



CREATING A DATABASE AS A TOOL FOR CAMPAIGNING

Casa Alianza, based in San José, Costa Rica



These guidelines should help any organization
develop a databank as a tool to safeguard children

ECPAT International



SUMMARY

1. Identify potential sources of information and select focal person to contact

- ✦ Prepare a strategy
- ✦ Develop a method
- ✦ Determine the type of information needed
- ✦ Collect information

2. Work closely with various organizations

- ✦ In the country where the crime is committed
- ✦ In the home country of the tourist

3. Follow the cases

- ✦ Monitor the investigation
- ✦ Share the information
- ✦ Complete the databank

4. Publicize the database

- ✦ Communicate your results
- ✦ Use it as a tool

Facts to consider

Case Study: Casa Alianza

Why create a database?

Lobbying has been done on authorities to adopt better legislation to protect children. Stricter laws have been passed, some countries have adopted and implemented a national plan of action for children, and the level of awareness on the issue has increased in many countries. On the demand side, some offenders have been arrested, some have been convicted where they committed the crime (in the receiving country) and in their home country (under extraterritorial legislation).

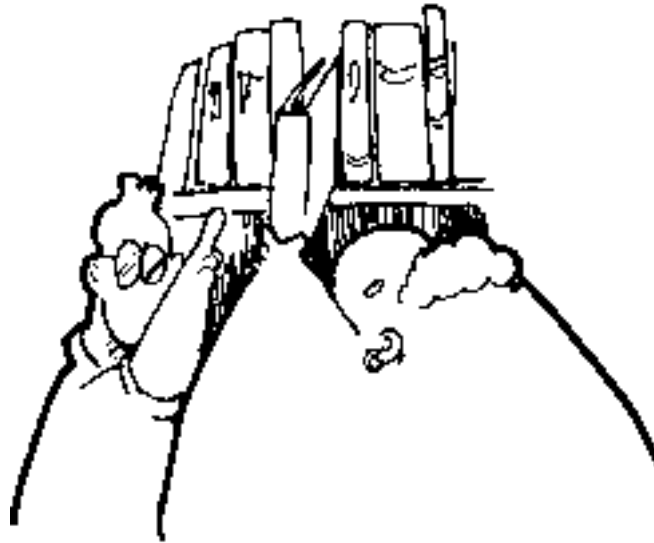
It is important to adopt measures against the sexual exploitation of children but it is also important to evaluate the impact of those measures in order to improve the protection. Regarding legislation, it is interesting to consider how many laws have been passed, and compare the level of protection, the applicability etc. Besides, it is essential to know if the laws are correctly enforced, as it is one of the major problems and a fundamental reason for child sex tourism. Offenders flee countries with harsh penalties to take advantage of the gaps in the law enforcement process in others.

The compilation of information on arrests and convictions of sexual offenders against children at national, regional and international level, is a good method of evaluating the efficiency of the measures conducted to stop the demand side (the offenders) of the problem. Publicizing these progress indicators will help deter potential abusers from committing such crimes by making them consider the risks of being caught and punished.

So, why create a database?

- ✦ To prevent child sex tourists from traveling to abuse children. When a person has previous criminal convictions in one country for sex crimes against children, the national authorities of other countries might need to know about it.
- ✦ To facilitate the exchange of information between various authorities and local police in sending and receiving countries.
- ✦ To sensitize the public in receiving countries about sexual abuse of children, not only by locals as well as foreigners, to raise awareness of people towards the protection of their children and to show that laws to protect children exist and are enforced; in sending countries to make the general public realize that their peers are also sex tourists abusing children (it could be your child, it could be an acquaintance!) and that extraterritorial laws exist and are also enforced back in the country of origin.
- ✦ To have reliable data on countries which are enforcing their existing laws and promote better enforcement in others.

1. Identify potential sources of information and select focal person to contact



Prepare a strategy and rely on your partners to consult local sources of information regularly and keep informed of relevant international information

- ✦ Solicit information from your networks and partners
- ✦ Identify various sources of information locally or nationally
- ✦ Exchange information internationally through various communication media: newsletters, websites, press, etc.

Develop a method

- ✦ Regularly consult press articles; courts; police departments and other source of information you have identified
- ✦ Create or join a reliable and dynamic network of information exchange

Determine the type of information needed

This will depend on the type of database you want to create, the context of the country and the type of organization you are but basically you need:

- ✦ Information on the case: what type of crime was committed? The circumstances of the crime? Who is/are the victims (age, gender)?
- ✦ Basic information on the perpetrator of the crime and the people involved: gender, nationality, age, basic identification (initials for instance)
- ✦ Details on the investigation: where was the crime committed? Where was the offender arrested? Where was he prosecuted?
- ✦ Details on the prosecution, the sentence, etc.

Collect information

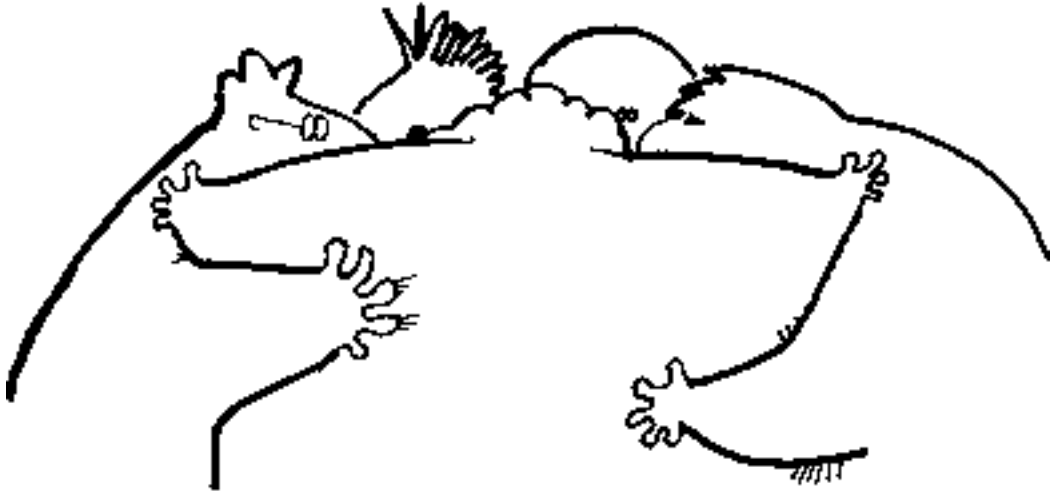
There is no one source of information. You can collect data from:

- ✦ the press;
- ✦ the police;
- ✦ court files; special prosecutors; procurers;
- ✦ lawyers;
- ✦ Embassies;
- ✦ the public - through a telephone number for tip-offs;
- ✦ community groups;
- ✦ IGOs and NGOs, etc.



Casa Alianza publicizes a phone number where people can call in with information or anonymous tip-offs about the sexual exploitation of children.

2. Work closely with various organizations



In the country where the crime is committed

Wherever possible, it is best to have as many actors involved as you can: NGOs, local community groups, local authorities, etc. When there are opportunities to work together, grasp them.

Sadly this is generally not the case. In Central America, for example, there are many NGOs which have not taken a strong stance against sex tourism and which are unwilling to take a position that may be construed as being "against" that of the government despite having all the facts in front of them.

In the home country of the tourist

Cooperate with NGOs and authorities in foreign countries and embassies to share information and assist in following up on cases.

And vice versa !

3. Follow the cases



Monitor the investigation

Depending on the characteristics of the country where the crime is committed and where the offender is arrested, it might be necessary to do a careful follow-up of the case to make sure a proper trial will take place and the criminal will not take advantage of corruption to escape.

To achieve this, depending on your interpretation of the situation, you can inform the media of the case. Once a case is public, when evidence is provided, it is more difficult to release someone.

Casa Alianza has a Legal Aid program in each country, which provides follow up on each complaint received. Depending on whether an investigation has been completed or if the case is with the Courts, Casa Alianza requests information - and also provides more information - about the case. This intervention is important so that the authorities understand that there is a strong interest in the case. Often this public interest leads to a more expeditious and more transparent case.

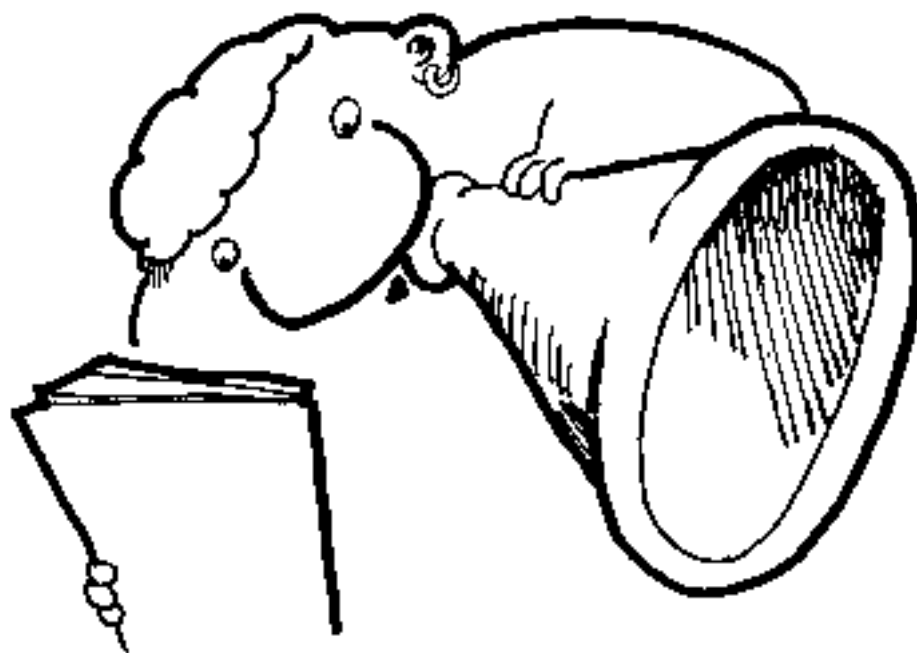
Share the information

When informed of a case, you should also immediately contact a relevant organization in the other country. If we talk about child sex tourism, most often, there will be at least two different countries involved: the country where the offence is committed and the country of origin of the perpetrator. By facilitating the communication flow between countries, you may also facilitate the prosecution of the criminal in either country. This will contribute to creating and supporting an international network of protection for children, and will build and reinforce cooperation.

Complete the databank

When you have all the elements, an important part of the job is to make a record of the information and keep the record updated with new data.

4. Publicize the database



Communicate your results

Dissemination of information contributes to raising awareness about the problem, supporting actions, influencing changes in behaviour, and putting pressure on defaulting organizations.

You can inform relevant and reliable partners locally, nationally, regionally and internationally. You can use the press, the Internet, internal communication channels, and reports. It is important to communicate the progress and indicators of the fight against child sex tourism to be able to identify success and failures in order to improve the child's rights.

Use it as a tool

You can use those indicators in various ways: as case studies, as lobbying tools, or as prevention tools. In the long-term, it is necessary to have a national database coupled with an international list to reinforce the possibilities of fighting this exploitation.

Facts to consider



- ✦ A simple database featuring numbers of arrests and convictions in various countries is a very powerful tool. It can be created quite easily (as being done by Casa Alianza) as long as it takes place in a specific context (i.e. in situations where there is a lack of law enforcement) and cannot be duplicated anywhere in any context.
- ✦ It should not actually be the NGO's role to investigate and create a database of child offenders. It can be a very dangerous activity (for the NGO, and for the justice system in general, when considering the 'innocent until proven guilty' legal component) and has to be considered carefully and in a specific environment. This should be supplementary until relevant authorities take up their responsibilities.
- ✦ This activity should be in fact taken up by international intergovernmental organizations. Meanwhile a databank can help lobbying internationally for better legislation and better law enforcement. However, cooperation is the ultimate method of making the fight against international sexual exploitation of children efficient.
- ✦ No organization can be a substitute for the judicial/ law enforcement system of a country. However it can support the system by providing reliable information, playing the role of catalyst between various systems, referring cases to court in the offender's home country (if the local system is at fault). This must be done to respect national and international laws, as well as conventions and human rights.
- ✦ The contents of the database must be carefully completed and monitored since a database featuring pictures of offenders for example can be as dangerous a tool as it can be powerful. In some countries, the anonymity of the offender must be protected until proven guilty. The information should be specific enough in order to identify a person without breaking the laws.
- ✦ This action has an ongoing need for resources. Just to be able to document child sex tourist data is a long investigation process. Verification of information and recollection of data is needed. This requires human resources and qualified personnel with legal knowledge, as well as financial resources.

To stop child offenders moving from country to country and to support the enforcement of extraterritorial laws, international strategies (based on models used to fight drug trafficking and to keep track of traffickers) should be designed to keep track of, and to arrest offenders against children.



DATABASE ON CONVICTIONS OF CHILD SEX TOURISTS

AN NGO'S INVESTIGATION PROCESS

CASA ALIANZA
www.casa-alianza.org

This action addresses the problem of sexual exploitation of children by tourists in Costa Rica, Honduras and Guatemala. Casa Alianza created, maintains, and publicizes a database of sex tourists convicted of abusing children, and of any violation of children's rights due to tourism. They disseminate related information and bibliographical documentation. They also lobby to raise awareness on the exploitation of children in tourism.



History

Casa Alianza, an Honorary Member of ECPAT, has been working in Central America for the past twenty years as a leader in service care delivery for street children and at risk children. It serves more than 9,000 children a year in both residential and non residential programs.

Casa Alianza's regional office, based in San Jose, Costa Rica, raised a "red flag" publicly in 1997 regarding their concern for the growing levels of sexual abuse of children by visitors - mostly tourists - to Central America, especially Costa Rica, Honduras and Guatemala. With the exception of Honduras, the general reaction of governments was to ignore the issue, deny reality or attack the messenger. In the meantime, the levels of abuse by so called "sex tourists" has increased.

Central America has been a region embroiled in conflict for more than three decades. Since the end of the civil wars in El Salvador, Nicaragua and Guatemala over the past 5 or 6 years, the area has been promoted internationally as a tourist destination for those interested in eco-tourism, Mayan history and beautiful beaches. There are also more than 50 web pages that promote the region, especially Costa Rica, as "a hot place for sex".

Costa Rica, Honduras and Guatemala are the principal tourist receiving countries in Central America. In all these countries, tourism has, or is in the process of, taking over from the historical foreign income earners of coffee and bananas as the principal dollar income raiser in the national economies. More than one million tourists a year visit Costa Rica and close to half a million in Guatemala.

The majority of the tourists to Central America come from North America (about 60%) - principally the United States - and a further 20% from Europe. Neither Americans nor Canadians need a passport to enter most Central American countries - a significant factor for sex tourists who have criminal convictions for the sexual abuse of children in their own countries.

With the highly publicized crackdown on sex tourists to such countries as Sri Lanka, Thailand and the Philippines, sex tourists are looking for new countries that offer three necessary elements:

- ♦ anonymity - (there are many tourists so they fit in with the crowd);



- ✦ impunity - (low risk of application of the law and high corruption rates);
- ✦ poverty - (to guarantee that there are a lot of children desperate to make a living).

Central America sadly offers these elements to draw sex tourists, plus the closer location to the United States - just a 3 hour flight away from Miami.

With the introduction of Megan's Law in the United States, all child sexual offenders have to register with local police authorities when they change residence. There are also checks done on them when they apply for a passport. Whilst this is an excellent domestic law, Casa Alianza's concern is that it is pushing child sex offenders out of the United States to other countries where Americans do not need a passport to travel, and where laws affecting the sexual exploitation of children are weak or not applied. Casa Alianza is lobbying for a change in the Costa Rica migration laws so that American citizens entering Costa Rica would be required to carry a passport. There is resistance from the tourist industry and the government itself, who feel that all tourism is welcome, no matter what the social cost.

Because many North Americans enter Costa Rica without a passport (a birth certificate or driver's license is sufficient), there is no control at the point of entry regarding previous criminal convictions that a potential child sex abuser may have. For the past three years, Casa Alianza has been trying to convince the Attorney general of Costa Rica to implement a software system designed by the Vancouver (Canada) police that tracks migratory movements of convicted or suspected child sexual abusers. In the meantime, several American citizens with previous or outstanding child sexual abuse cases against them have been arrested in Costa Rica.

Casa Alianza's activities in relation to sex tourism with children

Casa Alianza

- ✦ documents cases of sex tourist convictions in Central America;
- ✦ presents complaints and/or evidence of cases of sexual abuse or exploitation of children by foreigners in Central America each year;
- ✦ collects information on sex tourists in Central America who have previous criminal convictions in their own country for sex crimes against children;
- ✦ makes the information available to local police authorities in the host country and in the sending country as well as to the general public.

Objective of the programme

The aim is to create a publicly accessible database of foreign sex abusers in Central America and to provide information that leads to the conviction of those responsible for sexual abuse of children in the region.

It is important to understand the **tremendous power of a basic list**. The simple action of compiling a list of verifiable and trustworthy information becomes a powerful, unquestionable tool that can be used to bring about positive change in public attitudes, media interest and public policy in the area of sexual exploitation of children.

When many seemingly isolated actions are put together, a pattern of action evolves which nobody could have foreseen - help people see the forest and not just think there is one tree.

Many countries ratify international instruments but then do not implement their contents. This is particularly the case with the UN Convention on the Rights of the Child in Central America. Those actions are totally within the guidelines and content of the UN Convention. There is a need to bring these issues out into the open and explain their impact on society and, more especially, on children. Any effort in this regard is important and a database can be a useful lobbying tool to enforce policies.



The development of a list of child sex offenders is totally within the capability and understanding of the national and regional context. Initially perhaps, local acceptance will not be forthcoming, but that too is part of the necessary effort to educate the public about the need to protect children.

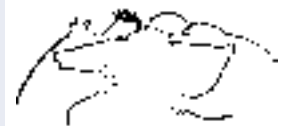
The database

The Casa Alianza's database includes the following information when available:

- ✦ Full name and nationality of the accused or convicted
- ✦ Photo
- ✦ Date of birth (this is the most important information to allow both police authorities and the media to track the individual)
- ✦ Occupation and normal place and country of residence
- ✦ Details of how the investigation took place; where; when; who was involved; etc.
- ✦ Full details of the charges or convictions: case number; date of conviction, name of court; charges; length and terms of conviction; damages to the victims; age and gender of the victims (no names)
- ✦ Where the convicted person is being held
- ✦ A contact address for Casa Alianza in case any of the web page visitors have more information on the accused or convicted person.

Casa Alianza sends the specific information to the police authorities. They also contact the hometown media in the normal country of residence of the child sexual abuser so they are aware of what the local traveler is up to abroad. There was a case of an American named R., convicted for sexually abusing children in Honduras, where the State education authorities had continued to keep him on the payroll for two years because they had been informed that he was "sick" in Honduras.

Casa Alianza also actively generates press releases on convictions of sex tourists, which are distributed widely. The agency sends information on convictions of foreigners to the Central American media and wire services thereby alerting authorities and the general public of the growing levels of sex crimes against children by foreigners.



A case in point is that of J.C.B., an accused sexual abuser of dozens of girls in Costa Rica; when the Oklahoma City TV station ran a story on his behaviour in Central America, it was the first time that his mother had any idea what his son was up to on his “extended vacation” from his veterinary clinic.

The information on convictions of sexual abusers of children in either Central America or in their host country is made available to the general public through Casa Alianza’s award winning Internet web page www.casa-alianza.org

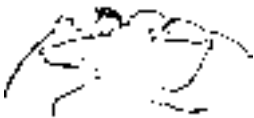
Action progress

Casa Alianza investigates all potential sources of information and also publicizes a phone number. People can call in with information or anonymous tips about the sexual exploitation of children.

Depending on both the information in the initial complaint and on the judicial system in each country, Casa Alianza staff may work first with the police in the collection of more evidence, or directly with the courts. In all too many cases, the local police are avoided as there is suspicion of their complicity directly in the crime or the cover-up of the same. However, when there are chances to work together with various relevant actors these opportunities should be grasped.

Casa Alianza has a Legal Aid program in each country, providing follow up on each complaint received. Depending on whether an investigation has been completed or, if the case is with the Courts, Casa Alianza requests information - and also provides more information - about the case. This intervention is important so that the authorities understand that there is a strong interest in the case. Often this public interest leads to a more expeditious and more transparent case.

Casa Alianza receives support from intergovernmental organizations such as UNICEF but these are often in a difficult position vis a vis making public complaints about sex tourism. Based on information provided by Casa Alianza, generally IGOs will lobby on a more bilateral and private basis rather than publicly.



Casa Alianza's activity in the provision of information

1. Primary information is collected by/ transmitted to Casa Alianza

Casa Alianza receives complaints, many of them anonymously, which are documented and a case file opened. An initial investigation is often made to verify, as much as possible, the information given.

2. Casa Alianza transmits the information to the national judicial system

The verified information is then passed to the Special Prosecutor and a receipt is requested. Casa Alianza continues to support the Special Prosecutor in the investigations and, where possible, offers new evidence collected.

3. Casa Alianza contacts the authorities in the country of origin of the tourist; this allows liaison with the authorities in the country of the offence

Often Casa Alianza is the catalyst between the Costa Rican authorities and those of the country of the accused if there are previous accusations of sexual abuse of children against the accused. Once the contact has been made by Casa Alianza, the communication is direct between the authorities of the two countries.

4. Casa Alianza follows up the court case until the sentence is released

For Casa Alianza, the media is an important ally in the fight against sex tourism. It can highlight the damage it causes to children in any country of the world. But the media can also be a double-edged sword.

The agency first needs to win the confidence of the different media outlets as a reliable source of information. This credibility may take years to win and can be lost with a single piece of erroneous information. It is important first to generate a list of local media as well as wire services with offices in both the country where the abuse takes place as well as in the country of origin of the abuser.

Reliable and objective information must be passed to the media in a professional manner. It should be easy for them to use with little extra effort on their part (the less effort the media has to put into the story the more likely it is that the media will use it). The information must be verifiable and cite its sources. It is imperative to protect both the victim and to be careful how you refer to the accused until guilt has been proven. Dealing with the media, the more complete the information, the better the story that will run.





In many countries, the media is not “free”, i.e. often interests - both political and economic - control the information that the public receives. Also, no one is a prophet in their own home. A story about a foreign abuser in, say, Honduras, sent to the Honduran media directly, may not receive much attention. If the story is picked up by one of the wire services such as AP or EFE and beamed in from outside of the country, then the editors give the story more space. Same story, same information but a different messenger.

It is generally easier to get a story in the media of a major “developed country” by initially contacting the media outlet’s correspondent in the country where the abuse took place, rather than in the country where the abuser resides. This is more because of the competition with the quantity of news generated in the more developed country.

Evaluation

There are several indicators that can be evaluated so far as the success of the activities related to sex tourism. These include:

- ✦ Number of sex tourists arrested
- ✦ Number of sex tourists convicted
- ✦ Number of criminal complaints presented
- ✦ Number of press articles
- ✦ Number of awareness campaigns (in itself requiring evaluation)
- ✦ Changes in local legislation

Some results

Casa Alianza’s Legal Aid Offices handle a variety of cases related to children’s human rights abuses, not just CSEC. In general, one fulltime person in each country handles the hundreds of complaints and investigations undertaken into CSEC. In Costa Rica, for example, Casa Alianza has presented more than 315 criminal complaints to the Special Prosecutor on Sex Crimes in the past 18 months.

Sex tourists from the US; Egypt; Canada; Chile; Australia; Switzerland; Germany and other countries have been arrested and/or convicted for sex crimes against children in Central America. Information on those trials and convictions are available on the Casa Alianza website.



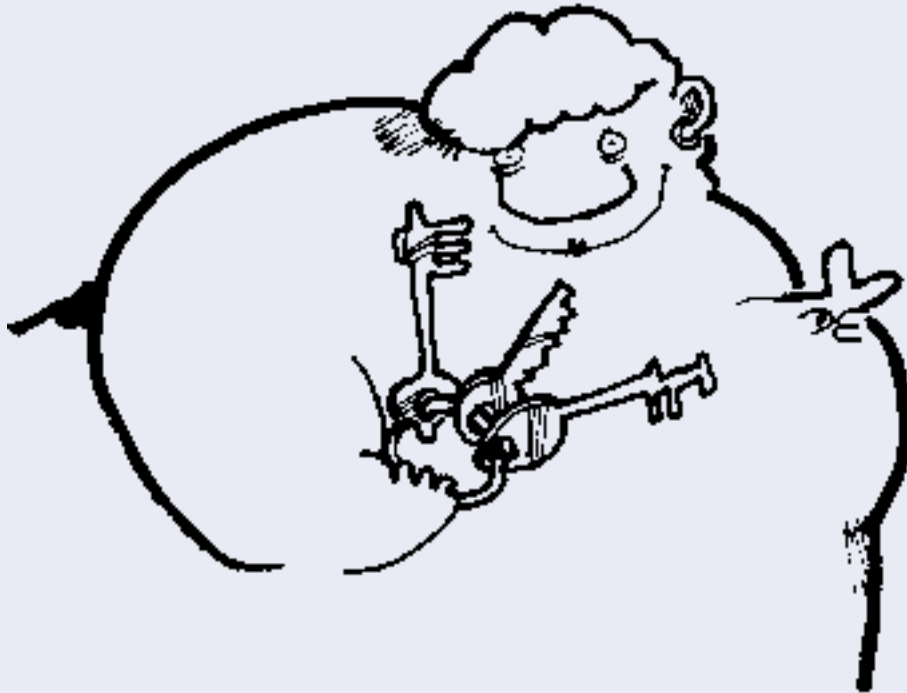
Qualitative results

It has brought in the public domain, an illegal and taboo activity that has a major negative impact on children, into the public domain. The credibility of the information collected and presented by Casa Alianza has forced governments to look at and act upon an issue that would have otherwise gone unnoticed.

Casa Alianza's programs are implemented using local staff. They in turn train local colleagues working in law enforcement, NGOs and government. This whole process is building local skills.

Costa Rica has changed its legislation regarding sex crimes against children (a result of the total inapplicability of its former laws), Casa Alianza is pushing for yet further change to make them work even better. As a result of the changes in the Costa Rican legislation, Casa Alianza is using their example to change the legislation on other central American countries.

Keys to success

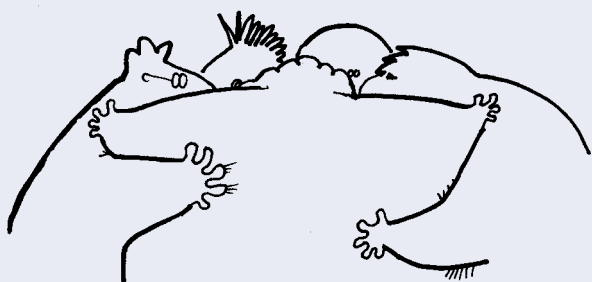


- ◆ Casa Alianza has a long history of child protection in the whole Central America and therefore has won trust and recognition. Therefore they work with various organizations from different countries, increasing both sources and dissemination of information.
- ◆ Casa Alianza has a wide network of organizations in Central America with specific tools to collect information and a strong efficient team of qualified lawyers to investigate and follow cases.
- ◆ By using their experience and the media, they are able to successfully lobby for change.



NOTES

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