

Note Nº 1/15

21st Pan-American Child and Adolescent Congress 2nd Pan-American Child Forum

THEMATIC FOCUS: CHILD SEXUAL EXPLOITATION IN THE AMERICAS. AN APPROACH FROM THE PERSPECTIVE OF RIGHTS

On 10, 11 and 12 December 2014 took place in Brasilia- Brazil the **Twenty-first Pan-American Child and Adolescent Congress**¹, focused on the issue of violence against children and adolescents².

Under the title *“Childhood: Building Environments of Peace”*, the Congress was organized on three core issues: 1) Violence against children. “Twenty-five years after the adoption of the Convention on the Rights of the Child: building peaceful environments”; 2) Juveniles in conflict with the law and criminal liability systems; 3) The sexual exploitation of children in the Americas.

For addressing each one of the thematic lines, the same methodology was utilized: a lecture, given by an authority on the subject, in which was offered an overview of the status of the issue in the region; an expert panel with three expositors, each of which focused on a specific aspect of the subject; and three roundtables in which the States of the region exposed their experiences on the issue.

The realized work had as result a unified resolution which establishes proposals and guidelines in support of the States, so that they may continue working on behalf of child rights in the region.

Note that the preparation phase of the 21st Congress was rich in the establishment and consolidation of relationship with strategic partners, whom provided both technical and instrumental support. In this regard, it is worth highlight the work done jointly with ECPAT, which provided Technical Secretaries for the moderation of the roundtables and expositors that took part in the expert panels. This experience jointly

¹ To know about what Pan-American Congress is, see Note Nº 4/13.

² The 21st Congress is product of the Resolution CD/RES 05 (88-R/13), approved at the 88th Regular Meeting of the Directing Council of the IIN (Colombia, September, 2013).

allows seeing possibilities for future partnerships that increase the capabilities of both organizations.

In parallel to the Congress, took place too the **2nd Pan-American Child Forum**³.

The Forum is a space where child participation is promoted, through the exercise of their right to give their opinions and be heard by the authorities responsible for the design and implementation of public policies on subjects that involve the exercise of their rights. In this case, in keeping with the central issue of the Congress, the Forum aimed to: raise awareness on the issue of violence against children and report about the situations of violence that live in each State.

The purpose of this Note of the Inter-American Program is to show what was worked and agreed in both instances on the issue of SEC.

Thematic focus: Child Sexual Exploitation in the Americas. An approach from the Perspective of Rights

Under this theme, we tried to monitor the Compromise of Rio (2008) –emerged from the Third World Congress against Sexual Exploitation- and its reflection in the National Plans about SEC implemented by the States of the region, with an emphasis on three elements: intersectoral coordination and cooperation among States for the combat of CSEC, legal frameworks and strategies for prevention and restitution of rights.

We were honored by the presence, as expositor, of the Director of the Department of Public Security of the Secretariat of Multidimensional Security of the OAS, Dra. Paulina Duarte. His participation is framed in the desire of coordinate actions with the SMS to join efforts and enrich the actions of both bodies.

His dissertation allowed to broaden the view of the subject, making visible the existing connections with other extreme forms of child exploitation and their relationship with the modes of operation of criminal organizations.

Expositors were highlighted referents of the civil society and the academia: Milena Grillo (Foundation PANIAMOR Costa Rica- ECPAT); Nelson Ribera Reyes (ECPAT Colombia) y Ángelo Moti (Federal University of Mato Grosso do Sul), who referred to

³ Created by Directing Council Resolution CD/RES. 07(83-R/08) as a component of the Congress.

legal frameworks, strategies of restitution of rights and experiences of interestatal and intersectoral coordination respectively.

Finally, in the roundtables participated representatives of: Brazil, Chile, El Salvador, United States, Paraguay, Saint Lucia, Suriname and Uruguay.

The exchange in these instances allowed reaching at the end of the event to a consensus about a set of “key ideas”, which in turn are aligned with the contents of the Final Resolution of the Congress.

Some of the worked ideas...

- ✓ Child sexual exploitation involves a combination of subjective and visible violence; systemic violence and symbolic violence reflected, for example, in the use of language that promotes the objectification of young and adolescent girls, particularly those who come from stigmatized social sectors.
- ✓ Children are at risk of being targeted by criminal organizations. Social exclusion constitutes a form of structural violence that prevents the new generations from achieving their full development. Because of this, there is an pressing need to design policies that seek to eradicate the threats to their integrity and security.
- ✓ There is wide consensus on the need for inclusion and child participation in the design of security-focused policies that target children
- ✓ There has been significant progress in the region as regards legal frameworks. One of the key aspects in this respect is the punishment of client-exploiters. However, these developments are not in line with existing recovery and reintegration measures for adolescents affected by these crimes. In this respect, it is urgent to synchronize action to promote criminalization with measures for the restitution of rights, and these measures, with universal policies that foster social integration with a new approach.
- ✓ SEC implies the breakdown of a number of psycho-social elements and alters the construction of a child's life project. Changes in the environment are essential to its eradication; opportunities and values should be promoted in order to make a decent life project visible and sustainable.
- ✓ During the sharing of experiences, there were accounts of actions tending towards doing away with the silence surrounding sexual abuse and searching for regulatory frameworks in order to criminalize persons who commit sexual offences beyond the borders of their own countries. The need to legislate on

the new information and communication technologies and their links with SEC was also discussed.

- ✓ It is necessary to link policies for the eradication of SEC with action against associated crimes, such as trafficking in persons, drug trafficking and the so-called worst forms of child labour.
- ✓ There is valuable inter-State working experience in the region, in areas with porous borders. These experiences have led to the design of bi- and tri-national plans with inter-agency perspectives and the mobilization of communities

CPNNA/RES 1 (XXI- 14). Unified Resolution on the Twenty-First Pan American Child and Adolescent Congress. "Childhood and adolescence: Building peaceful environments"

As was said previously, the Congress purposed as a final objective emit a unified resolution which establishes proposals and guidelines in support of the States, so that they may continue working on behalf of child rights in the region. Thus, it arrived to Resolution **CPNNA/RES 1 (XXI- 14). Unified Resolution on the Twenty-First Pan American Child and Adolescent Congress. "Childhood and adolescence: Building peaceful environments"**, submitted by the Delegation of the Federative Republic of Brazil and the Republic of Chile and approved at the First Session of Heads of Delegation.

In relation to the issue that occupied us, the Congress concluded:

CONSIDERING:

That it is imperative to maintain and increase efforts at coordination and cooperation to strengthen the progress being made in the Americas, where children continue to be those most affected by violence, which prevents the recognition and full exercise of their fundamental rights and freedoms;

[...]

That child trafficking and sexual exploitation, one of the serious forms of violence that significantly continue to affect the region, is one of the principal activities of criminal organizations, whose existence represents a threat to democracy , making it necessary to advance towards its immediate eradication;

[...]

RESOLVES:

[...]

7. *To invite Member States to establish permanent mechanisms to generate information and to raise awareness on different forms of violence against children, in all the environments where they may occur, particularly with regard to:
a) Sexual exploitation and trafficking
b) Juvenile justice systems*
8. *To urge Member States to prioritize actions against sexual exploitation of children and adolescents, in all its manifestations, through the creation and strengthening of specialized actions and services at institutional and inter-institutional levels both with national and international reach, for the implementation of prevention mechanisms and the harmonization and effective coordination between administrative and judicial systems, and for comprehensive restoration of the rights of children and adolescents, in particular of those who are most at risk or affected.*
9. *To urge Member States to strengthen regional and national mechanisms to prevent, suppress and punish trafficking in persons, especially children and adolescents, for the purposes defined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, of the UN Convention against Transnational Organized Crime.*

[...]

13. *To promote cooperation among Member States, especially horizontal, south-south and trilateral cooperation, as well as with international organizations, by fostering the production of systematic studies, opportunities for sharing good practices and the training of human resources in order to strengthen their capacity to develop peaceful environments and eradicate the different forms of violence against children, with an emphasis on the areas previously mentioned.*

Recommendations of the Second Pan-American Child Forum

Seventy-four adolescents between 12 and 17 years old participated in the 2nd Forum. They were from: Antigua and Barbuda, Argentina, Barbados, Bolivia, Brazil, Colombia, Chile, Ecuador, El Salvador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Saint Lucia, Suriname, Trinidad and Tobago and Uruguay.

Particularly, in relation to SEC they suggest:

- 1. The States should draft laws to ensure that children are protected in border areas sensitive to child sexual exploitation, generating detection and control systems at points where children are most vulnerable, watching particularly over their movements in these places. They should also punish those who offer these services as well as those who request them, and provide surveillance in areas where child sexual exploitation is presumed to occur.*
- 2. The States should ensure that their budgets are sufficient to carry out programmes involving awareness-raising, prevention, and care and reinsertion for children affected by SEC.*
- 3. They should set up programmes to raise the awareness of society and teach the difference between child sexual exploitation and prostitution. To this end, the States should conduct studies and provide updated information and statistics. Prevention should also be fostered through education and training, particularly through art and the use of technology in creative and innovative ways. In addition, we recommend that institutions should provide specialized services in education, health, protection and justice, with qualified staff to handle registration, and swift and efficient care for victims. The States should continue to ensure that services exist to deal with the reinsertion of victims and their families in society.*

The inclusion of the issue of SEC among the priorities of the Congress, as well as the interest demonstrated by the states of the Inter-American System and the organizations convened, show the relevance that is given to the issue in the social agendas of the region.

25 years after the adoption of the Convention, this issue not only still present but states have taken important steps, despite which there are aspect that deserve to be worked and strengthened. In this regard, we hope that the recommendations of the 21st Congress and the 2nd Forum⁴ will be tools for advancing towards a greater protection of the rights of children and adolescents in the region.

⁴ To know more about the 21st Pan-American Child and Adolescent Congress and the 2nd Pan-American Child Forum, see: <http://xxicongresopanamericano.org/>