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**Priority issues:**

# Follow-up of resolution CIM/RES. 225 (XXXI-O/02), "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children"

(Item 5.b on the Agenda)

## I. BACKGROUND

Since 2001, the CIM has undertaken ground-breaking research on the Trafficking of Women and Children for Purposes of Exploitation. In 2001, with funding received from the United States Government, the Inter-American Commission of Women (CIM), in partnership with the Inter-American Children's Institute (IIN), launched Phase I of a study on "The Trafficking of Women and Children for Sexual Exploitation in the Americas". The research was conducted by the International Human Rights Law Institute (IHRLI) of DePaul University in Chicago and the pilot countries selected were: Brazil, Belize, Nicaragua, Costa Rica, Panama, Honduras, El Salvador, Guatemala and the Dominican Republic. Brazil's research was developed independently by a group of more than 150 NGOs, together with independent experts, with public sector participation and under the leadership of CECRIA, an NGO dedicated to the defense of children and adolescents.

In Central America and the Caribbean, the research study was conducted in two stages: 1) Participating NGOs and subject-matter experts working on the basis of a model questionnaire provided in advance by the IHRLI, and 2). Follow-up interviews with authorities from immigration, national and border police, ministries of labor, health, justice, consulates, as well as, representatives from local NGOs, international organization and independent experts, to verify existing data supplement information received.

The results of the study were presented to the Biennial Assembly of Delegates of the Inter-American Commission of Women, held in the Dominican Republic in 2002 and are contained in CIM/doc.9/04 where they adopted CIM/RES. 225 (XXXI-0/02) , entitled "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children".The Assembly of Delegates resolved:

> "To urge the Permanent Secretariat of the CIM to continue its research into the possibility of including other countries in the region, so as to obtain complete information on the rest of Latin America and the Caribbean and facilitate effective implementation of measures to combat trafficking in women, adolescents, and children for purposes of exploitation.".

In addition, the XXXIII General Assembly of the OAS adopted AG/RES. 1948 (XXXIII-0/03), "Fighting the Crime of Trafficking in Persons, especially Women, Adolescents and Children" which resolved, among others:

- "To adopt measures to implement the CIM resolution entitled "Fighting the Crime of Trafficking in Persons, Especially Women, Adolescents, and Children" [CIM/RES. 225/02 (XXXI-O/02)].
- To share information and best practices among member states in combating trafficking and proposed the expansion of research to other member states in order to gauge the presence of trafficking.
- To instruct the Secretary General to appoint an "OAS Coordinator on the Issue of Trafficking in Persons, Especially Women, Adolescents, and Children," to be housed in the Permanent Secretariat of the CIM.
- "…To request the Permanent Council to report to the General Assembly at its thirty-fourth regular session on the implementation of this resolution and on CIM activities in the countries

of the region in connection with trafficking in persons, especially women, adolescents, and children."

In 2004, the XXXIV General Assembly of the OAS passed AG/RES. 2019 (XXXIV-O/04), reiterating the mandates above and adding the following mandates:

- To welcome the recommendation of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas to hold a meeting of national authorities on this matter, with the participation of the CIM, the IIN, the United Nations, the IOM, and other related international organizations, for the purpose of studying integral cooperation mechanisms among the States to ensure protection of and assistance to the victims, prevention of the crime, and the prosecution of its perpetrators, bearing in mind respect for the victims' human rights. The said meeting will also facilitate the exchange of information and experiences, policy dialogue, and cooperation among the countries of origin, transit, and destination of trafficking in persons, as well as the establishment or improvement of statistical records in this area.

- To instruct the Secretary General to present, on the basis of the contributions of the "OAS Coordinator on the Issue of Trafficking in Persons, Especially Women, Adolescents and Children," a proposal for a broad strategy to the Permanent Council that addresses the human rights, social policy, and transnational crime aspects of all forms of trafficking in persons; and to support the cooperation efforts and projects of the member states in this area, as well as those of the organs and specialized units of the OAS, international organizations, and civil society organizations.

- To request the Secretary General to present a report each year to the Permanent Council, in coordination with the OAS Coordinator, on the activities being carried out by the various OAS organs to address the issue of trafficking in persons, and on developments in the Hemisphere, taking into account the information provided by member states, including progress in law enforcement and the protection of and assistance to victims of trafficking.

- To instruct the Permanent Council to give appropriate follow-up to and ensure the implementation of this resolution, to provide the necessary funds for the activities undertaken by the OAS organs to deal adequately with the problem of trafficking in persons, and to convene the meeting of national authorities provided for in operative paragraph 4 of this resolution, in accordance with the resources allocated in the program-budget of the Organization and other resources.

## II. IMPLEMENTATION OF MANDATES

The following is CIM's implementation of the mandates received:

a. Phase I of Project on the "Trafficking in Women and Children in the Americas for Sexual Exploitation"

As mentioned above, Phase I of a research project on trafficking in women and children for sexual exploitation in the region was initiated in 2001 and completed in 2002 in Belize, Brazil, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, and Panama. Carried out in partnership with the International Human Rights Law Institute of DePaul University in Chicago (IHRLI), and the Inter-American Children's Institute (IIN), the project's objective was to provide a broad overview of trafficking in persons in the Americas and offer recommendations for addressing it.

In view of the preliminary findings of the project, a resolution on sexual tourism in the Hemisphere was drafted by the CIM, with the help of the Permanent Executive Committee of the Inter-American Travel Congress, and presented to the Congress for discussion. As a result, that body, at its meeting in the Dominican Republic in June 2003, adopted measures to address the issue of trafficking in women and adolescents for sexual tourism. Those measures may be found in the Plan of Action and the Declaration adopted by the Inter-American Travel Congress.

In addition, the CIM Principal Delegates from Peru, Guatemala and a representative from the CIM Permanent Secretariat participated in the Hemispheric Conference on International Migration, Human Rights, and Trafficking in Persons, which took place in Santiago, Chile, from November 20 to 22, 2002.

b. Phase II of Project on the Trafficking of Persons, especially Women, Children and Adoloscents

The CIM received funding from the U.S. government, to initiate Phase II, focusing specificall on research and institution-building in Mexico,[1] Bolivia, and Belize. This phase is being executed in collaboration with the International Office for Migration (IOM). In addition, a project on the prevention of trafficking in persons in the Caribbean was also begun with the IOM as executing agency, in partnership with the CIM. The following are the activities to date:

Mexico:

In an effort to better coordinate efforts and acitivites, a Coordination Committee was established, comprised of the following: the General Director of International Relations at the National Institute of Women (INMUJERES); representatives from the National Migration Institute (Instituto Nacional de Migración-INM); the director of the OAS National Office in Mexico; and the CIM Trafficking Speciallist and the, representative of IOM in Mexico.

[1] The Government of Mexico provided additional funding for the project in Mexico.

The public and official launching of the project took place in October, 2004, at the Secretariat of the Government (Secretaria de Gobernación-SEGOB). Participants also included representatives from different governmental offices, civil society, diplomatic and international organizations, and members of the press.

In terms of capacity-building, the project will concentrate its efforts on the 10 border states (Chiapas, Tabasco, Yucatán, Quintana Roo, Campeche; Baja California, Chihuahua, Sonora, Nuevo León, Tamaulipas), and the Federal District. Plans include capacity building, courses for government representatives from the northern border, on the southern border, and with federal officials from the Federal District. The fourth training course will be devoted to civil society. An additional workshop will include representatives of the government and civil society to analyze the results of the research and to define public policies, coordinating mechanisms, legal reforms, and components for an information campaign to enhance prevention.

The Committee has agreed that the preliminary research would be published jointly by INMUJERES, INM, IOM, and CIM/OAS at a future time, and in an appropriate format.

Bolivia:

The first workshop training will take place in La Paz, Bolivia, November 11 and 12 and will be targeted at government officials. In effort to expand the scope the of the training, the workshop will be broadcast by videoconference to three other cities: Santa Cruz, Tarija, and Cochabamba. Participants will include: national authorities, public officials and staff from the migration service and other local officials.

The presenters at the first workshop will include representatives from INTERPOL, Colombia; the Procurator for Family and Children, Colombia; the OAS Inter-American Children Institute, the National Police of Chile; the U.S. Embassy in Bolivia; and a representative of the OAS, among other experts.

The Caribbean:

The International Organization for Migration (IOM) in partnership with the Inter-American Women's Commission (CIM) of the Organization for American States (OAS) and local government counterparts in The Bahamas, Barbados, Guyana, Jamaica, the Netherlands Antilles, Saint Lucia, and Suriname convened a series of national seminars entitled *Trafficking in Persons: Building a Collaborative Response.* Seminars were held within each collaborating country throughout the summer of 2004.

The seminars represent part of a larger project on trafficking in persons in the Caribbean region. Through a combination of research, outreach and training and capacity-building for government and nongovernmental partners, the regional project seeks to:

1. Raise awareness and inform on the scope, characteristics, and risks of trafficking, particularly among vulnerable groups, but also among government authorities, the tourism sector, and civil society.

2. Build the capacity of governmental and nongovernmental representatives to identify victims of trafficking, assist and protect them, as well as to gather relevant and regionally compatible data; and
3. Stimulate regional cooperation and statistical information sharing, encourage the development of counter-trafficking policies/laws, and coordinate counter-trafficking operational procedures.

## III. DISSEMINATION OF INFORMATION

a. Meeting of Ministers of Justice and or Attorneys General of the Americas

In an effort to include the issue of trafficking in persons in other forums, CIM made a presentation to the Preparatory Committee for the Meeting of Ministers of Justice and/or of Attorneys General (REMJA V.), encouraging the inclusion of Trafficking on their agenda. As a result, the following was recommended by REMJA:

1. That Member States that have not yet done so sign and ratify, ratify, or accede to, as appropriate, and implement the following as quickly as possible, the Protocol to Prevent, Suppress and Punish the Trafficking in Persons, Especially Women and Children, that complements the United Nations Convention against Transnational Organized Crime.

2. Encourage Member States to complete their internal processes for determining whether to sign and ratify:

   a. The Protocol against the Illicit Trafficking in Migrants by Land, Sea and Air

   b. The Inter-American Convention on International Traffic in Minors.

3. The holding of a meeting of national authorities in this matter, including the participation, *inter alia*, of the CIM, the IIN, the United Nations, the OIM, and other related international organizations for the purpose of studying integral cooperation mechanisms among the States to ensure protection of and assistance to the victims, the prevention of the crime, and the prosecution of its perpetrators. Likewise, the meeting will facilitate the exchange of information and experiences, political dialogue and cooperation between the countries of origin, transit and destination of the trafficking in persons, as well as the establishment or improvement of statistics records in this area.

4. To keep the topic of the Trafficking in Persons as an item on the agenda in future debates of REMJA.

b. Additional Presentations

The CIM has also worked to combat sexual tourism in the Hemisphere. In May 2003, it participated in the Regional Consultation for the Americas on the Protection of Children from Sexual

Exploitation in Tourism, organized by the World Tourism Organization and the Government of Costa Rica. Following that meeting, the CIM participated in the meeting of Ministers of Tourism, held in Guatemala. A presentation entitled "Trafficking and the Sexual Exploitation of Women, Adolescents, and Children" was made at the meeting in cooperation with *Casa Alianza*, a Central American NGO specializing in children's issues. In addition, CIM attended the "Third Bilateral Conference: Parallel Worlds, Tijuana and San Diego," on the sexual exploitation of children in tourism and other forms of trafficking in persons.

In an effort to further disseminate information on the problems of trafficking in persons in Latin America and the Caribbean, a videoconference was held, entitled "Trafficking in Persons, especially Women, Adolescents, and Children: Sharing Best Practices to Prevent and Protect Victims and Punish Traffickers." It was cosponsored by the Inter-American Children's Institute (IIN) and the CIM and moderated by María Elena Salinas, news anchor for the Hispanic network UNIVISION. Panelists included experts in the field from the IOM, government and civil society representatives from the Dominican Republic and Costa Rica, a representative of the Office to Monitor and Combat Trafficking of the U.S. Department of State, and a representative of the CIM. The videoconference was broadcast over the Internet via the OAS web site.

The CIM also worked with the international community to disseminate information and raise the profile of trafficking worldwide. It participated in the First Seminar on Trafficking in Persons, organized by the Office of Women's Affairs of the Ministry of Foreign Affairs of Argentina, in Buenos Aires on March 20, 2003. In June 2003, CIM representatives participated in workshops on trafficking in persons organized by The Japan Program and Region 1 of the Inter-American Development Bank (IDB). The CIM also attended the MERCOSUR Specialized Meeting of Women (REM), in Asunción, Paraguay, where it presented recommendations on the topic. In October, 2003, the Executive Secretary and the trafficking expert of the CIM attended a conference in El Salvador to discuss current projects and coordinate approaches to contain this scourge in Central America. The CIM expert also made a presentation at the First Inter-American Meeting on Cooperation Mechanisms against Organized Crime, organized by the Inter-American Drug Abuse Control Commission (CICAD), in Mexico City in October 2003.

Finally, as a result of a meeting with the Editorial Board of the *New York Times*, on January 9, 2004, organized by the Executive Secretary of the CIM, the *Times* published an editorial on the issue of trafficking in the Americas.

## IV. CIVIL SOCIETY PARTICIPATION

The following NGOs played an active role in coordinating and gathering information and/or were interviewed as sources:

*Belize*: SPEAR, Gaspar Martínez; NOPCA; Human Rights Commission of Belize.
*Brazil*: CECRIA, project coordinator in Brazil for 150 NGOs throughout the country.
*Costa Rica*: Agenda Política de Mujeres; Asociación de Trabajadoras del Hogar; Casa Alianza; CEFEMINA; CEJIL Mesoamérica; El Productor; Fundación PANIAMOR; Fundación PROCAL; FUNDESIDA; Liga Internacional de Mujeres Pro Paz y Libertad.
*Dominican Republic*: Centro de Estudios para la Acción Femenina - CIPAF; Centro de Orientación e Investigación Integral - COIN; Movimiento de Mujeres Unidad - MODEMU; Pastoral de la

Movilidad Humana, Catholic Church; Proyecto Caminante; Movimiento de Autodesarrollo de la Solidaridad Internacional - MAIS; Instituto de la Familia - IDEFA.

*El Salvador*: Fundación Olof Palme; Defensa del Niño Internacional; Fundación Nueva Vida Pro Niño y Niña de la Calle; Centro de Estudios de la Mujer - CEMUJER; Asociación de Mujeres Flor de Piedra; Red ECPAT-ES; Fe y Alegría; Comité Nacional de Mujeres - CONAMUS; FUNDE; FUNDASIDA; Asociación Entre Amigos; Asociación para la Autodeterminación y el Desarrollo de las Mujeres - AMS; Fundación Dolores Medina; Las Dignas.

*Guatemala*: Casa Alianza; Grupo Ceiba; CIPRODENI; Oficina de Derechos Humanos del Arzobispado de Guatemala; Pastoral Migratoria Arquidiocesana; Asociación de Salud Integral - ASI; Hogar Manchén; OASIS; Gente Positiva; APAES/Solidaridad; AGES; Red de Periodistas la Cuerda; ECPAT/Guatemala; Comisión Nacional contra el Maltrato Infantil - CONACMI; La Sala; Casa de la Mujer (Tecun Uman).

*Honduras*: Save the Children; Casa Alianza; Oficina de Asistencia Legal de la Niñez y la Mujer Desprotegida - OFALAN; CIPRODEH; Fundación Amigos de los Niños; Centro de Estudios de la Mujer; Centro de Derechos de la Mujer; Comunidad Gay Sampedrano; COCSIDA; Coordinadora de Instituciones Privadas Pro los Niños y sus Derechos - COIPRODEN; Movimiento Visitación Padilla; CODEH; PRODIM.

*Nicaragua*: Instituto Nicaragüense de Promoción Humana - INPRHU; Casa Alianza Nicaragua; Visión Mundial Nicaragua; Dos Generaciones; Asociación TESIS; Comunidades Eclesiales de Base; INHIJAMBIA; Centro Nicaragüense de Derechos Humanos - CENIDH; Fundación de Protección de los Derechos de los Niños, Niñas y Adolescentes Infractores de la Ley y su Reintegración Social - FUNPRODE; Red de Mujeres.

*Panama*: Asociación Panameña de Planificación Familiar; Casa Esperanza; Centro de Estudios y Capacitación Familiar - CEFA: CLADEM; Foro Mujer y Desarrollo.