



protecting children everywhere

Child Sex Tourism in Mexico

1. Background

Children in Mexico are deeply vulnerable to commercial sexual and labour exploitation with many reports also detailing their abuse by foreign child sex tourists. These children are exploited when forced, by poverty to work in city streets and unregulated industries, by organised prostitution networks and trafficking gangs into the sex industry, by trafficking groups into illegal adoption by childless couples from North America.

In 2000, a UNICEF study showed that children in Mexico City and those along the United States (US) border were at highest risk of sexual exploitation with at least 700 of them exploited as prostitutes. More than 16,000 children are estimated to be involved in the sex industry in the country's popular destinations and border cities, and they are mainly being exploited by American child sex tourists. The popular tourist destinations of Acapulco, Cancun, Guadalajara and Puerto Vallarta have reported incidents of sexual exploitation of minors.

Nongovernmental organisations believe that hundreds of children enter the organised prostitution industry each month. Many of them are young girls lured with false promises of good jobs and then internally trafficked by organised criminal networks into the local sex industry, particularly around the border cities that receive a daily influx of thousands of people. Reportedly, the demand for child pornography in the US is fuelling the production and distribution of child abusive images to the US as well as encouraging foreign sex offenders to travel to Mexico to exploit these children.

Although authorities are aware of this abuse there have been few prosecutions of foreign child abusers or even of local criminal gangs or individuals exploiting children. According to the US State Department trafficking in Mexico appears to be facilitated by corrupt officials, particularly border officials.

Mexican Legislation

Mexico ratified the Convention on the Rights of the Child on 15 March 2002 and has also ratified the International Labour Organization Convention to Eliminate the Worst Forms of Child Labour; the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography and the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.

Child prostitution and pornography are illegal and those found "corrupting" a child under 16 years through pornography, prostitution, or sexual exploitation face five to ten years imprisonment and a fine. Those profiting from such abuse face slightly lengthier sentences. In addition, the Penal Code criminalises sex tourism, defined as any activity that promotes, invites, facilitates or manages by any means to cause people to travel to the national territory, in order to use a minor in the exercise of prostitution will result in a sentence of 8 to 16 years in prison and a fine. If the offence is committed by an organised network the sentence increases to 20 to 40 years in prison and a fine. However, in 2005, the US State Department criticised Mexico for failing to do more to prosecute traffickers and protect victims of trafficking.

UK Legislation

While British tourists who commit sexual offences in Mexico can be prosecuted in that country, they can also be prosecuted in the UK for crimes committed while abroad. Under the UK Sexual Offences Act, 2003, article 72, persons can be prosecuted for a crime that is viewed as a criminal offence in both countries. Therefore, if tourists sexually abuse a child in Mexico, they can be tried in the UK as both countries legislate against this offence. This Act is intended to cover crimes that may be committed by the traveller against either a travelling child companion or a child living in the country, but in which the crime is not detected until returning to the UK.

Additionally, the Sexual Offences (Conspiracy and Incitement) Act, 1996, allows for the prosecution of those who conspire to commit a sexual offence outside the UK, or incite someone else to commit the offence. Therefore if one person either helps or pushes another to commit the offence, they too can be prosecuted in the UK.

2. Who are the children and aspects of vulnerability?

Mexican children are exposed to myriad forms of exploitation as detailed below:

Poverty and migration: Poverty forces many rural children, with or without their families, to migrate to urban cities to seek out employment. A number of these also migrate across the border to the US. These children have little or no parental supervision and are therefore vulnerable to physical and sexual abuse and to being lured into the sex industry or abducted by criminal child trafficking gangs.

Street children: Official figures estimate that 114,000 children are living and working in the whole of Mexico, with 20,000 in the streets of Mexico City. Studies show that most of these children, both boys and girls, are victims of sexual abuse and can be lured into situations of abuse by offers of help or food. The children are largely concentrated in Guadalajara, Puerto Vallarta, and San Juan de los Lagos, and in areas with a heavy foreign tourist presence. They mostly work as street vendors in markets or resort areas.

Organised prostitution: Many children, particularly girls, are abused within brothels that are frequented by both local and foreign men. Reports suggest that these girls are often abducted or promised good jobs and prospects in urban centres and then forced into prostitution. Many of them suffer from physical and sexual abuse by their captors and some are reportedly kept in debt bondage.

Child labour: Many children work in the informal sector in the cities or in agriculture and construction in the rural areas. In 2003, the Government disclosed that at least five million children were being exploited in the agricultural sector under harsh conditions. Other reports highlight the vulnerability to physical, psychological and sexual abuse of girls living and working as domestic maids to wealthy Mexican families.

Trafficking: Although Mexico is a source, transit, and destination country for persons trafficked for sexual exploitation and labour, it is the internal trafficking of children that links with their abuse by foreign sex offenders. Child trafficking within the country is largely carried out by organized criminal networks in which thousands of children are victims of commercial sexual exploitation.

Illegal adoption: Child trafficking gangs are also involved in the sale of children for adoption to childless couples or organisations in North America. Evidence from the few arrests made show that many of the children are abducted, especially those from poor migrant families.

3. Who are the abusers?

Many of the child sex offenders who seek out children in Mexico transit through the US. A number of these have been arrested following undercover investigations by both US and Mexican authorities. Research also suggests that many of the foreign child abusers first develop connections and contacts with local groups exploiting children and then travel to the country. Connections with internet child

pornography have also been established, which the offenders use prior to and contribute to by their own production of it during their stay in Mexico.

In addition, children are also exploited by foreign couples or other individuals wishing to adopt outside of the legal adoption system. However, this widespread practice exposes such children to the risk of exploitation by both those adopting them as well as by the often illegal agencies giving them up for adoption. Research and police investigations have shown that Mexican mafia, also involved in the illegal trade of drugs and arms, are operating a number of these agencies. Most of the children in such situations have been abducted and reportedly abused.

4. How is the travel industry involved?

Mexico's Tourism Secretariat figures reveal that more than 5.2 million international tourists visited Mexico during the first quarter of 2004, which is an increase from the year before. Tourism is the third most important economic activity in Mexico, representing 8.3 percent of the nation's Gross Domestic Product. The country currently ranks 8th in the number of international visitors and 10th in international tourism revenues, according to the World Tourism Organization.

This increase in tourism has raised concerns about the dangers to children from child sex tourism given the existing vulnerabilities and exploitation of Mexican children. However, there has been little support given to nongovernmental organisations working to protect children and many complain of the lack of implementation of the existing laws. On the Governmental side, although there is a Centre of Support for Missing Persons open since 1990 by Mexico City's attorney general, it has no power to investigate disappearances of children or adults.

However, the Government has a Plan of Action to Prevent, Attend, and Eradicate the Commercial Sexual Exploitation of Minors. Through the implementation of this plan girls and boys have been recovered from exploitative circumstances. In addition, various Government agencies have been involved in combating trafficking and the Government has formed regional partnerships to deal with the problem, including an agreement with the US that involves funding projects to investigate trafficking and provide groups combating it with technical assistance.

ECPAT Mexico is one organisation working to protect children from exploitation and has joined forces with the Network for Children's Rights, which is a large network of forty-nine organisations from around Mexico. ECPAT Mexico is campaigning to enforce laws relating to child protection and creating a coordinated system upholding the rights of children in the country.