

Sexual Exploitation of Children in Chile
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Since 2001, ONG Raíces runs three centres for children and adolescents victims of sexual exploitation (two social centres in the Metropolitan region and another one in the region of Magallanes and Chilean Antarctic). All of them are financed by SENAME and implement a comprehensive intervention methodology focused on the best interest of children, combining therapeutic and recreational approaches that allow them to develop new capabilities and take their life back. It includes workshops based on theatrical pedagogy that led to the creation of a Theatre Company whose members are girls from the centres. ONG Raíces has carried out a series of research projects, such as an Exploratory Study on Trafficking of Children in Three Regions of Chile (2007) and a Study on the Characterisation of SEC in four regions of the country (2017, under the direction of the National Childhood Council). In the area of awareness-raising/prevention, ONG Raíces has conducted several campaigns to address trafficking and sexual exploitation of children and adolescents, as well as training activities, workshops, seminars and conferences. It also undertook advocacy work to contribute to the elaboration of public policies, and to optimise the legislation for the benefit of children and adolescents whose rights are violated.



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ECPAT International is a global network of civil society organisations working for the eradication of all forms of sexual exploitation of children. For the past 26 years, ECPAT has acted as the international watchdog, monitoring States' response to sexual exploitation of children, and advocating for robust international measures to protect children from sexual exploitation. ECPAT International currently has 104 network members operating in 93 countries.



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ONG Paicabí was founded in 1996. It works on matters related to the Rights of the Child and its efforts are based on the high value it places on human rights, especially those of children. Its framework for action is the Convention on the Rights of the Child. It currently runs care centers in Valparaíso and Coquimbo regions. ONG Paicabí also works for the promotion of children's rights, concentrating its efforts on prevention. It regularly organises regional campaigns, seminars and training courses to people who work in education and health, as well as to NGOs and institutions that work with children.

Justification for Submission

1. The present submission is an update to review the progress that has been made by the Government of Chile (GoC) to end sexual exploitation of children (**SEC**) and assess the level of implementation of the UPR recommendations on children's rights made in 2014. Specific recommendations to end **SEC** in Chile will be made.
2. The content of this report is based on ECPAT International's, ONG Raíces' and ONG Paicabí's research for the period 2014-2018.
3. The scope of this report is limited to **SEC** and its different manifestations, including exploitation of children in prostitution;¹ online child sexual exploitation ('**OCSE**'); child sexual exploitation materials or abuse materials ('**CSEM**' or '**CSAM**');² trafficking of children for sexual purposes; sexual exploitation of children in the context of travel and tourism³ ('**SECTT**') and child, early and forced marriage ('**CEFM**').

Current status and developments of sexual exploitation of children in Chile

4. Chile is a presidential unitary republic. Executive power is exercised by the President, who serves as the head of State and of Government; while legislative power is held by a bicameral National Congress, composed of the Chamber of Deputies and the Senate. In 2017, the country's population reached 17.574 million inhabitants,⁴ of which 4.462 million are under 18.⁵ Chile has a 99% youth literacy and birth registration rates.⁶
5. Chile is the world's 42nd largest economy.⁷ Even though it enjoys a very high human development rate (0.847 as of 2015),⁸ the country has the second highest income inequality rate among OECD member States.⁹ The Ministry of Social Development informed that 11.7% of the population was in situation of poverty as of 2015, but the actual number could be as high as 26.9% according to an independent study led by local NGO Fundación Sol.¹⁰ Data from UNICEF revealed that 25.5% of Chilean children were in a situation of poverty,¹¹ which puts them in a situation of special vulnerability to **SEC**.
6. Chile is a source, transit and destination country with regard to **child trafficking for sexual exploitation**. From 2011 to 2017, 33 investigations linked to human trafficking – 23 of which for the purpose of sexual exploitation – were formalised,* as follows: 10 in 2011, 1 in 2012, 4 in 2013, 5 in 2014, 4 in 2015, 6 in 2016 and 3 in 2017. 16 out of the 214 victims corresponding to these 33 cases were children, including 4 who were trafficked for the purpose of sexual exploitation – all of them girls. 29 out of these 33 cases had been closed by the end of 2017, leading to the conviction of 20 persons.¹²
7. There are no available and up-to-date statistics on the exact scope of **sexual exploitation of children in prostitution** at the national level. The most recent assessment was conducted by the National Service for Minors (SENAME) and the ILO in 2004. It concluded that 3,719 children (80% of them girls) were in a situation of sexual exploitation, but this number is now likely to be higher according to local NGOs ONG Raíces and Corporación Opción.¹³ A 2017 study conducted by the National Childhood Council (NCC) and ONG Raíces (hereinafter 'the NCC study') revealed that 2,608 cases related to **SEC** were reported to and investigated by the Public Ministry between 2005 and May 2017, 45.9% of which were linked to the promotion or facilitation of child prostitution.¹⁴ Out of the 2,608 victims corresponding to these cases, 2,090 of them were girls and 518 were boys.¹⁵
8. The Undersecretariat of Tourism revealed that 6,449,883 foreign tourists had visited the country in 2017, which represents a 14.3% increase in comparison to 2016.¹⁶ According to the NCC study, there is currently no evidence suggesting that there are instances of **SECTT** in the

*The concept of "formalisation of an investigation" is laid down in article 229 of the Penal Procedural Code (*Código Procesal Penal*). It refers to the moment when the public prosecutor informs the accused that they are under investigation in the presence of the judge responsible for procedural safeguards.

country, even though it highlighted the need to further investigate specific dynamics that could potentially qualify as such.¹⁷ For the first time, one stakeholder from the tourism industry based in Chile joined ECPAT's *Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism* in 2017; overall, fourteen international stakeholders with operations in the country are now members of the Code, four of which since 2014.¹⁸

9. A nationwide survey of over 3,700 children aged 5 to 17 conducted by local telecommunications company VTR revealed that 85% of them had a mobile phone, and that 78% of them spent more than one hour per day on the internet; 22% also stated that they were in contact with strangers through social networks.¹⁹ Within the country, there were more than 130 mobile cellular subscriptions per 100 people in 2016, and the number of fixed broadband subscriptions increased from 1,011,646 in 2006 to 2,904,580 in 2016. Over 66% of the population now uses the internet, compared to around 34.5% in 2006.²⁰ This rapid rise increases the risks associated with online grooming and OSCE, notably the distribution of **CSAM**.
10. The number of investigations linked to the distribution of “child pornography” led by the Cybercrime Investigation Brigade (CIB) of the Investigations Police of Chile (PDI) gradually increased from 2012 to 2016, as follows: 277 in 2012, 323 in 2013, 419 in 2014, 424 in 2015 and 512 in 2016.²¹ From 2010 to September 2016, at least 183 persons were arrested for the production, possession or distribution of **CSAM**.²² In March 2017, the CIB arrested 17 individuals for the distribution, possession and reproduction of **CSAM** following a five-month long investigation.²³
11. The GoC does not provide statistics on **CEFM** to UNICEF,²⁴ nor does it regularly release disaggregated data that would allow to assess its scope precisely. In 2016, the Civil Registry and Identification Service (SRCI) released its first and, to date, only Biannual Information Bulletin. It revealed that 85 children aged 16 to 18 married during the first semester of 2016 – 69 of them girls.²⁵ This number suggest that **CEFM** is gradually declining in the country, since 716 children (615 girls and 101 boys) aged 16 to 18 married in 2011, 627 (532 girls and 95 boys) in 2012 and 166 (141 girls and 25 boys) during the first semester of 2013 according to data from the SRCI.²⁶
12. During the country’s last UPR in 2014, over 33 recommendations on children’s rights, only one highlighted the need to adopt a specific law to prevent and combat SEC and another one targeted the various forms of violence against children and the worst forms of labour and sexual exploitation for commercial purposes. One also addressed child trafficking and two others the issue of child sexual abuse.

Legislative framework

13. Article 5 of the Law on Civil Marriage sets 16 as the minimum age for marriage for both boys and girls. However, children under 18 cannot marry without the consent of their parents, closest ascendants or legal guardian according to article 107 of the Civil Code.
14. During its last UPR, the GoC accepted Brazil’s recommendation to “*adopt a bill on comprehensive protection for children, in accordance with the Convention on the Rights of the Child*”.²⁷ In September 2015, the GoC submitted a draft law on a System of Guarantees for the Rights of Childhood to the Chamber of Deputies. In May 2017, the text was adopted by the Chamber and transferred to the Senate, where it is still under consideration.²⁸ The current version recognises the children as right holders (article 6) and states that they shall not be submitted to violence, sexual abuse, trafficking or any type of exploitation (article 29). It furthermore provides that the State must take all the necessary measures to ensure the effectivity of the rights laid down in the Convention of the Rights of the Child (article 12).
15. During its last UPR, the GoC accepted Iran’s recommendation to “*adopt a specific law to prevent and combat the sexual exploitation of children*”,²⁹ but has not done so.³⁰ However, several provisions of the Penal Code address the issue of **SEC** in prostitution. Article 367 *ter*

punishes sexual relations with children over 14 in exchange of money or other benefits with prison sentences from three years and one day to five years. Article 367 punishes the promotion and facilitation of child prostitution with prison sentences from three years and one day to five years; or from five years and one day to 20 years if the offence is committed on a habitual basis.

16. The legal provisions on the age of sexual consent can also apply to **SEC**-crimes offences, as article 362 of the Penal Code punishes sexual relations with children under 14 with prison sentences from five years and one day to 20 years. However, article 365 punishes same-sex sexual relations with children with prison sentences from 61 days to three years and one day. Given the lower penalty associated with it, this provision can potentially create prejudicial normative conflicts when it comes to cases of **SEC** – not to mention that establishing a distinct age of consent for same-sex sexual relations is discriminatory in nature.
17. Article 411 *quáter* of the Penal Code defines the offence of **human trafficking** and punishes any person who captures, transfers, harbours or receives children for the purpose of any form of sexual exploitation, including pornography, with prison sentences from ten years and one day to 15 years. The same penalty applies to persons who promote, facilitate or fund the execution of the offence of child trafficking.
18. **SECTT** as such is not explicitly criminalised in the Penal Code, but can be combatted through the legal provisions on prostitution and human trafficking. However, a separate legal offence would help to assess its incidence and scope, as there are currently no cases tracked.
19. Article 366 of the Penal Code *quinquies* punishes the production of **CSAM** with prison sentences from three years and one day to five years. Article 374 *bis* punishes the commercialisation, importation, exportation, distribution, dissemination and exhibition of CSAM with the same penalty; and its acquisition and possession with prison sentences from 541 days to three years and one day. These provisions do not apply to “*virtual child pornography*”, as the definition of **CSAM** laid down in article 366 *quinquies* specifically requires the participation of children in its production. No legal provision requires internet service providers to report suspected **CSAM** to the authorities.³¹
20. Article 6 of the Penal Code does not allow systematic **extraterritorial jurisdiction**, as it states that offences committed outside Chile shall not be punished in the country unless otherwise determined by law. No specific legal provisions currently allow extraterritorial jurisdiction for the offences covered by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC).
21. Article 647 of the Penal Procedure Code (*Código de Procedimiento Penal*) allows for **extradition** if an offence qualifies as extraditable under a specific treaty or, in the absence of applicable provisions, under the general principles of international law. The Supreme Court clarified that these principles include, among others, the following requirements: double criminality, minimum gravity and competence of the requiring State to prosecute.³² Extradition treaties with the United States (2013), Mercosur States/Bolivia (1998) and South Korea (1994) also make extradition conditional on the double criminality and minimum gravity requirements. A specific manifestation of **SEC** can therefore only qualify as extraditable if it is duly criminalised in both States.

Recommendations for the GoC:

- Give the utmost priority to the adoption of the draft law on a System of Guarantees for the Rights of Childhood, in order to make sure that any measure taken against SEC is backed by legally established institutions and enough public resources;
- End impunity for child sex offenders through the adoption of legal provisions that define and criminalise all the manifestations of **SEC**; and ensure that they feature penalties that reflect their gravity;

- Take the appropriate steps to ensure systematic extraterritorial jurisdiction for **SEC**-related crimes; and to specifically include **SEC**-related crimes as extraditable offences and remove the dual criminality requirement.

General measures of implementation

22. During its last UPR, the GoC accepted Algeria's recommendation to "*continue its efforts to fight [...] sexual exploitation for commercial purposes, through the implementation of the second national action plan 2012-2014*".³³
23. Chile adopted its first Framework for Action against **SEC** (FfA) in 1999. It contributed to raise awareness about the issue and paved the way for the adoption of the FfA 2012-2014. The latter was designed by the Ministry of Justice and SENAME with input from civil society. It featured five lines of actions to be implemented by various government bodies, international agencies and NGOs. In 2013, the Ministry of Justice reported that progress had been made in all lines of action, notably regarding the protection of child victims and their participation in the design of anti-**SEC** policies, but pointed out the need to improve early detection, as well as the investigation, persecution and conviction of offenders. Furthermore, civil society identified key challenges for the next FfA: - a) ensure the effective participation of children in all its activities; b) incorporate prevention and awareness-raising actions; c) provide specific training to personnel that can potentially be faced with **SEC**; d) carry out studies to assess the scope of **SEC** in Chile; e) make sure that all **SEC** manifestations are dealt with in a way that takes into account their distinct specificities; f) unify the various databases on children at risk or in situation of **SEC**; g) re-establish the National Observatory on **SEC**.³⁴
24. In December 2017, the GoC adopted the third FfA 2017-2019. In contrast to the previous FfA, it was developed without input from civil society. The organisations that work with SENAME in assisting **SEC** victims were merely requested to commit to the strategies elaborated by the GoC, even though they are closely associated to its implementation. The FfA 2017-2019 features five lines of action to be implemented by a wide range of governmental ministries and agencies in cooperation with civil society. It primarily focuses on the analysis of the problem and of its scope; prevention; early detection; sanction of the offenders and protection of the victims; restoration of the rights of and reparation of the damage suffered by the victims. The provisions of the FfA address the shortcomings outlined by the Ministry of Justice in its 2013 progress report, as well as key challenges b), c), d), e) and f) identified by civil society. However, they do not provide for the effective participation of children in all the activities laid down in the FfA, nor do they mention the re-establishment of the National Observatory on **SEC**.
25. The FfA 2017-2019 is integrated in the National Action Plan for Childhood and Adolescence 2018-2025 (NAPC), which was adopted by the GoC in March 2018. The NAPC explicitly commits to end **SEC** through the design and implementation of adapted strategies. It also features concrete actions to improve the data collection on **SEC** victims, as well as the offer of ambulatory services to assist them. Furthermore, it provides for a follow-up procedure to the FfA, whose implementation will be evaluated in 2021 before the subsequent design and adoption of a fourth FfA. The latter will then remain in force until 2025, the date on which its evaluation will serve as a basis for the elaboration of a new policy against **SEC**.

Recommendations for the GoC:

- Allocate sufficient budget and human resources for the effective implementation and subsequent evaluation of the FfA 2017-2019; and develop guidelines to ensure the active participation of children in all its activities;
- Make sure that civil society and relevant stakeholders are involved in the design of the fourth FfA.

Coordination and Evaluation

26. The NCC was created in March 2014. It is an inter-ministerial committee that assists the President of the Republic in identifying, formulating, implementing and monitoring policies, plans and programmes to promote and protect children's rights. The NCC worked towards promoting new legislation on children's rights, as it secured the adoption of four laws since its creation: Law 21,067 on the creation of the Childhood Defender's Office (January 2018); Law 21,090 on the creation of the Undersecretariat for Childhood (April 2018), Law 21,057 on video interviews and other safeguards for minor victims of sexual offences (January 2018); and Law 21,013 that creates a new offence of mistreatment and increases the protection of persons in special situation.³⁵ However, it failed to secure the adoption of the draft law on a System of Guarantees for the Rights of Childhood. In addition, even though the NCC was supposed to cease its activities after the entry into force of Laws 21,067 and 21,090, it actually did so in March 2018, and thus before the creation of the Undersecretariat for Childhood in April 2018. The latter, which is under the purview of the Ministry of Social Development, took over the mandate and missions of the NCC.
27. The Executive Secretariat of the FfA, composed by representatives from SENAME, the NCC (now replaced by the Undersecretariat for Childhood) and the Ministry of Justice, is the body responsible for elaborating and monitoring the implementation of the FfA 2017-2019. The latter formulates five recommendations to improve its efficiency, such as turning it into a permanent body that would assess the level of implementation of the FfA every six months. Other recommendations include consolidating the actions laid down in the FfA and proposing new measures to tackle SEC; but also securing funding to carry out cross-cutting actions such as studies to assess its scope, awareness raising campaigns or training activities. No information on the actual impact of these recommendations were available at the time of drafting. However, ONG Raíces pointed out that the majority of the organisations that work, either directly or indirectly, towards assisting SEC victims did not know about the Executive Secretariat, which could seriously undermine the impact of this mechanism.
28. In July 2008, the GoC adopted Exceptional Decree N° 2821 establishing an Intersectoral Table on Human Trafficking (ITHT) to coordinate the actions to prevent, suppress and punish human trafficking, especially of women and children. As part of these missions, it is currently implementing a National Action Plan against Human Trafficking 2015-2018 (NAPHT), and it released a report on the scope of this phenomenon for the period 2011-2017.³⁶ Furthermore, it routinely organises, seminars, workshops and training activities to raise awareness about the issue of human trafficking. Its last expanded meeting took place in May 2018. On this occasion, the ITHT reiterated its main priorities for 2018, which include assessing the level of implementation of the NAPHT and associating the private sector and the media to prevention efforts.

Recommendations for the GoC:

- Ensure that the recommendations made in the FfA 2017-2019 to improve the efficiency of the Executive Secretariat of the FfA are fully implemented; and take the appropriate steps to associate all the organisations working towards the protection of SEC victims to its activities.

Prevention

29. In September 2006, the ILO and ONG Raíces launched the “*No Hay Excusas*” campaign in cooperation with several governmental agencies to raise awareness about SEC – it has since been revived on several occasions, notably in 2013 and 2015.³⁷ However, in 2017, the NCC study deplored the virtual nonexistence of dedicated government-led campaigns to raise awareness about SEC among the general public or key groups, and informed that the last campaign to sensitise the population to this issue dates back to 2007. It pointed out that most of the awareness raising activities are isolated actions conducted by NGOs or specialised interveners at the request of the hosting organisation; and that no adapted communication

materials for distribution in schools, health services or community groups had been developed. The NCC study also highlighted the insufficient number of training activities aiming at involving all the relevant key actors from the private and public sectors in the prevention of SEC. However, it noted that some progress had been achieved in sensitising actors from health services, schools, universities and family courts.³⁸

30. The National Service for Tourism (SERNATUR) routinely cooperates with SENAME, the PDI and other relevant stakeholders to prevent **SECTT** through the organisations of training seminars and awareness raising campaigns. In 2004, SERNATUR launched its Touristic Conscience Programme (TCP) to sensitise the population and key actors from the industry or the public service to several problematics related to tourism, including **SEC**. From 2004 to 2016, SERNATUR carried out 2,986 awareness raising and training workshops as part of the TCP, reaching 95.147 persons.³⁹ It also joined the “*No Hay Excusas*” campaign in 2011, and participated in the development of dedicated communication materials to raise awareness on **SECTT** among tourists and encourage them to report it.⁴⁰ In order to obtain SERNATUR’s Q Seal of Touristic Quality, Chilean hotels must comply with norm Nch2912, which requires them to adopt specific measures to prevent **SEC** in their premises. As of 30 May 2018, 201 hotels nationwide had been granted the Q Seal.⁴¹ Finally, Chile is part of the *Regional Action Group of the Americas (GARA)*, an International Latin American platform created in October 2005 to elaborate regional strategies against **SECTT**.
31. In 2015, the PDI launched its first awareness raising campaign against online grooming. As part of this initiative, it published a video clip that totalised over 5 million views on social media. It also promoted a dedicated hashtag (*#todoscontraelgrooming*) and developed communication materials to help children to detect instances of grooming.⁴² In March 2018, the PDI launched a new campaign in cooperation with local NGO Fundación Honra. On this occasion, it conducted several awareness raising seminars in high schools from the region Metropolitana, reaching more than 500 students; and produced several video clips.⁴³

Recommendations for the GoC:

- Allocate enough funding to raise awareness about all the manifestations of **SEC**, specifically among vulnerable groups, public servants, citizens and visitors; and put in place mechanisms to evaluate their effectiveness.

Protection of the rights of child victims

32. During its last UPR, the GoC accepted Estonia’s, Honduras’, Poland’s and Spain’s recommendations to establish a children’s ombudsman.⁴⁴ In January 2018, the GoC enacted Law 21.067 on the creation of the Childhood Defender’s Office, which will enter into force on 30 June 2018. The first Childhood Defender was appointed by the Senate on 18 April 2018.⁴⁵
33. During its last UPR, the GoC accepted Madagascar’s, Montenegro’s and Portugal’s recommendations to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OP3),⁴⁶ and did so on 1st September 2015. The OP3 entered into force in the country on 1st December 2015, allowing individuals to lodge direct complaints to the Committee on the Rights of the Child about a violation of the Convention or its Optional Protocols.
34. Article 53 of the Penal Procedural Code (*Código Procesal Penal*) gives the Public Ministry responsibility for exercising criminal public action to prosecute offences against children; and it is not allowed to abandon proceedings (article 56). Article 78 *bis* states that the Public Ministry shall adopt the necessary measures to ensure the **protection of the victims of human trafficking** during the criminal process, bearing in mind their special vulnerability. It furthermore states that public bodies in charge of the protection of child victims must facilitate their access to tailored services to ensure their full recovery and family re-association.

In addition, judges can assign new legal guardians to child victims of trafficking offences laid down in articles 411 *bis* and *quáter* of the Penal Code, provided that they lack one or that their current ones do not act in accordance with their best interests.

35. Article 191 *bis* of the Penal Procedural Code (*Código Procesal Penal*) establishes a derogatory procedure for the participation in criminal proceedings of children victims of sexual offences laid down in § V and § VI of Title VII of the Penal Code. It states that the Public Prosecutor can, based on the victim's personal situation and emotional state, ask the judge to hear his/her testimony prior to the trial. In such cases, the judge will proceed with the interrogation, which must be done in a special room featuring equipment adapted to the victim's age and stage of development. In January 2018, the GoC promulgated Law 21,057, which establishes new rules of procedure to protect the best interest of child victims of grave offences, including **SEC**. It will notably allow the victims to give their testimony through video interviews, during both the investigation and judicial phases. This new law, whose provisions take precedence over those laid down in the Penal Procedural Code, will first be implemented in the regions of Arica y Parinacota, Tarapacá, Antofagasta, Maule, Aysén and Magallanes before gradually applying nationwide.
36. SENAME was created in 1979 by Decree-Law N° 2,465 to provide assistance to child victims of human rights violations. In 2001 it launched, in cooperation with ONG Raíces, a Pilot Plan 2001-2002 to repair the damages suffered by and ensure the social reintegration of **SEC** victims through an interdisciplinary approach. Subsequently, SENAME designed and started implementing a dedicated Specialised Programme on Commercial Sexual Exploitation (PEE) to assist **SEC** victims and secure their effective access to a remedy. The PEE currently features 18 projects run by partner agencies and organisations in 12 regions. Victims from the regions of O'Higgins, Maule and Aysén are assisted within the framework of SENAME's Specialised Integral Intervention Programmes (PIE), which provide help to children that are subject to violation of their rights.⁴⁷ However, nothing indicates that the PIEs offer tailored services to **SEC** victims. SENAME informed that it assisted 1,341 **SEC** victims in 2016 (87% of them girls), compared to 1,285 in 2015 – but it did not specify how many of them were new in 2016.⁴⁸ The NCC study pointed out that the effective protection of the rights of **SEC** victims is undermined by a lack of access to mental health services and drug addiction treatments, as well as by an insufficient number of shelters.⁴⁹
37. As part of the NCC study, ONG Raíces held discussion groups with professionals from ten PEEs based in the regions of Valparaíso, Metropolitana, Los Lagos and Antofagasta. In this context, it gathered information on 499 (434 girls and 65 boys) victims assisted by 9 of these PEEs, which allowed it to better understand the characteristics of **SEC** in Chile and to identify risk factors.⁵⁰ This study revealed, among other things, that:
 - 62% of them were aged 15 to 17, and 29.4% were under 15. The study pointed out that instances of **SEC** were easier to detect when they involved children aged 15 to 17, mostly due to an increased independence and mobility at that age. However, it noted that, among the victims in that age group assisted by SENAME for the first time, the majority had already experienced several episodes of **SEC** at an earlier age, notably within their own family or community.
 - 24.2% of them were out of school. Furthermore, out of the 363 children still enrolled, 14.3% did not attend classes, and 19.3% only attended them intermittently. It highlights that, even though a majority of **SEC** victims acknowledges the importance of school, attending it can potentially exacerbate their frustrations and feeling of social exclusion – ultimately leading to school dropout.

- 251 of them (50.3%) used drugs or consumed alcohol, including 102 in a situation of addiction. However, among them, at least 184 were not enrolled in a drug treatment programme; while 11 were effectively enrolled but not following it. This situation highlights that the consumption of drugs and alcohol are a significant risk factors when it comes to SEC.
38. The NCC study reported that some regional public prosecutor’s offices and PEEs established permanent working groups which, depending on the cases, also include representatives from the police or other relevant local actors. These initiatives allowed the development of joint action protocols to better protect the rights of **SEC** victims, improve reporting mechanisms and ensure a better coordination between PEEs and prosecutors. Where implemented, these protocols led to a significant decrease in secondary victimisation at the local level. This collaboration also helped regional prosecutors to adapt their investigative methods in order to make them more efficient and respectful of the best interest of **SEC** victims.⁵¹
39. In September 2016, the CIB and Google Chile launched a specific tool against online child sexual abuse. Whenever a search that includes terms related to “child pornography” is conducted through google.cl, an ad stating that “child pornography is illegal” will appear automatically, along with a link inviting the user to report **CSAM** to or to seek help from the CIB.⁵² No data about the actual impact of this initiative has been made public so far. Dedicated helplines that can be used to report children’s rights violations, including **SEC**, are run by SENAME (800 730 800) and the *Carabineros* (147). However, The NCC study pointed out that law enforcement agencies do not have dedicated units to investigate sexual offences; and that their efforts are undermined by a lack of resources.⁵³

Recommendations for the GoC:

- Ensure that enough shelters for SEC victims are available, properly funded, staffed by well-trained personnel and able to offer integrated services (psychological, legal, medical, etc);
- Establish dedicated police units to investigate **SEC**-related crimes; and make sure that they have enough resources to fulfil their mission;
- Adopt tailored policies and measures to improve the early detection of **SEC**-related crimes, notably through the identification of associated risk factors; and to tackle the issues of school dropout and drug addiction of **SEC** victims to prevent secondary victimisation.

¹ ECPAT prefers the term ‘exploitation of children in prostitution’ instead of ‘child prostitution’ in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), “*Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, Adopted by the Interagency Working Group in Luxembourg, 28 January 2016*”, Bangkok: ECPAT, 29, accessed on 15 January 2018, <http://luxembourguidelines.org/>.

² ECPAT prefers the term ‘child sexual exploitation material’ or ‘child sexual abuse material’ over the often in legal context still used ‘child pornography’ in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), “*Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016*”, 39.

³ *Ibid.*, 54.

⁴ Instituto Nacional de Estadísticas (2017), “*Resultados definitivos Censo 2017*”, 4, accessed on 10 May 2018, http://www.censo2017.cl/wp-content/uploads/2017/12/Presentacion_Resultados_Definitivos_Censo2017.pdf.

⁵ UNICEF (2017), “*The State of the World’s Children 2017; Children in a Digital World*”, 174, accessed on 10 May 2018, https://www.unicef.org/publications/files/SOWC_2017_ENG_WEB.pdf.

⁶ *Ibid.*, 170 & 182.

⁷ The World Bank, *GDP (current US\$); All countries and Economies*, accessed on 9 May 2018, <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD>.

⁸ UNDP (2016), “*Briefing note for countries on the 2016 Human Development Report - Chile*”, 2, accessed on 31 May 2018, http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/CHL.pdf.

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