

AG/RES. 2486 (XXXIX-O/09)

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

(Adopted at the fourth plenary session, held on June 4, 2009)

THE GENERAL ASSEMBLY,

TAKING INTO ACCOUNT:

Resolution AG/RES. 2432 (XXXVIII-O/08), "Prevention and Eradication of Commercial Sexual Exploitation and Smuggling of and Trafficking in Minors"; AG/RES. 2348 (XXXVII-O/07), "Hemispheric Cooperation Efforts to Combat Trafficking in Persons and Second Meeting of National Authorities on Trafficking in Persons"; AG/RES. 2240 (XXXVI-O/06), "Combating the Commercial Sexual Exploitation and Smuggling of and Trafficking in Children in the Hemisphere"; AG/RES. 1948 (XXXIII-O/O3), "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents and Children"; and all other General Assembly resolutions on the subject of trafficking in persons; and

The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, which arose from the III World Congress against Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, Brazil, from November 25 to 28, 2008;

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 promote 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 man;

The importance of all children having access to education, and the importance of programs that promote enrollment and the retention of the student population in the school system and prevent their dropping out, and of programs that support children who would otherwise be marginalized, discriminated against, and without access to school programs, including aboriginal and other minority children, children with disabilities, working children, and children affected by conflict and other humanitarian emergencies;

That resolution AG/RES. 2240 (XXXVI-O/06), "Combating the Commercial Sexual Exploitation and Smuggling of and Trafficking in Children in the Hemisphere," specifically includes the Inter-American Children's Institute (IIN) and other entities of the OAS in the request that work on this subject be coordinated with the Department of Public Security of the General Secretariat;

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, 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”;

That 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,” 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”; and

The conclusions and recommendations of the Second Meeting of National Authorities on Trafficking in Persons, cosponsored by the Governments of Argentina and Uruguay and held in Buenos Aires, Argentina, from March 25 to 27, 2009, and the agreement adopted that reflects the commitment of our governments to strengthen regional and international cooperation to combat this serious crime;

BEARING IN MIND that the IIN adopted the Strategic Plan 2005-2008 and the new Action Plan 2007-2011, which refocus the work of the Institute on meeting current challenges faced by 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, particularly resolution CD/RES. 10 (82-R/07), adopted at the 82nd Regular Meeting, held on July 26 and 27, 2007, in Cartagena de Indias, Colombia, which established the “Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking,” 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 in this area;

RECOGNIZING:

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

That for several years the OAS General Secretariat has been implementing programs to combat trafficking in persons and that it has staff devoted to this task; and

BEARING IN MIND that the IIN has implemented the first phase of the Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking,

RESOLVES:

1. To take note of the progress made in implementing the Inter-American Cooperation Program for the Prevention and Eradication of Child Commercial Sexual Exploitation and Illegal Trafficking, duly entrusted to the Director General of the Inter-American Children’s Institute (IIN) by its Directing Council, including the systematization of information; and to urge the Institute to continue to implement that Program.

2. To entrust the Secretary General with coordinating the implementation of this program directly with the IIN, the Trafficking in Persons Section of the Secretariat for Multidimensional Security, and, where appropriate, the Executive Secretariat for Integral Development, and additionally with receiving support and advice from other competent organs and agencies of the Organization of American States.

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

4. To recommend the establishment of a Specific Fund of voluntary contributions to finance the Inter-American Observatory on Commercial Sexual Exploitation and Other Forms of Violence against Children and Adolescents.

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

6. To urge the 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 and smuggling of and trafficking in minors in the Hemisphere, among them the United Nations Convention against Transnational Organized Crime (Palermo Convention), adopted in 2000, and the Protocol thereto to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted in 2000; the Convention on the Rights of the Child, adopted in 1989, and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, 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 the states parties to take the necessary measures to fulfill their obligations under these instruments.

7. To request the IIN to report to the General Assembly at its fortieth regular session on the implementation of 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.