



Commercial Sexual Exploitation of Minors in Guatemala

With regard to the further education of the police through ECPAT, there was a co-operation agreement with the Guatemalan national civilian police force to train 500 middle-level police officers.

Actual changes in perception amongst the individual participants have been achieved - participants e.g. reported learning experiences like: "Identifying a victim of sexual exploitation; acting in cases of human rights violations; conducting an investigative conversation with victims without revictimising them; developing more appreciation for and solidarity with children and adolescents."

The chief and middle executives of the institution, however, did not receive any further education; thus an essential criterion for even greater sustainability of the training measure has not been realized.

In order to actually gauge the real effect of the training measure, a continuous quantitative and qualitative evaluation of the individual seminars is required. In the framework of the training modules with the public prosecution service evaluations of content, methodology and trainers were carried out and continuously statistically analyzed. Amongst other things this allowed to implement changes in teaching content and didactics/methodology applied by the trainers straight away while the series of seminars were still running.

For a country characterized by strong conservative values like Guatemala, the integration of topics like masculinity and exposure to sexuality in these traditionally male-dominated target groups is very innovative. The methodological approach initially aims at working with the phenomenon of sexual violence against women and girls on a sociological basis and addressing each participant also on a personal level. This approach makes it possible to generate empathy and solidarity with the persons affected by commercial sexual exploitation.

The team of trainers includes both men and women. Here ECPAT used an experienced psychologist who developed the contents on masculinity and the patriarchal system, otherwise considered taboo in participation with the groups.

With a view to strengthening the institutional capacities of the public prosecution service, public prosecutors and assistant prosecutors received training and a manual was produced on investigative procedures and the application of the law in cases of commercial sexual exploitation of children and adolescents. This manual will be revised and approved by the public prosecution service for adoption by this institution.

These training processes can be considered good practice, as they focus on issues that are new in this context, such as commercial sexual exploitation, masculinity and avoiding the revictimisation of children and adolescents. It is therefore hoped that the police and public prosecution service will implement this rights-based approach that seeks to increase the protection of victims of commercial sexual exploitation.

Lessons learned

Population	about 12.7 million
Children under 15 years of age	43.1 %
GDP per capita (PPP US\$)	4.568
Human development index rank	118 (of 177)
Gender-related development index rank:	104 (of 177)
Illiteracy rate (15+):	30,9 %
Primary school attendance:	94 %
Further schooling:	34 %
Tourist arrivals (2005)	about 1 million



Extent and Shape

In Central America the number of minors affected by commercial sexual exploitation of minors is constantly rising, at the national as much as at the regional level.

Government sources estimate the number of underage victims at more than 15.000. Persons concerned are above all girls between 15 and 18 years of age, but increasingly also boys. About 50 % of the children and adolescents originate from bordering countries like El Salvador, Honduras and Nicaragua. They migrate from their neighbouring countries, either because they are looking for paid work or because they are being recruited and trafficked for the purpose of sexual exploitation by organized networks. They finally arrive in brothels and nightclubs, in particular in Guatemala City, but also in harbours and border towns where they are exploited. Many of the Guatemalan adolescents belong to the indigenous rural population and often have lost their families because of the 36 years of civil war in their country.

In Guatemala, pornographic material with children is produced, used and distributed nationally and internationally.

Causes and Background

After decades of civil war and accompanying manifold human rights violations - especially with regard to the indigenous population - Guatemala's society is deeply divided and highly traumatized. Continuing economic and social injustice between the indigenous and the "white" classes of population cause a high amount of social and gender-specific violence. Due to the "machismo culture" discrimination and social exclusion of women and girls are everyday occurrences; murders of women and rapes of girls as initiation rites of boy gangs constitute part of the common, though rarely prosecuted crimes. At present only about 10 % of the committed crimes in Guatemala are cleared up: according to a local daily paper every seventh child out of ten is being physically abused. In this social climate, characterized by violence, the commercial sexual exploitation of children and adolescents represents only another offence that is directly connected to the organized crime and the routes of drug dealing and trafficking in human beings, leading from Central America into the USA.

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The GTZ convention project "Protection of Minors against Sexual Exploitation" is supporting partner countries on behalf of BMZ in implementing the Optional Protocol on the sale of children, child prostitution and child pornography.

Further information is available from:
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National Activities Combating the Commercial Sexual Exploitation of Minors

National Action Plan

In 2001, the National Action Plan against Commercial Sexual Exploitation of Minors has been adopted. It is effective until 2010 and schedules activities in the areas of prevention, prosecution and victim support. A group of state institutions, children's rights organizations and multilateral donors has been significantly involved in developing the Action Plan. Unfortunately there is no public budget available for its implementation. Even though Guatemala has already signed the Optional Protocol on the Sale of Children, Child Pornography and Child Prostitution in 2002, the Guatemalan criminal code shows gaps with regard to definition and extent of offences of sexual exploitation of minors. The Legal Initiative 2630 for defining the various elements of the crime of commercial sexual exploitation of minors has been in existence since 2004 and so far has not been passed by the Congress.

Promotion of Training and Further Education of Skilled Personnel in Guatemala

Our Partners

In Guatemala, the Convention Project co-operates with various partner organizations. One of them is the Guatemala office of the NGO "End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT)". Already in 2004 ECPAT Guatemala has started developing further education material for police staff.

In 2006 and 2007, the GTZ Convention Project supported ECPAT in implementing a course on the commercial sexual exploitation of minors aimed at members of the police force and migration authorities and a course on the same subject for the prosecutors and assistant prosecutors of the public prosecution service.

Both training courses, arranged in modules, were designed at improving the investigation and protection of the victims of commercial sexual exploitation, with a special emphasis on preventing revictimisation. According to recent studies, neither the police, nor the migration authorities and the judiciary are much aware of the complexity of the problems of commercial sexual exploitation of minors. Instead of perceiving the persons concerned as victims, discriminating behaviour and wrong questioning techniques have them often violated anew in their rights.

The training courses for policemen and -women is composed of the following contents:

- Analysis of the situation of children and adolescents in Guatemala
- Gender relations, masculinity and the patriarchal culture
- Different forms of commercial sexual exploitation of minors, definitions and extent of the problem
- National and international legal framework for combating commercial sexual exploitation of minors
- Case treatment in the context of the police task

Participants of this training were line policemen and -women who work directly in the police units concerned with cases of commercial sexual exploitation.

After initial police investigations public prosecution staff takes responsibility for further steps in the legal prosecution. In co-operation with the training unit of the Guatemalan public prosecution service, ECPAT trained altogether 350 public prosecutors and assistant prosecutors with regard to commercial sexual exploitation of minors in 2007. In conjunction with the public prosecutors, a manual was also produced, containing the following:

- A detailed description of the different forms and characteristics of commercial sexual exploitation, the mechanisms involved, criminal offences related to this practice and the perpetrators
- The root of the problem: the construction of masculinity
- The importance of preventing the revictimisation of children and adolescents who have experienced sexual exploitation
- An analysis of national and international legislation concerning the commercial sexual exploitation of children and adolescents
- The criminal process in Guatemala
- The investigation of offences involving the commercial sexual exploitation of children and adolescents.

Lessons Learned from the Training Processes for Police and Judiciary Concerning Commercial Sexual Exploitation of Minors

Planning effective and sustained investigation measures requires the following conceptual steps:

- Institutionalise training processes in the target group: it is recommended to include the subject of commercial sexual exploitation of children and adolescents in the curricula of the national civilian police academy.
- Include the various hierarchy levels of the institution in the process of further education.
- Jointly develop a set of criteria for the selection of participants to receive training.
- Determine how to promote institutional learning alongside successful personal learning and how to put the knowledge acquired into practice in the institution.
- Provide gender-sensitive training.
- Establish a multidisciplinary team of trainers.
- Develop training contents adapted to the knowledge of the participants (i.e. assess knowledge before and after training).
- Carry out a periodic evaluation of training in order to continuously improve methodology and didactics.