostitution in ? (name of city) ()

1. Yes

2. No

3. Do not know

7. Do you know of places in this city where people under the age of 18 participate in:
- | | Yes | No | Ns/Nr | () |
|--|--------------------------|--------------------------|--------------------------|-----|
| 7.1. Prostitution..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 7.2. Dancing naked/..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 7.3. Nude photography..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 7.4. Participate in pornographic videos..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 7.5. Other | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
- (Specify)

8. Where do the people under 18 who "work" in these activities come from?
- | | Yes | No | Ns/Nr | () |
|-----------------------------------|--------------------------|--------------------------|--------------------------|-----------|
| 8.1. From this locality | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| From other regions of the country | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| From another country | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |

9. What are the main reasons for the existence of child prostitution?
- | | Yes | No | Ns/Nr | () |
|--|--------------------------|--------------------------|--------------------------|---------|
| 9.1. Bad examples of family..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 9.2. Poverty..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 9.3. Loss of the moral values of persons under the age of..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 9.4. Loss of the moral values of adults..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 9.5. Boys and girls like/attract..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 9.6. Abandonment of the home due to violence domestic..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 9.7. Demand created by adults..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | () |
| 9.8. Lack of authorities efficiencies..... () | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ')9.9. |
| 9.9. Other reasonsWhich..... | | | | |

10. What would be your main reaction if you learn or see that an adult person pays for sex with a person minor? (Mark only one answer) ()
- | | |
|-------------------------------------|--------------------------|
| 1. I would turn to the authorities | <input type="checkbox"/> |
| 2. I would not do anything | <input type="checkbox"/> |
| 3. I would try to talk to the adult | <input type="checkbox"/> |
| 4. Another reaction | <input type="checkbox"/> |
-

11. Have you ever filed a complaint for this cause? ()
- | | |
|--------|--------------------------|
| 1. Yes | <input type="checkbox"/> |
| 2. No | <input type="checkbox"/> |
| 3. Nr | <input type="checkbox"/> |

- 12. What do you think of adults looking for minors?
18 year olds to pay them for sex?

.....
.....
.....
.....

At the end of the interview, thank you.

ANNEX 5

List of tables, figures and graphs

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ANNEX 6

Index of abbreviations cited

	ACJ:Young Men's Christian	
Association	CCSS:Costa Rican Social Security	
Fund	CRC:Convention on the Rights of the	
Child	CDNA:Code of Children	
andAdolescents		
CNNA:	National Council for Childhood and	
Adolescence	FUNDESIDA: Fight against AIDS Foundation	
ILPES:	Latin American Institute for Prevention and Health Education	
	INEEC:National Institute of Statistics and Census	
	IPEC:International	Programon the Elimination of Child
	Labor of the International Labor Organization.	
	MEP:Ministry of Public Education	
	OIJ:Judicial Investigation	Organism
	NGO:Non-governmental	organization
	ILO:International Labor	Organization
	PANI:Patronato Nacional de la Infancia (National Children's Board)	
	UNICEF:United Nations Children's Fund	

