

PREVENTION AND ERADICATION OF COMMERCIAL SEXUAL EXPLOITATION AND
SMUGGLING OF AND TRAFFICKING IN MINORS

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

CONSIDERING that, in the Charter of the Organization of American States (OAS), the member states reaffirm “that the education of peoples should be directed toward justice, freedom, and peace,” and encourages the “strengthening of the civic conscience of the American peoples, as one of the bases for the effective exercise of democracy and for the observance of the rights and duties of” persons;

UNDERSCORING:

The importance that all children of school age have access to education, and the importance of programs that foster retention of the student population in the school system and prevent their dropping out; and

That resolution AG/RES. 2240 (XXXVI-O/06) specifically includes the Inter-American Children’s Institute in the request to continue working in coordination with other organs and agencies of the OAS on this subject and on the draft on smuggling of and trafficking in women and children for purposes of sexual exploitation in the Americas, and requests its cooperation in the preparation of studies;

That the aforementioned resolution takes into account the Conclusions and Recommendations of the First Meeting of National Authorities on Trafficking in Persons, held on Isla Margarita, in the Bolivarian Republic of Venezuela, from March 14 to 17, 2006, which recall “the governments’ commitment to improve their capacity to identify, investigate, prosecute, and punish those responsible for trafficking in persons, especially in women and children, and to provide due assistance and protection to the victims”; and

Resolution AG/RES. 2348 (XXXVII-O/07), “Hemispheric Cooperation Efforts to Combat Trafficking in Persons and Second Meeting of National Authorities on Trafficking in Persons,” which states that “poverty, inequity, and social exclusion in the Hemisphere are factors that make people, especially women and children, more vulnerable to becoming victims of traffickers, who often belong to organized criminal groups operating at both domestic and transnational levels”;

BEARING IN MIND that the Directing Council of the Inter-American Children’s Institute (IIN) adopted the Strategic Plan 2005-2008 and the new Action Plan 2007-2011, which refocus the work of the Institute to meet current challenges facing society;

RECALLING:

The resolutions adopted by the Directing Council of the IIN on the prevention and eradication of child commercial sexual exploitation and the smuggling of and trafficking in minors, the most recent resolution being CD/RES. 10 (82-R/07), adopted at the 82nd Regular Meeting, held on July 26 and 27, 2007, in Cartagena de Indias, Colombia; and

That said resolution established the “Inter-American Program for the Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Children,”

entrusted the Director General of the IIN with developing a joint work proposal within the framework of that initiative, and supported the creation of an Observatory on this matter; and

RECOGNIZING:

The progress already made in the IIN in fulfillment of its own mandates in the framework of implementation of the Action Plan 2007-2011, which has been reported in the Institute's annual reports to the General Assembly and to the Permanent Council; and

That the General Secretariat of the Organization of American States has been implementing programs to combat trafficking in persons for several years, and has staff dedicated to this endeavor,

RESOLVES:

1. To note with satisfaction the decision of the Directing Council of the Inter-American Children's Institute to instruct the Director General of the Inter-American Children's Institute (IIN) to develop an "Inter-American Program for the Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Children."

2. To entrust the Secretary General with coordinating the development of this program directly with the IIN, the Anti-Trafficking in Persons Section of the Secretariat for Multidimensional Security, and, where appropriate, the Executive Secretariat for Integral Development, in addition to receiving support and advice from other competent OAS organs and agencies.

3. To request the IIN to provide advice to the member states, upon request, in their efforts to adopt or amend domestic legislation, regulations and procedures to combat commercial sexual exploitation and smuggling of and trafficking in children, including legislation dealing with travel authorizations and migration control.

4. To recommend the establishment of a Specific Fund to finance the "Observatory on Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Minors."

5. To invite member states, permanent observers, international financial institutions, regional organizations, and civil society organizations to contribute to financing this program.

6. To request the Inter-American Children's Institute to report to the General Assembly at its thirty-ninth regular session on the implementation of the mandates in this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

7. To urge member states to consider signing and ratifying, ratifying, or acceding to, as the case may be, the international instruments relating to the fight against commercial sexual exploitation of children and against the smuggling of and trafficking in children in the Hemisphere, among them the Convention on the Rights of the Child (adopted in 1989); the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (adopted in 2000); the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (adopted in 2000), the Convention on the Civil Aspects of International Child Abduction (adopted in 1980); the Inter-American Convention on International Traffic in Minors (adopted in 1994); and the Inter-American Convention on the International Return of Children (adopted in 1989); and to urge states parties to take the necessary measures to guarantee the rights contained in those instruments.

