

# Guatemala

## Sexual Exploitation of Children in Guatemala

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### Report on Sexual Exploitation of Children in Guatemala

#### 1. The Attorney General's Office

In accordance with the provisions of Section 251 of the Political Constitution of the Republic of Guatemala and Decree of Congress No. 512, the Attorney General's Office is the institution charged with the provision of counsel and consultation to state bodies and agencies.

The Attorney General represents the State and is in charge of the Attorney General's Office.

The Attorney General's Office is divided in two Departments, each with a specific goal. The Family Department provides for the social function of protecting and rescuing minors, women and elderly at risk. The Family Department is divided into three Divisions that care for the needs of each specific group.

In accordance with the Political Constitution, the State guarantees social, economic and legal protection to the family, and consequently, the Attorney General in his capacity as representative of the State, coordinates and supervises necessary actions towards the fulfillment of those constitutional precepts.

In this regard, the Minors Division of the Attorney General's Office, acts in those cases where minors are affected by or at risk of abuse, and rescues those minors and youths. At a later stage, and aided by the Juvenile Court Judge, it relocates them to adequate surroundings according to their specific needs.

#### 2. Present strategies and/or plans to prevent and combat sexual exploitation

Sex trade is a consequence of the varied risky situations in which children and youths can be involved, and of the fact that it is a reality that most people keep to themselves. Due to the lack of strategies and programs for the eradication of such trade, the State of Guatemala cannot fight against it.

#### 3. Successful program or project in the field

In September 1996 agency and government representatives participated in the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm, Sweden. During this Conference Guatemala pledged itself, along with all other participating countries, to the preparation of a plan to eradicate commercial sexual exploitation of children.

In December 1999 I issued the instructions for the Attorney General's Office to coordinate the elaboration of a National Plan against Commercial Sexual Exploitation of Children and Adolescents in Guatemala. In March 2000 with this aim in mind and aided by UNICEF, Mr. Gustavo Leal, Uruguayan consultant, arrives in Guatemala. Mr. Leal met several government officers and held many working meetings with different sectors of society, after which the methodological guidelines for the elaboration of said Plan, were drawn.

From then on, the Coordinating Group was established under the tutelage of the Attorney General's Office where government agencies and NGOs participated.

Two advisory boards were constituted as well, one of them with governmental and non-governmental national agencies, and another one with international cooperation agencies based in Guatemala.

The Coordinating Group carried out a diagnosis of the problem and at the same time organized several thematic workshops with the participation of officer of the justice and health sectors:

Izabal: 13 October 2000,

Quetzaltenango: 8 February 2001,

Cobán: 13 March 2001, and

Guatemala: 29 March 2001.

The socialization of the problem through communication and information events was also started. Once the diagnosis and workshops were finished, the main problems were identified. These could be summarized as follows:

1. The State has not implemented public policies that tackle directly the problem of sexual exploitation of children and adolescents, either as part of its obligations and in order to fulfill the commitments undertaken at different international events;
2. The present legislation does not acknowledge the reality of the problem;
3. There is no infrastructure, i.e. shelters for children and adolescents who lack a family;
4. There is some level of impunity;
5. The different networks of child prostitution operating in different sectors of the country have not been detected.
6. There are no control mechanisms that hinder the doings of mass media, when these have sexual exploitation of minors in mind.
7. The population is thoroughly ignorant of the problem and its consequences, and thus seldom report it;
8. As far as health care requests from minors with diseases acquired through prostitution, the health sector has no reliable records;
9. There are no programs providing psychological counsel to children and ado-

lescents victims of sexual exploitation, nor to their families; and

10. Sexual education – aimed at preventing commercial sexual exploitation of children and adolescents - is not incorporated into educational programs.

With this dismal landscape, regional workshops on commercial sexual exploitation of childhood and youth in Guatemala and the problems it faces were organized throughout the country. Workshop participants were divided in groups that were asked to answer in accordance to the sector to which they belonged, on the incidence and manifestations of the problem in their community, as well as the way in which it was tackled and how they believed it should be done, providing as well possible solutions.

Judges, district attorneys, National Civil Police, the army, religious people, several non governmental organizations working with children, mayors, governors, Department of Social Welfare of the Republic, representatives from the Attorney General's Office for Human Rights, representatives of organizations working with women and teachers participated in this project.

The results confirm the existence of problematic issues that were detected through the diagnosis and thematic workshops. Based on these findings and taking into account the suggestions made by participants in regional workshops and the feedback put forward by all members of the different work sessions, the NATIONAL ACTION PLAN AGAINST SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES OF CHILDREN AND ADOLESCENTS IN GUATEMALA was elaborated.

The NATIONAL ACTION PLAN AGAINST SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES OF CHILDREN AND ADOLESCENTS IN GUATEMALA is conceived as a protection policy intended for childhood and youth and consequently the entity directly responsible for carrying it out is the State "through suitable governmental institutions and civil society organizations, a

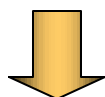
society that is committed to its implementation, development, monitoring and evaluation within a democratic, participative, non-bureaucratic, and decentralized framework, whose projects take into account national, regional and local socio-cultural features ...".  
"... Management, guidance and implementation of the NATIONAL ACTION PLAN AGAINST SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES OF CHILDREN

AND ADOLESCENTS IN GUATEMALA shall be undertaken by a National Board consisting of Central Government agencies and NGOs\*".

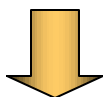
#### 4. Program or Institutional Project Beneficiaries

Levels of target groups

Children and adolescents, generally vulnerable and those that are being subject to commercial sexual exploitation.



Adults, i.e. families in general, families of vulnerable children and adolescents, those of children and adolescents being sexually exploited for commercial purposes and abusers and sexual exploiters themselves.



The institutions, both governmental and non-governmental participating either directly or indirectly in the issue, different authorities, the Legislative Body, diplomatic and consular organisms of Central American countries and Mexico, as well as other agencies for Central American integration such as PARLACEN, the Central American Bank for Economic Integration, etc.

Four main strategic goals have been set:

\* National Plan against Sexual Trade of Children and Adolescents in Guatemala.

1. Prevention, through sensitization, education and social mobility programs.
2. Care for victims both children and adolescents, through health, education, job training and reinsertion programs.
3. Provide guarantees as far as the administration of justice in crimes related to sexual exploitation of children and adolescents; give security to judges, and overall a legal system free of corruption and collusion: reforming specific laws on the issue and regional agreements to avoid traffic in children and adolescents for prostitution purposes.
4. Deepening the knowledge of the issue through systematization of experiences, creating an information center that contributes to updates of the database, carry out research related to the issue, causes, expansion networks, etc.

#### 5. Results

On 9 August 2001, the NATIONAL ACTION PLAN AGAINST SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES OF CHILDREN AND ADOLESCENTS IN GUATEMALA was submitted to the Executive. Given the necessary political support to put the plan in practice, we envision a future in which Guatemalan children and adolescents enjoy their rights with the necessary requirements for them to develop properly, amidst an environment devoid of structural and situational aggressions, that have historically promoted commercial sexual exploitation both at national and international levels.

We must strive for an environment where patriarchal and androcentric visions are not the dominant ones, where authority and violence paradigms have been overturned, both of which fetter minors. Minors will be regarded as social and legal subjects, human beings with rights evolving into adulthood.

Within this framework, a morally aware, participative and respectful adult population is necessary, a group that will reinforce micro and macro social contexts in favor of emotional, ethical and solidary growth of children and adolescents.

We should visualize a country where there is no sexual exploitation of children and adolescents, where social and legal protection mechanisms are in place, mechanisms that ensure eradication of the issue and shelter children and adolescents at risk.

6. Mechanisms used in order to obtain financing

Ms. Elizabeth Gaibbons was asked for financial support to prepare the NATIONAL ACTION PLAN AGAINST SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES OF CHILDREN AND ADOLESCENTS IN GUATEMALA. Through UNICEF, Ms. Gaibbons paid travel and DSA expenses of Gustavo Leal, LLD, IIN's consultant.

Organizations such as Save the Children, PRONICE, and the Attorney General's Office contributed with resources for the Diagnosis phase and the organization of thematic workshops.

7. Obstacles that hinder putting into practice or implementing the Action Plan

Child prostitution is an issue that nobody wants to address, girls are discriminated left alone with their anguish. They carry a stigma because it is hard to acknowledge it as a social problem that should be faced with strength, decision and courage.

Moreover the lack of specific policies to fight the issue on the Executive's side and the national economic situation hamper the implementation of the NATIONAL ACTION PLAN AGAINST SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES OF

## CHILDREN AND ADOLESCENTS IN GUATEMALA.

8. Identifying the problems and loops that favor the occurrence and expansion of the different varieties of commercial sexual exploitation of children

The report on the situation of Children's rights in Guatemala, prepared in 1996 by the Archbishopric Office for Human Rights, underlines the fact that "several risk factors determine abuse and sexual exploitation of minors, both at family and supra-family levels, that result in a high degree of children vulnerability when faced to sexual exploitation".

Among the different risk factors, violence and abuse within the family, poverty of children and their families, a strongly organized prostitution apparatus, the woman-object stereotype broadcasted by mass media - where the image of innocence is also exploited, sex market demand, and an almost non-existent government protection for the victim child are found".

## Conclusions

Based on the preceding paragraphs, we may conclude that:

1. Guatemala is nowadays armed with the NATIONAL ACTION PLAN AGAINST SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES OF CHILDREN AND ADOLESCENTS IN GUATEMALA and upon its implementation it shall solve and prevent a problem that is gathering proportions on a daily basis.
2. The political will of the Guatemalan Government is the key determinant in putting into practice the National Plan against Sexual Commercialization of Children and Youths.
3. In the meantime, the Attorney General's Office, NGOs and International Agencies such as UNICEF and the IIN, shall pursue

our commitment to fight against this scourge, with little resources but full of good will.

### Recommendations

The support of the Guatemalan Attorney General's Office and of government organizations and NGOs in the country allows us to envision a better future for Guatemalan children – free of abuse and exploitation.

Let us work for healthy children, morally, socially and physical; children full of happiness, illusions and dreams: A childhood that can be remembered as the best part of their lives.

We urge all organizations that work against sex trade in children in America, to keep up their efforts towards strengthening those measures that will pave the way for fighting and eradicating the problem, let us join our efforts and exchange experiences, both positive and negative, that will help us attain our goal.

Our efforts and those of several organizations shall continue: our ultimate goal is to provide children and youths with social protection and an opportunity to develop, today and forever.

Annex  
Coordinating Group

### NATIONAL ACTION PLAN AGAINST SEXUAL EXPLOITATION FOR COMMERCIAL PURPOSES OF CHILDREN AND ADOLESCENTS IN GUATEMALA

Guatemala, July 2001

Even if it has been impossible to quantify, due in part to its characteristics and the lack of resources, commercial sexual exploitation of children and adolescents is a fact and as of today of alarming magnitude in Guatemala. This statement is based on a survey of the knowledge, attitudes and practices

relating to the issue<sup>\*</sup>, and on other recent studies and reports, among which it is worth noting that of the United Nations Special Rapporteur on sale of children, child prostitution and the utilization of children in pornography. Overall they show the degree of knowledge of people from different strata, professions and education, about the issue, as well as the different manifestations, among which it is worth mentioning prostitution and pornography of children and adolescents, and traffic in minors for sexual exploitation purposes, and to a lesser extent sex tourism – most probably the least visible of all these closely related phenomena. The information collected points at municipalities, capitals, departments, areas, regions and even corridors for traffic in minors for sexual exploitation purposes.

It is not only a social phenomenon that goes beyond gender – even when it often involves girls and women -, but also affects different ethnic groups Maya, Garifuna, Xinca and Mestizo. Generally speaking, it is a structural and historical problem with many different vectors. It is a legal problem as well since it contravenes not only national legal dispositions in force in the country, but also the international ones ratified and adopted by Guatemala and subject to compliance and observance within its borders. Consequently, it is also a human rights issue since commercial sexual exploitation of children and adolescents deeply harms their dignity, and physical, emotional, moral and spiritual integrity of its victims.

### I. Background

A brief historical tour thorough the issue of Commercial Sexual Exploitation of Children and Adolescents, reveals that since 1992 the country has shown clear intention to approach the issue, mainly in order to collect information and diagnose. However, for the purposes of this Plan, the tasks carried out after 1996 will only be quoted, taking 1996 because it was the year when due to the magnitude of the issue, the First World Con-

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<sup>\*</sup> Prostitución y Pornografía Infantil: un secreto a voces. Guatemala: PRONICE, 2000

gress on Commercial Sexual Exploitation of Children was held.

#### Stockholm: Guatemala's commitment

The Congress was held in August 1996 in Stockholm, Sweden, and representatives of 119 governments and NGOs participated. The Kingdom of Sweden and other agencies such as the End Child Prostitution in Asian Tourism (ECPAT), UNICEF, other UN agencies and key personalities from different parts of the world participated in the congress' organization.

The participants called on governments and society worldwide to join efforts and to establish a global association against commercial sexual exploitation of children and youths, through concrete actions, which were compiled in the Declaration and Action Program of said Congress. There follows a brief description:

- Accord high priority to action, based on the guidelines as provided by the Convention on the Rights of the Child.
- Promote stronger cooperation.
- Promulgate the criminal character of exploiters.
- Ensure that child victims are not held liable.
- Examine and revise legislation, policies, programs and practices currently in force.
- Develop and implement national action plans and integral protection, prevention and care programs with a gender approach, all of which shall be drafted by the year 2000.
- Create an adequate environment through education, social mobilization and development activities.
- Enhance the role of popular participation, including that of children.

It is worth noting that the Guatemalan official delegation that attended the congress committed itself to fulfilling and putting into prac-

tice the recommendations proposed by the Congress' Declaration and Action Plan.

#### Follow-up of the Congress

Taking participation in the First World Congress as a starting point, Guatemala based Save the Children Sweden and Denmark, in agreement with the Attorney General's Office for Human Rights, held a press conference to make the results of the world meeting known. Representatives of embassies, government agencies and the international community based in Guatemala attended.

These activities were followed by a seminar on Commercial Sexual Exploitation aimed at establishing a Board that would follow-up on Stockholm 1996. By the end of that same year, and as a result of the seminar, the Board was established with representatives of government agencies and NGOs, where the Office of the Childhood Public Defender of the Attorney General's Office for Human Rights undertook the coordination. Within this frame several actions were taken among which it is worth noting:

Research<sup>\*</sup> was carried out to assess the frame of the problem reflecting the situation of prostitution of children and adolescents in several departments, as well as the situation of national regulations in force and institutional coverage.

A rapprochement with different levels of power, in particular at government level, aiming at their direct involvement in the subject.

These actions were neither that relevant or had such great impact due to the fact that as a consequence of institutional crisis, the Attorney General's Office for Human Rights resigns from its newly assigned coordination tasks.

Visit of United Nations Special Reporter on sale and prostitution of children and utilization of children for pornography:

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\* "¿Objetos sexuales o sujetos sociales? Un acercamiento a la prostitución infanto-juvenil en Guatemala." Guatemala: Procuraduría de los Derechos Humanos, 1999.

In July 1999, Ofelia Calcetas Santos, LLD, UN Special Rapporteur in the subject visited Guatemala. After holding multiple meetings and interviews with sectors directly or indirectly involved in the issue and after visiting several departments, Ms. Calcetas Santos drafted a report for the UN Human Rights Commission. Said report was presented at the 56<sup>th</sup> period of Sessions, at the beginning of the year 2000.

The Rapporteur's conclusions and recommendations have increased the awareness on this subject and of other subjects related to Guatemalan childhood and youth. The recommendations include the urgent need to pass the Code of Children and Youths; include characterization of sexual crimes in national legislation; care programs for street children - differing from traditional police raids; the urgent need for educational campaigns and legislative initiatives against incest; setting up rehabilitation programs for girls victim of sexual crimes, either incestuous or commercial; the need for Guatemalan government agencies to receive instructions to follow-up on the pledges of the Stockholm Congress and the commitment to sign bilateral and regional agreements on eradication of commercial sexual exploitation of children and adolescents and traffic in minors.

Drawing up the National Action Plan: the beginnings

In 1999 and with the support of the National Attorney's Office as coordinating agency, the works towards providing answers to the commitments of Stockholm were reinitiated with the elaboration of a National Action Plan that included programs and actions for prevention and care for Guatemalan children and adolescents who had been subject to commercial sexual exploitation.

Working on that plan implied organizing several institutional efforts. Three participation levels were established: two advisory boards - one consisting of cooperation agencies located in Guatemala, the other one consisting of governmental institutions

and national NGOs. The third organizational level is the Coordinating Group where government agencies and NGOs, as well as other social organizations directly in charge of planning and carrying out activities for the elaboration of the National Action Plan, participate.

The National Action Plan: main stages:  
Main activities:

Knowledge of the issue and its problems: through thematic workshops and other educational meetings.

Identifying and integrating the main problems: carried out by ECPAT / Guatemala as a contribution to the National Action Plan\*.

Defining working objectives for elaboration of the Plan: carried out by the Coordinating Group based on information collected and knowledge acquired.

- Drafting the Plan: collective process with feedback of the Coordinating Group.
- Socializing the process of drawing up the Plan: tasks that have allowed us to inform those participating in other phases and society as a whole through communicational resources.
- Socializing actions of the problem were a transversal axis of the project. The actions were carried out via mass media broadcasts.

Participation in the Regional Consultancy, San Jose, Costa Rica:

The Coordinating Group also participated in the Regional Consultation on the subject held in San Jose, Costa Rica, thus allowing the Group to share experiences and define actions with other countries in the region. As far as the National Action Plan was concerned, participating in said event facilitated contrasting the structure achieved and collecting input that in some cases resulted in new elaboration criteria.

## II. Basic Concepts

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\* Diagnóstico de situación: la explotación sexual comercial de niños, niñas y jóvenes en Guatemala". Guatemala: ECPAT / Guatemala, 2001.

Commercial Sexual Exploitation of Children and Adolescents "is a violation of the basic rights of children and youths; a type of abuse that implies sexual victimization of a minor by another person (usually older), linked to a commercial transaction that can be paid in cash or kind; a contemporary form of slavery; a profitable forced and destructive practice."<sup>1</sup>

When conceptualizing the issue, it must be clear that "... it is one of the most cruel violations of children's basic rights, there are severe consequences for physical, psychological, spiritual, moral and social development of the victim, mainly for young ones. Implications go far beyond their families, the community and society as a whole." <sup>2</sup>

Other research defines this type of Commercial Sexual Exploitation in terms of modalities: prostitution and pornography of children and youths, sex tourism and traffic in minors for commercial sexual exploitation.

Child prostitution "is a type of violence, exploitation and victimization of minors, their bodies and their sexuality are considered tradable objects, either organized or not, by prostitution networks"<sup>3</sup>. Prostitution is the most common type of Commercial Sexual Exploitation in Guatemala.

Child pornography: is defined as "visual or auditive representation of a minor for sexual pleasure of its user, with lucrative or retributive ends for the provider or middle-man involved in either production, distribution, possession or utilization of the material"<sup>4</sup>. Despite the fact that pornography material with Guatemalan children and adolescents has not been detected, places where pornography and child pornography is sold are known

of. Internet has been used in the country, not only to sell pornographic material displayed on the Net through pictures and videos, but also to hire sexual services of children and youths in other parts of the world.

Sex tourism: this type has only recently been incorporated into Guatemalan vocabulary and everyday reality. It is defined as "the commercial sexual exploitation of minors by foreigners visiting the country as tourists. It includes promotion of the country as a place where the practice of such activities by nationals and foreigners goes unpunished."<sup>5</sup>

At a national level, the fact that places where adult and child prostitution is available to users and clients generates an internal current of sex tourism. Puerto Barrios, Izabal; and Puerto de San Jose, Escuintla, are examples of such places. Despite the lack of statistics and official data, the participation of Guatemalan children and youths is acknowledged as a phenomenon with international implications.

These three types of commercial sexual exploitation are practiced and continued through a fourth type: traffic in minors, defined as "the recruiting and transport for illicit purposes from one country to another, with or without consent of the child and/or his/her family, to be utilized in their final destination as sexual merchandise for prostitution and/or pornography"<sup>6</sup>. Despite efforts to make traffic in minors invisible, it is evidenced in police raids, their reports tell of Honduran, Nicaraguan and Salvadoran girls found in Guatemalan public places and sexual exploitation centers. Likewise, Mexican press and authorities report the existence of Guatemalan youths in their territory for the same purposes.

## II. Explanation

Commercial sexual exploitation of children and adolescents is a complex social phenomena of which there is little information

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<sup>1</sup> Diagnóstico de situación: la explotación sexual comercial de niños, niñas y jóvenes en Guatemala. Guatemala: EX-PAT/Guatemala, 2001. p. 3

<sup>2</sup> Ib.

<sup>3</sup> Explotación sexual infantil, dolor para las niñas y los niños, silencio y complicidad social. Guatemala: PRONICE, 1999. p.3 quoting Tatiana Treguear y Milena Grillo.

<sup>4</sup> Ib.

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<sup>5</sup> Ib.

<sup>6</sup> Ib.



due to the fact that it is illicit and there is no research. The scenarios are hidden and the actors under cover of legal activities or companies, thus hampering in depth knowledge of the subject. Nonetheless its existence has been confirmed with the few studies conducted, with testimonies of persons that in any way have been directly or indirectly involved in the issue, and by testimonies of the children themselves interviewed for some research carried out at Central American level.

#### a. Dimensions

Ms. Calcetas Santos' report that "... only in the capital city more than 2000 children are exploited in over 600 brothels. The Report asserts that ages of minors practicing prostitution in the capital city vary from 8 to 12 and 15 to 17 years, ages that are similar to those found in other parts of the country visited by Ms. Calcetas Santos."<sup>7</sup>

Yet another study "reveals the existence of more than 200 night centers and over 600 pubs, many illegal, where prostitution is practiced and minors are sexually exploited. According to police investigators in 1996 of the more than 2000 sexually exploited adolescents, 1200 were Salvadoran, 500 Honduran and Nicaraguan and more than 300 Guatemalan."<sup>8</sup> It is worth noting that the information in this paragraph dates 5 years back.

#### b. Key actors: the commercial sexual exploitation network and children and adolescents.

Two key groups of actors were identified in commercial sexual exploitation of children and adolescents: the exploiter network (generally regarded as pimps<sup>9</sup>), and victim children and youths.

<sup>7</sup> Diagnóstico de situación: la explotación sexual comercial de niños, niñas y jóvenes en Guatemala. Guatemala: ECPAT/Guatemala, 2001. p.19

<sup>8</sup> Ib. p.20

<sup>9</sup> Legally speaking, the IV Criminal Code in force in Guatemala, defines pimps in Section 191 as: "person that, for lucrative pur-

The network of commercial sexual exploitation consists of different players, the most important are:

- The "*enganchador*" is "the person in charge of selecting, convincing and promises or delivers through sale or other financial agreement the vulnerable child to another pimp, who in turn will undertake sexual exploitation of his/her victims and will ensure their availability to prospective clients. This person usually uses deceit and/or coercion to achieve his/her goals, he or she almost never tells the child of his/her intentions underlying the approach."<sup>10</sup> They are recruiters for trafficking in minors with commercial sexual purposes.
- The "*pollera*": "they do the clandestine transport of their victims, either within the country or across borders."<sup>11</sup> They do the actual trafficking in minors.
- The owner of commercial sexual exploitation centers: is "strictly speaking, the direct exploiter of children and adolescents being subject to commercial sexual exploitation, the owner of night clubs, bars, brothels, hostels, etc. He/She is the trader in prostitution and sex tourism involving minors. He/she is the person that obtains economic advantages and is best off with the direct exploitation of his/her victims. Usually, the activities of this procurer and covered by the legal status of his/her business..."
- The boyfriend: he is also considered a pimp. They are those that take advantage of the girl both sexually and eco-

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poses or in order to satisfy someone else's wishes, promotes, facilitates or favors prostitution regardless of gender."

<sup>10</sup> Explotación sexual infantil, dolor para las niñas y los niños, silencio y complicidad social. Guatemala: PRONICE, 1999. p.4.

<sup>11</sup> Diagnóstico de situación: la explotación sexual comercial de niños, niñas y jóvenes en Guatemala. Guatemala: ECPAT/Guatemala, 2001.p.10

nomically, arguing that they provide the protection and affection needed; in some cases they even become managers of the girl's money.

Some relatives of prostituted children or adolescents: even if in general the families of minors sexually exploited are in turn indirect victims of networks of sexual exploitation, in some cases family members take part in pimping and exploiting granddaughters, nieces, step-daughters and in extreme cases their own daughters.

Some authorities: Cases of collusion between some authorities and other actors are not scarce when allowing Commercial Sexual Exploitation is at stake. Most commonly authorities comfortably overlook children and adolescents in brothels, houses of prostitution, bars and other prostitution centers, arguing that searching for minors in these centers is not their job, or else giving prior notice of inspections to owners.

The client: "in most cases they are men. They pay either the pimp or the victim for the sexual gratifications received through prostitution and pornography."<sup>12</sup> He is thus an accomplice and a promoter. In Guatemala in many cases the men are from a very early age taught, motivated or forced to take part in prostitution chains as end user of services provided by female prostitutes regardless of age.

The other side of the problem is the children and adolescents that are being sexually exploited. They are the victims of micro and macro contextual conditions that make them vulnerable, victims of networks for commercial sexual exploitation, victims of the silence of an indifferent society that due to many reasons completely ignores or becomes a silent witness of the deterioration of the lives of children and adolescents.

#### c. Main scenarios and geographical areas

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<sup>12</sup> Explotación sexual infantil, dolor para las niñas y los niños, silencio y complicidad social. Guatemala: PRONICE, 1999. p.5

The main scenarios are brothels, bars, houses of prostitution, canteens, beaches, streets, empty houses, shows, massage parlors, hotels, hostels, motels, etc.

Despite the lack of statistical data, estimates give us an insight into commercial sexual exploitation of minors as a generalized practice in almost all municipalities. However, through observation, opinion polls and information sources of social mass media, this type of exploitation is evident in the following geographical areas (cities, municipalities, towns):

The capital city of Guatemala.  
Border areas, in particular with Mexico and El Salvador. Coastal areas and harbors, such as Puerto de San Jose in Escuintla, Champerico in Realhuleu and Puerto Barrios in Izabal.

Some southern municipalities of San Marcos, the city of Escuintla, the departmental capital of Suchitepéquez (Mazatenango), the city of Retalhuleu, Coatepeque and Xelagú in Quetzaltenango, the city of Chimaltenango, and the departmental capital of Jutiapa.

Yet another study<sup>13</sup>, proves the fact that Guatemalan tourist destinations are prone to child prostitution as sex tourism. Two municipalities are mentioned: Antigua Guatemala, Department of Sacatepéquez and Panajachel, Department of Sololá, but other tourist destinations may also experience a similar phenomenon.

#### d. Determinants rather than causes

When dealing with a phenomenon such as child or adolescent sexual exploitation for commercial purposes it is rather difficult to attribute it to an absolute or mechanical cause, that is to say, neither generalizing nor attributing causes and consequences is appropriate. There are rather a number of

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<sup>13</sup> "Prostitución y pornografía infantil: ¡un secreto a voces!". Guatemala: PRONICE, 2000.

determinants that facilitate prostitution, pornography, sex tourism and trafficking in minors. The most relevant are:

**Poverty:** Some sexual exploitation network actors take advantage of poverty and its consequences. Through deceit they convince children and adolescents of scarce resources, they offer them an activity that will earn them a living and will help them move upwards, not only them but their families as well.

- Manifestations of family disintegration and intra-familial violence. Immersed in violent family surroundings or the absence of important figures in the family, many of these children thus become vulnerable to Commercial Sexual Exploitation.

**Sexual abuse:** Sexual abuse is one the manifestations of ill treatment that usually becomes a condition for victimization of children and adolescents in Commercial Sexual Exploitation. The feelings arising from being sexually used by family members or by people close to the family and the perception that there is nothing else to loose make them easy prey for sexual exploitation networks.

**Insufficient or non-existent education or job training:** Many children have had little or no access to a formal education system or to a job training systems, facts that leave the doors wide open for pimps. These deficiencies will enslave them in sexual exploitation and due to their limitations they are unable to visualize other possibilities.

**Gender perspective:** patriarchal tradition and macho culture. In the cultural environment where commercial sexual exploitation of children and adolescents is found, patriarchal traditions and a macho culture - that fails to provide a gender perspective - are prevalent. Here we may also include the male model where the female body is at their disposal, regardless of age or other conditions. The socially accepted conception that having sexual relationships with

"bad" women (prostitutes) is the best strategy to protect "good" women (wives, mothers, daughters, sisters, etc.) from the assaults and sexual instincts of men, is yet another concept that has survived not only in men's minds but also in that of many Guatemalan women that regard prostitution and forms of sexual exploitation as "a necessary evil".

#### e. Consequences, effects and implications

**Precarious health:** Some studies conducted point to Guatemalan girls and adolescents in prostitution suffering multiple diseases, in particular sexually transmitted ones including HIV/AIDS. Unwanted pregnancy and abortions are also mentioned, situations that force girls and adolescents to face realities for which they are still unprepared. Lastly there is death, either by lack of health care (multiple diseases) or as a consequence of the violent surroundings in which they live. Poor mental health of sexually exploited girls, adolescents and women is also included in this subsection. Depression, alcoholism, drug abuse, aggressiveness, and criminality are some of the most common patterns.

**Lack of employment opportunities:** due to the fact that children and adolescents sexually exploited for commercial purposes have little or no formal education or job training, they are also denied the opportunity to have a job that dignifies them, makes them grow as persons, and with enough income so that they along with their families can have a better quality of life.

**Ill-treatment, humiliations and slavery:** the environment where they live and work is plagued with vexation. It is known that their income barely allows them to fulfill their basic needs because usually the pimp has ensured indebteding them, selling the clothes they use at high pricing, arranging for expensive housing and nourishing. Furthermore, having been bought as merchandise, they are not allowed to leave of their own accord, unless the pimp decides to sell them to some other pimp. In many cases, on the

other hand, ill-treatment forces them to carry out domestic work without being paid extra money.

Prostitution clients or users also mistreat them, believing that since they are paying they free to vex or act violently. These have in many cases resulted in death of the girl, adolescent or woman. The police section in Guatemalan newspapers informs of murdered children, women and adolescents in bars, hostels, etc. Public officers also abuse prostituted children, adolescents and women: abusing their powers and office, force them into sexual relationships as payment for some "benefit".

f. Key issues:<sup>14</sup>

The political perspective

- Among the priorities of the Guatemalan Government there is a lack of design or implementation of integral public policies towards prevention and care for children and adolescents victim of commercial sexual exploitation.
- The Guatemalan Government does not strive to implement practical instruments to prevent and care for victims in accordance with all commitments undertaken when ratifying international conventions when participating in international meetings on Commercial Sexual Exploitation of Children and Youth.
- The already mentioned key issues reflect a lack of political will to strategically face the problem, causes and effects of commercial sexual exploitation of children and youths.

The legal perspective

- The laws in force do not characterize adequately the varied approaches to the problem.

- There are neither legal nor personal guarantees for justice enforcers to act with certainty against organized networks of commercial sexual exploitation of children and youths. Furthermore, the necessary mechanisms to identify univocally and effectively sanction sexual exploiters of minors are non-existent. There are no guarantees for informers either.
- There is no specific legislation for investigating and prosecuting crimes related to sexual exploitation of children and adolescents that reflect the new juridical interpretations of this particular issue put forward in international Conventions that deal in childhood in general.
- Institutional fragility of legal mechanisms against sexual exploitation of children and youths facilitates an inadequate administration of justice, corruption and collusion of authorities, reinforcing impunity at national, regional and international level.

The social perspective

- Lack of social institutions to tackle the issue in general and promotion of sexual practices framed within sexual exploitation of children and youths, fact that reflects a society feigning ignorance and taking refuge in macho and androcentric views that justify the existence and continuity of sexual exploitation of children and youths as a social issue.
- Telecasts in communication media (Internet, movies and television especially) with high sexual and erotic contents that result in a view of female bodies as sexual things and promote abusive and illegal sexual practices.
- Owing to different reasons, among which the internalization of fear, social and judicial reporting mechanisms for related issues do not work properly.

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<sup>14</sup> From "Diagnóstico de Situación: Commercial Sexual Exploitation of children and youths in Guatemala". Guatemala: EXPAT/Guatemala, 2001.

- Inadequate approaches to health care and prevention, reflected in a lack of programs aimed at preventing involvement of children and youths in different sexual exploitation scenarios, and in restricted prophylactic care (only from a sexually transmitted disease approach) that health care centers provide, centers that do not care for minors in sexual exploitation scenarios.
- Lack of an adequate approach to mental health issues and psychosocial effects in children and youth.
- The educational system is yet to include sexual education as a horizontal axis in educational curricula, with information on STDs including HIV/AIDS, as well as prevention of Commercial Sexual Exploitation of Children and Youths.
- There is a lack of financial resources and infrastructure necessary to provide a local, national and regional response to the issue.
- There is a lack of research initiatives from different scenarios that would provide an integral qualitative and quantitative view of the issue. Consequently, the few existing programs lack an integral view both from the care and prevention perspectives.
- Coordinating inter-institutional, governmental and non-governmental efforts are still precarious.

#### **IV LEGAL FRAMEWORK THAT ENABLES AN ACTION PLAN**

National legislation and international instruments incorporated into Guatemala legislation via ratification furnish the legal framework that would enable designing and adopting this National Action Plan against Commercial Sexual Exploitation of Children and Youths in Guatemala:

The Political Constitution of the Republic of Guatemala defines protection of the human being and the family for social well being purposes (Section 1). And the enforcement

of other international instruments on human rights, treaties and conventions adopted and ratified by Guatemala and the guarantees provided for in our Constitution. The latter enables us to enforce as national legislation the Convention on the Rights of the Child and the Declaration of Stockholm.

The Convention on the Rights of the Child ratified by the State of Guatemala through decree of Congress 27-90 on 10 May 1990, where the obligation of State Parties to protect children and adolescents victim of commercial sexual exploitation and sexual abuse is specifically stipulated. It provides for several actions, for example to take all necessary national, bilateral and multilateral measures to hinder exploitation (Sections 34 and 35).

The Declaration of Stockholm that Guatemala signed and the pledges, including development and implementation of integral plans and programs that consider gender differences to prevent commercial sexual exploitation of children, and protect and care for child victims so as to facilitate recovery and reinsertion in society.

- Universal Declaration of Human Rights approved on 10 December 1948. Proclaimed as a shared ideal so that peoples and nations inspired in said declaration and through teaching and education promote respect of the human rights and freedoms that it contemplates. It includes as well dignity, the value of a human being and equal rights for men and women.
- International Covenant on Economic, Social and Cultural Rights, ratified on 8 August 1988. It provides for the "adoption of special protection and care measures for all children and adolescents, avoiding all forms of discrimination based on filiation or any other condition. Children and adolescents should be protected against social and economic exploitation."

- International Covenant on Civil and Political Rights, ratified on 11 September 1992. It acknowledges the right that all children have to mandatory protection based on their status as minors, by families, society and the State, without discrimination based on race, color, language, religion, gender, national or social origin and birth.
- First Optional Protocol to the Covenant on Civil and Political Rights, ratified on 3 January 2001: Empowers the Committee on Human Rights, as provided for in the Covenant, to hear and investigate informations by people claiming to be victims of violations of any of the rights provided in said Covenant. It thus ensures achievement of its goals and enforcement of its provisions.
- American Convention on Human Rights (Convention of San Jose), ratified on 7 September 1951: Acknowledges the right of children, based on their condition as human beings, to have their condition as minors protected, be it by families, society and the State.
- Convention for the elimination of all forms of discrimination against women, ratified on 12 August 1982: Among others, it requests State Parties to take adequate measures to modify behavioral socio – cultural patterns of both men and women, so as to eliminate prejudices and inveterate and other practices, based on ideas of inferiority or superiority of either sex. It also provides that all States take the adequate measures, " even legislative ones", to eradicate all forms of trade in women and exploitation of female prostitution.
- Inter-American Convention on the prevention, punishment and eradication of violence against women (Convention of Belem do Pará), ratified on 4 April 1995: Contemplates the right of women to protection against all forms of violence, including physical, sexual and psychological: "b. occurring within the community, committed by anyone, and including among others, rape, sexual abuse, torture, trade in human beings, forced prostitution, kidnapping, sexual harassment in the workplace, as well as in educational institutions, health care centers or in any other place, and c. inflicted or tolerated by the State and its agents, wherever it occurs."
- Convention against Slavery, ratified on 11 November 1983: The Convention defines slavery as the state or condition of a human being upon whom all or any property rights are exercised. Child sexual exploitation is a form of slavery, since we find that beyond trampling on the child's dignity as a human being, the actors in prostitution networks exercise property rights on them.
- Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices similar to Slavery, ratified on 16 September 1988: The convention was subscribed when, despite the feats achieved upon agreeing to the Convention on slavery, in certain parts of the world some analogous institutions and practices were still valid. New practices were incorporated to this Supplementary Convention, where the transport of slaves from one country to another is characterized as a crime. Trade in human beings for prostitution purposes (the latter defined as a modern form of slavery), and for other forms of commercial sexual exploitation forces States to adopt the necessary measures to put an end to these social phenomena framed within this convention.

## V STRATEGY

### 5.1. *Defining a National Action Plan against Commercial Sexual Exploitation of Children and Adolescents*

The National Action Plan against Commercial Sexual Exploitation of Children and Adolescents was conceived as a Public Policy to specifically protect children and adolescents. In this sense, the State is responsible for its execution through suitable governmental institutions and civil society organizations engrossed in its implementation, development, monitoring and assessment within a democratic, participative, non-bureaucratic, decentralized frame, whose projects take into account local, regional and national socio – cultural features.

As such, the Plan has many stages and programs, both closely and logically intertwined so as to achieve its Vision.

A National Committee composed of government agencies and NGOs should be in charge of directing, orienting and implementing the National Action Plan against Commercial Sexual Exploitation of Children and Adolescents.

### 5.2. *Vision*

Guatemalan children and adolescents should exercise their rights and enjoy other rewarding experiences necessary for their healthy development. Further, they should enjoy an environment devoid of structural and conjunctural aggressions that have historically fostered their commercial sexual exploitation at national and international levels. In an environment where patriarchal and androcentric visions are not prevalent, where authoritarian and violent paradigms have been overcome, paradigms that yield minors. Minors that shall live together as social subjects with rights, as important persons and taking the leading part in their development. Within this frame, a conscious,

participative and respectful adult population is necessary, a population that reinforces micro and macro social contexts to favor emotional, ethical and solidary growth of children and adolescents.

Our vision is a country where there are no sexually exploited children or adolescents, where social and legal protection mechanisms that guarantee eradication of the problem and the sheltering of children and adolescents at risk, are in place.

It implies:

A society that is constantly striving for an adequate provision and protection of the rights of children and adolescent, immersed in integral public policies aimed at them, policies that have protection against commercial sexual exploitation as an integral part.

A system with legal priorities and judicial mechanisms that ensure the administration of justice, to readily punish those who promote and practice commercial sexual exploitation of children and adolescents.

Democratic governments in Guatemala aiming at building a society that both acknowledges and respects children and adolescents as core values, empowering their sustainable development on an equal gender basis.

### 5.3. *Mission*

Promote integral actions tackling causes and effects of commercial sexual exploitation, aimed at putting a stop, reducing and eradicating these practices and building ideal conditions that will allow the honorable life of children and adolescents without risking their moral, physical and spiritual integrity. These actions include involving social sectors, government and institutional resources toward preventing and caring for commercial sexual exploitation of children and adolescents within an ample, democratic, non-authoritative, ethical and respectful of gender issues conception.

#### **5.4. Target groups**

There are three levels of target groups:

##### **Children and adolescents:**

Children in general

Those at risk or highly vulnerable (mistreated or street children, sexually abused children, those with disintegrated homes, marginalized children or those being socially excluded, etc.).

Those subject to commercial sexual exploitation.

##### **Adults:**

Families in general.

Families of children and adolescents at risk or vulnerable ones (families of mistreated or street children, sexually abused children, those with disintegrated homes, marginalized children or those being socially excluded, etc.).

Families of sexually exploited children or adolescents.

Sexual abusers and exploiters.

##### **Institutions:**

Government institutions either directly or indirectly involved in the issue.

Main state agencies.

Guatemalan Congress.

NGOs directly or indirectly involved in the issue.

Panamanian, Mexican and Central American diplomatic and consular bodies.

Central American integration organizations (PARLACEN, BCIE, etc.)

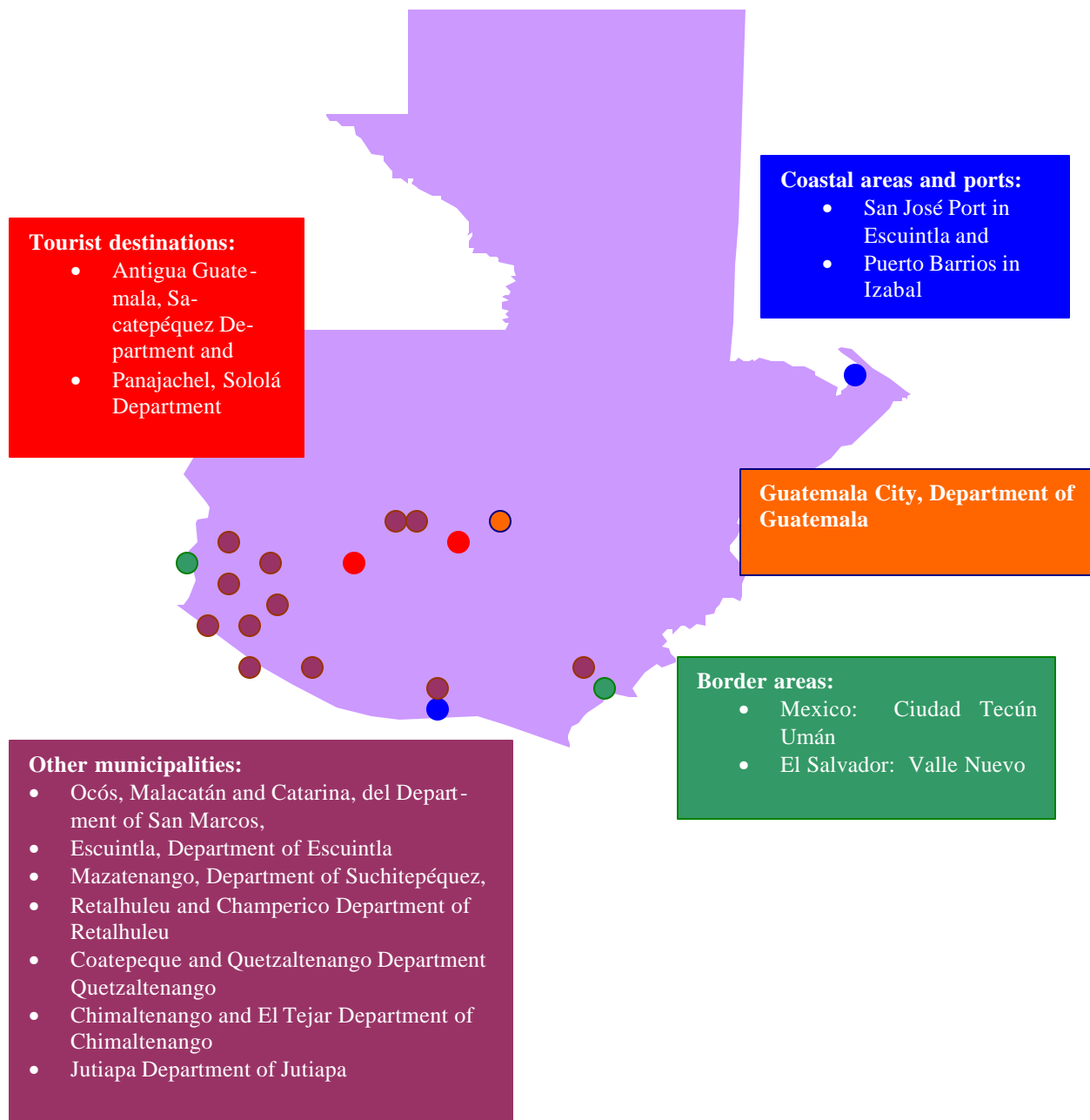
#### **5.5. Enforcement period**

10 years.

##### ***Priority given to intervention by geographical area***

For implementation purposes, it is important to address the issue in the areas where, according to different studies, the issue has greater significance both qualitative and quantitative.







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### STRATEGIC PROGRAMS AND OBJECTIVES OF THE NATIONAL ACTION PLAN

STRATEGIC OBJECTIVE 1: prevent the existence of social, economic, political and cultural factors that put children and adolescents at risk of becoming involved in

Commercial Sexual Exploitation, strengthening the capacity for collective and individual support of official, non-governmental and popular institutions, and in particular those for children and adolescents.

| PROGRAMS   | EXPECTED RESULTS  | WHO IS IN CHARGE   |
|--|---|--|
| SENSITIZATION: so as to achieve recognition by target groups of the existence and implications of commercial sexual exploitation of children and adolescents.                              | <ul style="list-style-type: none"> <li>• Design and implementation of Social communication projects,</li> <li>• Media campaigns both mass and alternative,</li> <li>• Set up and operate information centers</li> <li>• Inclusion of the subject in political agenda of central and local governments.</li> </ul> | <ul style="list-style-type: none"> <li>• National committee,</li> <li>• Governmental organizations and NGOs as program creators and engines, mass media as spreading agent,</li> <li>• Private companies, especially in the tourism sector,</li> <li>• Religious communities.</li> </ul>   |
| EDUCATION: achieve, through formal and non-formal education, development of attitudes and behaviors preventing commercial sexual exploitation in target groups.                            | <ul style="list-style-type: none"> <li>• Inclusion of the subject in official education programs at all educational levels.</li> <li>• Non-formal educational programs implemented in NGOs and popular organizations.</li> </ul>  | <ul style="list-style-type: none"> <li>• National Committee,</li> <li>• Governmental organizations (especially Ministry of Education),</li> <li>• NGOs working with children and adolescents,</li> <li>• Universities,</li> <li>• Religious communities.</li> </ul>  |
| SOCIAL PARTICIPATION: so as to generate actions that prompt efforts to coordinate, organize, report, protest and protect children and adolescents being or at risk of sexual exploitation. | <ul style="list-style-type: none"> <li>• Local and municipal social organizations involved in preventing, reporting and protecting.</li> <li>• Set up and operate reporting centers.</li> </ul>   | <ul style="list-style-type: none"> <li>• National Committee,</li> <li>• Governmental organizations (especially mayors, municipal councils and boards, community leading committees and governments),</li> <li>• NGOs working with children and adolescents,</li> <li>• Religious sector,</li> <li>• Children and adolescents.</li> </ul> |

STRATEGIC OBJECTIVE 2: Care for children and adolescents victim of commercial sexual exploitation so as to give them honorable opportunities to carry on their

lives and attractive survival alternatives, a key element in their rehabilitation and reinsertion in their family, community and social surroundings.

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| PROGRAMS   | EXPECTED RESULTS  | WHO IS IN CHARGE   |
|--|---|--|
| HEALTH: contribute to restore physical and mental health of children and adolescents in situations of commercial sexual exploitation.  | <ul style="list-style-type: none"> <li>• Care for victimized children and adolescents through programs and projects designed especially for physical health.</li> <li>• Care for victimized children and adolescents through programs and projects designed especially for mental health.</li> </ul>  | <ul style="list-style-type: none"> <li>• National committee,</li> <li>• Governmental organizations and NGOs specialized in health education, physical and mental health,</li> </ul>  |
| EDUCATION/JOB TRAINING: <b>to help overcome the disadvantageous situation and the social risk that a lack of formal and professional education entails in children and adolescents in situations of commercial sexual exploitation.</b>  | <ul style="list-style-type: none"> <li>• Incorporation of children and adolescents in situations of sexual exploitation to the formal educational system.</li> <li>• Incorporation of children and adolescents victim of sexual exploitation to alternative and complementary educational projects and programs.</li> </ul>   | <ul style="list-style-type: none"> <li>• National Committee,</li> <li>• Governmental organizations and NGOs specialized in formal and non-formal education,</li> <li>• Foundations,</li> <li>• Private companies.</li> </ul> |
| REHABILITATION AND REINSERTION: <b>so as to facilitate psychosocial rehabilitation of commercially sexual exploited children and adolescents, including options to a decent job and opportunities to reinsert themselves in their families, communities and in society as a whole.</b> | <ul style="list-style-type: none"> <li>• Preparation of families of children and adolescents that were sexually exploited for new family and personal dynamics.</li> <li>• Incorporation of children and adolescents to a productive activity in accordance with their age and gender.</li> <li>• Honorable and suitable instances that contribute to rehabilitation and reinsertion of sexually exploited children and adolescents.</li> </ul> | <ul style="list-style-type: none"> <li>• National Committee,</li> <li>• Governmental organizations and NGOs working with rehabilitation and reinsertion issues.</li> <li>• Private companies.</li> </ul>                     |

STRATEGIC OBJECTIVE 3 ensure the administration of justice in crimes related to Commercial Sexual Exploitation of Children and Adolescents, ensure security of justice operators in their tasks, eradicate corruption and

collusion of official agencies, for which it is imperative to strengthen the legal system and its institutional condition.

| PROGRAMS | EXPECTED RESULTS | WHO IS IN CHARGE |
|----------|------------------|------------------|
|----------|------------------|------------------|

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|  |  |  |
|--|--|--|
| ADAPTATION OF LEGISLATION: so that legislation in force relating to Commercial Sexual Exploitation of Children and Adolescents and other crimes related to the issue, adopt the contents of international conventions on Children ratified by Guatemala. | Updated Guatemalan legislation on commercial sexual exploitation of children and adolescents, and other related crimes.  | <ul style="list-style-type: none"> <li>Institutions that can pass laws.</li> </ul> |
| PROMOTION OF A SPECIFIC LAW: to eradicate commercial sexual exploitation of children and adolescents, based on international conventions on Children ratified by Guatemala.  | Specific law on commercial sexual exploitation of children and adolescents, passed and in force.   |  |
| PROMOTION OF A REGIONAL AGREEMENT: to eradicate trafficking in minors for commercial sexual exploitation of children and adolescents in Central America.   | Central American agreement on Traffic of Children and Adolescents for Commercial Sexual Exploitation Purposes, approved and in force.  |  |
| INSTITUTIONAL ENLARGEMENT OF THE JUDICIAL SYSTEM: to lay informations, care for victims and to act on crimes related to commercial sexual exploitation of children and adolescents.  | <ul style="list-style-type: none"> <li>Enlarged coverage of the judicial system in Plan's priority areas,</li> <li>Have the judicial system receiving reports and caring efficiently for victims.</li> </ul> |  |

STRATEGIC OBJECTIVE 4: Deepen the knowledge on commercial sexual exploitation of children and adolescents so as to strengthen on an ongoing basis different

objectives and prevention, care and legal programs of the Plan.

| PROGRAMS  | EXPECTED RESULTS  | WHO IS IN CHARGE   |
|---|---|--|
| SYSTEMATIZATION OF EXPERIENCES: that enable national and international exchange of new knowledge and updated information on commercial sexual exploitation of children and adolescents. | Documents containing systematized experiences.            | <ul style="list-style-type: none"> <li>National Committee,</li> <li>Specialized NGOs.</li> </ul>   |
| INFORMATION CENTER that contributes to building a centralized database, based on informative support of governmental and non-governmental institutions.                                 | Centralized information on commercial sexual exploitation | <ul style="list-style-type: none"> <li>National Committee,</li> <li>Government entity in charge of processing data with institutional support of:</li> </ul> |

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|  |                             |  |
|--|-----------------------------|--|
|  |                             | <ul style="list-style-type: none"><li>• Ministry of Justice</li><li>• National Civil Police,</li><li>• Courts,</li><li>• Ministry of Health and Social Welfare,</li><li>• Departmental governments at national level,</li><li>• National Immigration Center,</li><li>• National Board of Public Shows,</li><li>• Ministry of Labor and Social Welfare,</li><li>• SEGEPLAN.</li></ul> |
| RESEARCH: to reach deep into the subject through studies on: participation of children in commercial sexual exploitation; modus operandi of sexual exploitation networks; and the emotional factors that facilitate a protective response to children and adolescents. | Document conducted studies. | <ul style="list-style-type: none"><li>• National Committee,</li><li>• NGOs specialized in research.</li></ul>  |

## ANNEXES

### General description of priority areas of the National Action Plan against Commercial Social Exploitation of Children and Adolescents

#### Guatemala city

The capital city is located in the Department of Guatemala and is officially classified as metropolitan area. National Statistics Department<sup>15</sup> 2000 estimates indicate 2,578,527 inhabitants, almost 40% thereof (1,015,303) located in the municipality of Guatemala where the capital city is located, and the majority of the population (51.9%) is women. In the Department of Guatemala as a whole, 49.3% of the population (i.e. 1,270,428 inhabitants) is under 19 years of age, this percentage should be similar to that of the capital city.

PNUD<sup>16</sup> statistics show that the social exclusion or poverty index in the metropolitan region is the lowest one (11.4%), in particular in comparison to other regions: north and

northwest where that same index is 34.7% and 38.5% respectively.

The most outstanding feature of the capital city is the centralization of resources, services and opportunities, leaving the rest of the country with reduced possibilities and at the mercy of central decision, a fact that is reflected in all development indicators.

#### Coastal areas and harbors:

In terms of incidence and prevalence of commercial sexual exploitation the most significant are:

Puerto de San José: Located in Escuintla, and despite being geographically located in the southern part of the country it is officially classified as central. Population is 43,304 inhabitants, 9% of the Department's total population. Men are 51.9% (20,831 inhabitants) and 48.1% (20,831 inhabitants) are women. Population under 19 years of age should be similar to that of the whole department (53.3%).

Puerto de San Jose, besides having agricultural industries and tourism, has great commercial potential due to its harbor, fact that has attracted foreigners, not always with positive effects on locals, the younger in particular.

Puerto Barrios: Located in Izabal, in the northeast, this area is the only access to the Atlantic Ocean, and has 27.7% of the total population of the Department (92,507 in-

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<sup>15</sup> All information on population in this section is from: Guatemala. "Estimaciones de población por departamento según edad y sexo 1990 – 2010" and "Estimaciones de población por municipio según sexo 1990 – 2005". Guatemala: INE, CELADE, 1997

<sup>16</sup> Guatemala: la fuerza incluyente del desarrollo humano. Informe de Desarrollo Humano 2000. Guatemala: Sistema de Naciones Unidas, 2000.

habitants out of a total of 333,955), men are majority (51.8%, 47,928 inhabitants) and minors (it is estimated that the population under 19 years of age is similar to that of the Department, 54.8%).

### **Tourist destinations:**

Research carried out in Guatemala has provided insights into tourist destinations promoted and used as sex tourism destinations.

Antigua Guatemala: municipality of Sacatepéquez, central region. Total population in Antigua is 44,604 inhabitants, that is to say 17.2% of the department's total population. The majority are men (50.3%) and population under 19 years of age is estimated to be similar to that of the department (52.5%).

A historical center of Guatemala (headquartered the Captaincy General for over 200 years, and nowadays a colonial city declared of World Heritage by UNESCO), a tourist destination par excellence, promoted as such by the Guatemalan Tourist Board (INGUAT) and other tourist agencies. Main income sources: tourism and agriculture, in particular coffee plantations.

Panajachel: municipality of Solalá, southwestern region, with 10,584 inhabitants, one of the smallest (3.4%) of Solalá. The majority of the population are male (50.3%) and 57.4% are under 19 years of age.

As in Antigua Guatemala, Panajachel is a tourist destination promoted worldwide particularly since it is located on Lake Atitlán, a town tourists use as gateway for other towns around the lake. Main income sources: Tourism, trade and manufacture of textiles, handicrafts and other products that are either sold locally or exported to the US and Europe.

### **Border areas:**

Border populations are relevant to program and project implementation due to incidence and prevalence not only of minor prostitution, but also as entry points for trafficking in minors for commercial sexual exploitation purposes.

Mexican Border: Tecún Umán, Ayutla, San Marcos:

Main border city between Mexico and Guatemala, capital city of the municipality of Ayutla, in the southwest of the country. The National Statistics Board 2000 estimates show that the population of the municipality is of 32,014 inhabitants, i.e. 3.8% of the total population of the Department of San Marcos, a small percentage compared to other bigger and densely inhabited municipalities. The majority of the population are males (50.1% compared to 49.1% of females) and under 19 years of age (57.1% of the population of San Marcos is considered minor, estimates that are also valid for Ayutla).



Tecún Umán is the main source of wealth for the municipality: agriculture (large plantations of African palm, bananas, tobacco, water melon and maize), industry (mainly agrochemicals, African palm oil processing plants, Mexican gas packing facilities and cement packing plants), trade (transport of passengers and merchandise, street sale of products from Tapachula), and services (banks, hotels, customs, immigration, tricycle carriers, stewards or raft operators, money changers, etc.)<sup>17</sup>.

Salvadoran Border: Valle Nuevo, Jalpatagua, Jutiapa:

Jutiapa has 3 border points with El Salvador: San Cristóbal, municipality of Asunción Mita; Ciudad Pedro de Alvarado, municipality of Moyuta; and Valle Nuevo, municipality of Jalpatagua. The latter is probably the most used by trade and tourism with El Salvador and the rest of Central America.

Jalpatagua has 24,368 inhabitants (6.3% of the total inhabitants of the department) male population is higher (12,257) albeit not significantly than female (12,131, i.e. 0.6%).

The municipalities of Jalpatagua, Moyuta and Pasaco are breeders of cattle, sheep, hogs and horses. Despite the fact that it is

not an international tourist destination, the Andamirá Caves attract many Guatemalan visitors.

**Other Municipalities and Departments:**

San Marcos:

The influence of Tecún Umán, Ayutla, San Marcos, over other nearby towns in Ocós, Malacatán and Catarina, is relevant. Economic and social patterns are similar as well as patterns of commercial sexual exploitation of children and adolescents.

The three municipalities are located in the southwest of the country and for the three of them, population of under 19 years of age is 57.1% (with only slight differences among municipalities).

Ocós:

With 28,520 inhabitants (3.3% of the department, one of the most densely inhabited in Guatemala). The difference between male and female population is not significant (51.8% and 48.2% respectively).

Agriculture is the main source of income, activity that has gathered importance due to large banana plantations for export. Some workers commute to Mexico to work in banana and papaya plantations or in border industries bringing in extra income for Guatemalan families. Ocós is an unauthorized harbor. Its industrial salt mines and fishing of

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<sup>17</sup> Source: "Diagnóstico sobre Niñez Trabajadora. Municipios de Malacatán, Catarina, Ayutla y Ocós, San Marcos" Peralta Chapetón, Carlos and Williams W. Mazariegos L. Guatemala: PAMI, 1998.

sea bass, catfish, shrimp and shark are worth mentioning.<sup>18</sup>

#### Malacatán:

With 66,593 inhabitants (7.9% of the total population of San Marcos), its male population is slightly higher than female one (51.1% and 48.9% respectively).

Per capita income varies according to activity: in agriculture daily wages are Q. 18.00, in industry Q 40.00 and in the service sector Q 125.00. Average monthly income per family ranges from Q. 700 to Q. 750<sup>19</sup>.

Agriculture is still the main activity (64% of the population is dedicated to agriculture), followed by trade (16%), industry (8%) and services (6%). Agricultural production consists of large plantations of maize and coffee and to lesser extent plantations of citrus, papaya, pineapple and rubber. Trade in Mexican border areas, Tapachula in particular, is significant.<sup>20</sup>

#### Catarina:

The municipality has 22,257 inhabitants, 2.6% of the total population of San Marcos. The difference between male and female population is of 3%, 2000 estimates of the National Statistics Board are of 51.5% of males and 48.5% of females.

Catarina's economy is based on agriculture, the main source of employment and the best

source of income. The main crops are tobacco and coffee, followed by avocado, pineapple and watermelon. Trade in Mexican border areas is also significant.

#### Escuintla:

Besides Puerto de San José, Escuintla is another municipality where prevention and care for children and adolescents victim of commercial sexual exploitation has become a priority.

Escuintla is located in the central part of the country, with a total population of 113,320 inhabitants (23.4% of the total population of the department), has a majority of males (50.5% compared to 49.5% of females). Minor population is a majority as well (53.35% as inferred from that of the whole department).

Escuintla has seen a major development of agriculture. Main crops are sugar cane, coffee, cotton, bananas, citrus, watermelon and melon. It also has other non-traditional products. Cattle breeding plays a role in the municipality's economy. It has potential and the will to exploit tourism in general and ecological tourism in particular (protected areas of local flora and fauna).

Industry and trade are also relevant in the following sectors: agriculture, industrial, trade, transport and private services.<sup>21</sup>

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<sup>18</sup> Ibidem.

<sup>19</sup> Ibidem.

<sup>20</sup> Ibidem.

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<sup>21</sup> Source: "¡Somos mayoría! Niñez y juventud en el contexto demográfico y socioeconómico de Guatemala". Guatemala: PAMI, 1998.

Suchitepéquez:

Mazatenango, capital city and municipality of Suchitepéquez, is also known as a center for commercial sexual exploitation of children and adolescents.

Located in the southwest of the country, it has 57,406 inhabitants (14.2% of the department's total population). Male and female population are almost the same (28,739 males and 28,667 females, 50.1% and 49.9% respectively). In Suchitepéquez, population under 19 years of age is 55.8%, Mazatenango should have a similar percentage.

The department has agriculture as its main production, but forestry and cattle breeding are also important, both in the municipality and in the department as a whole.

Retalhuleu:

Realhuleu, capital city of the municipality and of the department is located in the southwest of the country. 2000 Estimates are of 72,366 inhabitants (30% of the department). Male population is 36,491 and female population 35,875 inhabitants (0.8% difference).

Champerico is a harbor its southern coast adjacent to the Pacific Ocean is also located in southwestern Guatemala. National Statistics Board 2000 estimates are of 23,195 inhabitants, 9.6% of the department's popu-

lation and a majority of males (52.3% and 47.4% of females).

The whole department has a majority of inhabitants under 19 years of age (55.2%) a percentage that is inferred to these 2 municipalities.

Production is basically centered in agriculture, export of agricultural products both traditional ones and those to be industrially processed. Both municipalities also have forestry and cattle breeding.

Quetzaltenango:

Coatepeque is the municipality where Commercial Sexual Exploitation of Children and Adolescents is reported with the highest frequency. It is located in the southwest and has 94,389 inhabitants (13.9% of the total population of the department). Male population (50.8%) is not significantly higher than female population (49.2%).

The capital has 21.8% of the total population of the department: 148,108 inhabitants, half males, half females.

Population under 19 years of age is 55.4%, percentage that should be similar for both municipalities.

Chimaltenango:

The capital city of the department, Chimaltenango, and El Tejar, a municipality located next to the departmental capital are the b-

cations where there is more evidence of the problem.

The population of the municipality where the capital city is located is 65,838 inhabitants, 15.4% of the total population of the department. Even if not significantly, male population is higher than female, (50.8% and 49.2% respectively).

The population of El Tejar is lower than that of the municipality of Chimaltenango (3% of the total population of the department). Male population is higher than female (50.9% and 49.1% respectively).

Despite not having information per municipality, population under 19 years of age in the department of Chimaltenango is the majority (57.0%), the same tendency is inferred in the municipalities of Chimaltenango and El Tejar.

It is worth noting that despite the fact that the rural area is still dedicated to agriculture, cities and towns in this municipality have experienced a growth in trade, in particular since the free trade zone of San Lucas Sacatepéquez - El Tejar was established. This fact has fostered the growth of "MAQUILAS" that have monopolized the labor market, composed mainly of girls and adolescents who report that one of the highest risks they face is commercial sexual exploitation by bosses or other persons that induce and deceive them.<sup>22</sup>

This situation is evidenced in the high amount of bars and other commercial sexual exploitation centers that align the Pan-American Highway, main road towards the western part of the country.

#### Jutiapa:

According to 2000 estimates of the National Statistics Board, the municipality of Jutiapa, capital of the department of Jutiapa, has 91,577 inhabitants, a 23.7% of the total population of the department. Jutiapa, unlike all the other municipalities already mentioned has a higher female population (50.1% compared to 49.9% of males).

This municipality is also dedicated to agriculture: rice, maize, beans, baby corn, tomatoes, chili, sorghum and onions are the main crops. Coffee and sugar cane are produced for export. Cattle breeding is also worth mentioning as the results of this activity are reflected in this municipality as well as in other neighboring ones in milk production, cheese, cream and other dairy products. Bread making has also grown both in Jutiapa and in Asunción Mita, another municipality of that same department.

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<sup>22</sup> Source: "... nos hacen llorar", Cumes, Heliodoro y Teresa Chocoyo. Guatemala: PAMI, 1997.