



WSD **HANDA** CENTER  
FOR HUMAN RIGHTS & INTERNATIONAL JUSTICE  
Stanford University

# DOMESTIC SEX TRAFFICKING OF CHILDREN IN BRAZIL

**NATASHA DOLBY**  
RESEARCH FELLOW





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## **Domestic Sex Trafficking of Children in Brazil**

Natasha Dolby, Research Fellow

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## **List of Acronyms**

ACE – Adverse Childhood Experiences

ANCED – Associação Nacional dos Centros de Defesa da Criança e do Adolescente (National Association of the Centers for the Defense of Children and Adolescents)

BR-116 – One of the most important and longest Federal highways of Brazil (4,385 kilometers long)

CECRIA – Centro de Referência, Estudos e Ações sobre Crianças e Adolescentes (Children and Adolescent Reference, Studies, and Action Center)

CGCs – Conselhos Tutelares (Children Guardianship Councils)

CPI – Comissão Parlamentar de Inquérito (Parliamentary Investigative Commission)

CONANDA- Conselho Nacional dos Direitos da Criança e do Adolescente (National Council of the Rights of Children and Adolescents)

CONATRAE- Comissão Nacional para a Erradicação do Trabalho Escravo (National Commission for the Eradication of Slave Labor)

CONATRAP – Comitê Nacional de Enfrentamento ao Tráfico de Pessoas (National Committee Against Trafficking in Persons)

CSEC – Exploração Sexual Comercial de Adolescentes, ESCA (Commercial Sexual Exploitation of Children)

DCI – Defense for Children International

DMT – Dance Movement Therapy

ECA- Estatuto da Criança e Do Adolescente (Stature of the Child and Adolescent)

ESCA – Exploração Sexual Comercial de Adolescentes (Comercial Sexual Exploitation of Children, CSEC)

ECPAT – End Child Prostitution in Asian Tourism (1990 campaign), but the acronym is not longer used. Organization is now a growing network of 101 civil society organizations in 92 countries working to research and better understand this heinous crime; tackle the online sexual exploitation of children; end the trafficking of children for sexual purposes and the

forced and early marriage of children; and bring a halt to the sexual exploitation of children through the travel and tourism industry.

FIFA – Fédération Internationale de Football Association (World Soccer Association)

FNDCA – Fórum Nacional dos Direitos da Criança e do Adolescente (National Forum for the Rights of Children and Adolescents)

FNPETI – Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil (National Forum for the Prevention and Eradication of Child Labor)

GBD – Global Burden of Disease

GDP – Gross Domestic Product

GSHS – Global Schools-based Student Health Survey

ICAST – International Child Abuse Screening Tool

ILO – International Labor Organization

IOM – International Office for Migration

ISPCAN – International Society for Prevention of Child Abuse and Neglect

NGO – Non-Governmental Organization

PNET – Plano Nacional de Erradicação do Trabalho Escravo (National Plan for the Eradication of Slave Labor)

PNUD – United Nations Development Programme

SIPIA– Sistema de Informação Para Infância e Adolescência (Child and Adolescent Information System)

SUS – Sistema Único de Saúde (Universal Health Care System)

TIP – Trafficking in Person

TIP Report- US Department of State’s Annual Trafficking in Persons Report

TVPA – Trafficking Victims Protection Act (USA)

UN – United Nations

UNICEF – United Nations Children’s Fund

UNODC – United Nations Office on Drugs and Crime

WHO – World Health Organization

## Executive Summary

The trafficking of children<sup>1</sup> for sexual exploitation in Brazil is both devastating to their health and well-being, and a gross violation of their human rights. Fueled by a mix of power inequality, extreme economic insecurity, corruption, and regressive social norms, child sex trafficking has flourished in Brazil.<sup>2 3</sup> This report presents the findings of a mixed methods study on trafficking of children for sexual purposes in Brazil.

Although Brazil ratified the United Nations Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (The Palermo Protocol) and made many other advances in the legal protection of children's rights in Brazil, including alignment of the penal code with the Protocol, implementation remains extremely weak.<sup>4</sup> Confusion persists around the roles and responsibilities of different agencies and between policies that address slave labor versus those that address trafficking in persons.

Due to incongruity between international commitments and domestic legislation implementation, the vast majority of child victims<sup>5</sup> of sex trafficking are often referred to as "child prostitutes." This stigmatizing labeling leaves them invisible and/or condemned by the general public and, more importantly, overlooked by officials and support providers who should be legally obliged to identify and assist them. Falling through the policy cracks, survivors do not have avenues out of these abusive circumstances. For those who do manage to leave, few ever receive the assistance they need, especially the appropriate mental health support.

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<sup>1</sup> "Children" in this report refers to the United Nations guidelines stating that anyone under 18 is considered a child.

<sup>2</sup> There isn't just one narrative on domestic sex trafficking of girls and boys in Brazil. Specifically, there are varying perspectives on the role of children's agency versus victimhood in their circumstances. Dialogue on trafficking has moved beyond the binary notion of free versus not free and now highlights extraordinary economic fragility of family structures in the context of poverty and emphasizes gender disparities, particularly the limited income opportunities for girls. While these debates are valuable, these discussions are beyond the scope of this paper.

<sup>3</sup> <https://www.state.gov/documents/organization/271341.pdf>

<sup>4</sup> [http://www.planalto.gov.br/ccivil\\_03/\\_ato2015-2018/2016/lei/L13344.htm](http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/lei/L13344.htm)

<sup>5</sup> The word "victim" and "survivor" are used interchangeably in this paper. Each person self-identifies differently and there are connotations to both. Being a "victim" implies helplessness and pity, which might not adequately describe the experiences of some people, while term "survivor" implies that people are able to take control of their own lives.

To date, there has been little research on sex trafficking of children and reintegration assistance for victims to inform more effective responses in Brazil. There has been little to no research or evaluation of mental health interventions to support the recovery of human trafficking survivors.<sup>6</sup> This report considers cognitive-behavioral therapies and trauma-informed mental health care in the treatment of trafficking victims.

This report aims to: 1) assess the gaps in implementation of international and national commitments to protect child victims of sex trafficking in Brazil; and 2) consider the psychosocial effects of sex trafficking on children; and 3) discuss findings on dance movement therapy as an intervention tool for re-integration of survivors of child sex trafficking. The report concludes with recommendations for better implementation of the Palermo Protocol and national policies on children's rights and sex trafficking, and offers suggestions for further research on interventions to support survivors.

This report is based on mixed methods, including: a) a literature review and b) field observations in Medina, MG and Rio de Janeiro, RJ; and c) observations at *Menina Dança* – a Brazilian non-profit organization that works with at-risk girls in communities along the BR-116, Brazil's "exploitation highway" – in the city of Medina.

This paper begins by providing a general background on child sex trafficking and a specific overview of the situation in Brazil, including the key determinants of child sex trafficking in Brazil. The remaining sections are: 1) An analysis of legal and policy challenges to prevent and respond to child sex trafficking; 2) The psychosocial impact of child sex trafficking; 3) alternative approaches to address the effects of sex trafficking among children; and 4) recommendations for future actions and targeted investments.

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<sup>6</sup> Except for the landmark PESTRAF study, Pesquisa Sobre Tráfico de Mulheres, Crianças, e Adolescentes para Fins de Exploração Sexual Comercial no Brasil, Relatório Nacional; Women, Children and Adolescent Trafficking-in-Person for Commercial Sexual Exploitation – National Report, 2002

**Section one** offers a discussion of the international and domestic legal frameworks to address child sex trafficking and gaps in implementation. Particular attention is given to the effectiveness and obstacles faced by Brazil's Children Guardianship Councils (CGCs). The section concludes with a discussion of the challenges and opportunities to prevent and respond to child sex trafficking. **Section two** discusses the psychological impact of child sex trafficking, focusing on the impact of trauma referred to as adverse childhood experiences (ACEs). The role of dance movement therapy is considered as an alternative support and recovery approach to address the psychosocial impact of child sex trafficking. Results are presented from participant observation of a dance therapy organization: *Menina Dança*. Based on the findings, recommendations are offered to the Brazilian government and organizations working on child sex trafficking.



## Background

Trafficking of human beings is a multi-billion-dollar business present in nearly every country in the world under many names.<sup>7</sup> An expression of extreme social and economic inequalities, human trafficking is a product of vulnerability arising from any number of co-occurring factors including social exclusion, income shocks, illiteracy, state instability, conflict, high levels of judicial corruption, or insecure immigration status, to name a few.<sup>8</sup> Traffickers prey on these vulnerabilities, often isolating their victims, threatening to harm them and their loved ones, manipulating fears related to family, housing, food, money, love, and community.<sup>9</sup> Survivors often report multiple forms of abuse in the context of their trafficking experience including repeatedly being locked in rooms, denied access to food, and routine physical beatings.<sup>10</sup> Survivors report instances of being bitten, kicked, smashed against walls, raped, forced to take drugs, having guns held to their heads as fear tactics, and falling victim to debt bondage.<sup>11</sup> Suffering what can be debilitating physical and emotional consequences, survivors may face generational cycles of crisis, hardship, and loss.<sup>12</sup> Some victims become entrapped when they seek economic opportunities that turn out to be fraudulent and they become caught by exploitative contracts, fake promises, unpaid wages, unconscionable and unpayable debts, withheld documents, and violence.<sup>13</sup>

A recent report developed jointly by the International Labour Organization (ILO), the Walk Free Foundation, and the International Organization for Migration (IOM), found that in the year 2016 alone, more than 40 million people were victims of modern slavery.<sup>14</sup> Due to the

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<sup>7</sup> The Freedom Fund

<sup>8</sup> Cockayne, J., *Unshackling Development: Why we need a global partnership to end modern slavery*, The Freedom Fund and the United National University, 2015

<sup>9</sup> <http://www.lshtm.ac.uk/php/ghd/docs/traffickingfinal.pdf>

<sup>10</sup> <https://www.state.gov/documents/organization/82902.pdf>

<sup>11</sup> <https://www.hrw.org/sites/default/files/reports/general958.pdf>

<sup>12</sup> The Freedom Fund

<sup>13</sup> The Freedom Fund

<sup>14</sup> [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_574717/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_574717/lang--en/index.htm); According to the US Department of State, “‘Trafficking in persons,’ ‘human trafficking,’ and ‘modern slavery’ are used as umbrella terms to refer to both sex trafficking and forced labor. The Trafficking Victims Protection Act of 2000 (TVPA), and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention*

methodological challenges associated with estimating the size of hidden populations, these numbers are only rough estimates and there is no universal consensus on the number of trafficked persons worldwide.<sup>15</sup> Since the United Nations Office on Drugs and Crime (UNODC) started to collect information on the age profile of detected trafficking victims, the share of children among the detected victims has continuously increased, particularly girls under 18.<sup>16</sup> Out of every three child victims, two are girls and one is a boy.<sup>17</sup>

### **Trafficking in Brazil**

A 2001 United Nations report estimated that 500,000 boys and girls throughout Brazil are “in prostitution,” which is also the same number estimated by the Center for Reference, Studies and Action for Children and Adolescents (CECRIA).<sup>18</sup> In 2009, the United States Department of State estimated that number to be 250,000, and the National Forum for the Prevention of Child Labor published an estimate of 500,000 in 2012. According to Mães da Sé, an NGO in São Paulo, there are no government agencies, NGOs, or private institutions in Brazil that have a concrete estimate of the number of children being trafficked.<sup>19</sup> This lack of certainty is in part due to the nature of this hidden population, and in part due to the pervasive lack of understanding of the definition of human trafficking, corrupt practices linked to trafficking, and lack of resources.<sup>20</sup>

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*against Transnational Organized Crime* (the Palermo Protocol) describe this forced service using a number of different terms, including involuntary servitude, slavery or practices similar to slavery, debt bondage, and forced labor. Human trafficking can include, but does not require, movement. People may be considered trafficking victims regardless of whether they were born into a state of servitude, were exploited in their home town, were transported to the exploitative situation, previously consented to work for a trafficker, or participated in a crime as a direct result of being trafficked. At the heart of this phenomenon is the trafficker’s aim to exploit and enslave their victims and the myriad coercive and deceptive practices they use to do so.

<sup>15</sup> Brunner, J., *Inaccurate Numbers, Inadequate Policies, Enhancing Data to Evaluate the Prevalence of Human Trafficking in ASEAN, 2015*

<sup>16</sup> UNODC, *Global Report on Trafficking in Persons, 2014*

<sup>17</sup> UNODC, *Global Report on Trafficking in Persons, 2014*

<sup>18</sup> *Tráfico de Mulheres, Crianças e Adolescentes para Fins de Exploração Sexual no Brasil*, CECRIA, Brazil, 2000

<sup>19</sup> <http://www.maesdase.org.br/Paginas/saibamais.aspx>

<sup>20</sup> Brunner, J., *Inaccurate Numbers, Inadequate Policies, Enhancing Data to Evaluate the Prevalence of Human Trafficking in ASEAN, 2015*

The landmark 2002 PESTRAF Report identified 241 trafficking routes (110 internal routes and 131 international routes) through and out of Brazil for the first time.<sup>21</sup> Internally, Brazilians are trafficked from poor states in northern Brazil to central and southern states, particularly towards Rio de Janeiro and São Paulo. Adolescents make up the largest group trafficked along these internal routes, followed by women.<sup>22</sup> Internationally Brazilians, including children, are trafficked to China, Spain, the Netherlands, Portugal, Paraguay, and Italy, among others.<sup>23</sup>

The annual Trafficking in Person Report (TIP Report) <sup>24</sup>produced by the US Department of State, despite its many challenges, is considered to an important barometer in the global conversations on trafficking. Ranking countries based on self-reported trafficking information by foreign governments, the TIP report organizes countries into three tiers:

- Tier 1 indicates that the government is making significant efforts to combat trafficking in accordance with TVPA's (The Trafficking Victims Protection Act) <sup>25</sup> minimum standards;
- Tier 2 signifies that a country is not fully complying with TVPA's minimum standards but is making efforts to do so; and
- Tier 3 countries are found noncompliant with TVPA standards.

In addition, there is a Tier 2 Watch List for countries whose victim numbers are significant, or steadily increasing and the government cannot provide evidence of increasing efforts or progress. The 20016 and 2017 TIP Report lists Brazil as a Tier 2 country. The report summarized the following challenges for Brazil:

(20016) Brazil is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Brazilian women and children are exploited in sex trafficking within the country, and federal police report higher rates of children exploited in prostitution in the north and northeast regions [...] Child sex tourism remains a problem, particularly in resort and coastal areas; many child sex tourists are from Europe, and to a lesser

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<sup>21</sup> [http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf\\_2002.pdf](http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf_2002.pdf)

<sup>22</sup> [http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf\\_2002.pdf](http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf_2002.pdf)

<sup>23</sup> [http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf\\_2002.pdf](http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf_2002.pdf)

<sup>24</sup> <https://www.state.gov/documents/organization/271341.pdf>

<sup>25</sup> The Trafficking Victims Protection Act (TVPA) is arguably the most important anti-trafficking law ever passed. The TVPA, and its reauthorizations in 2003, 2005, and 2008 define a human trafficking victim as a person induced to perform labor or a commercial sex act through force, fraud, or coercion.

extent, the United States. Brazilian law defines *trabalho escravo*, or slave labor, as forced labor or labor performed during exhausting work days or in degrading work conditions. [...] Brazilian women and children, as well as girls from other countries in the region, are exploited in domestic servitude with approximately 213,000 children employed as domestic workers in Brazil. [...] NGOs and officials report some police officers tolerate children exploited in sex trafficking, patronize brothels, and rob and assault women in prostitution, impeding proactive identification of sex trafficking victims.

(2017) Investigation and prosecution efforts in sex trafficking cases remained weak, reports of official complicity and corruption were largely unaddressed [...] Brazil should increase funding for specialized services, including housing for victims of sex trafficking and forced labor; improve federal and state law enforcement cooperation and communication on trafficking cases, train federal, state, and municipal law enforcement officials on proactive identification of victims, [...] increase specialized services for child trafficking victims, including case management assistance and oversight of local guardianship councils. [...] The government treated forced labor as a distinct crime from sex trafficking [...] This resulted in uneven interagency coordination of anti-trafficking efforts. [...] Officials did not report the number of victims of domestic servitude or commercial sexual exploitation of children identified in 2017. [...] Specialized shelters for child sex trafficking victims were lacking, and guardianship councils often did not have the expertise or resources to identify child victims correctly and refer them to services. [...] Coordination among agencies at the national and state level was uneven and varied in efficacy.

The majority of victims of sex trafficking in Brazil are female and from situations of extreme poverty in a context of social exclusion.<sup>26</sup> In general they come from poor communities, have low educational levels, live in peripheral/marginalized communities with a lack of sanitation or transportation, and live with a family member and often have children of their own.<sup>27</sup> Often these women and adolescents work in the service industry as cleaners, maids, cooks, or in small commerce enterprises as waitresses, receptionists, and store clerks. Usually these positions are poorly compensated and are paid “under the table,” providing no benefits and are known to have high attrition rates.<sup>28</sup> Most have suffered some type of intra-familial violence (sexual abuse, rape, sexual assault, and negligence).<sup>29</sup> While the importance of

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<sup>26</sup> Darlington, S. 2014 Brazil tackling child prostitution for World Cup - CNN Freedom Project

<sup>27</sup> [http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf\\_2002.pdf](http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf_2002.pdf)

<sup>28</sup> [http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf\\_2002.pdf](http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf_2002.pdf)

<sup>29</sup> [http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf\\_2002.pdf](http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf_2002.pdf)

the financial proposition is a factor in the recruitment, often basic survival and desire to escape their current reality is the main driver of young women falling prey to traffickers' advances.<sup>30</sup> Often, trafficking victims are confined constantly under physical and psychological threat until they pay the cost of travel, food, clothing, and 'documentation' costs, which often includes a fake identification card with a fake date of birth.<sup>31</sup> Brazilian researchers Leal and Leal summarize the problem in Brazil:

There's a direct correlation between poverty, regional inequality and the existence of trafficking routes for sexual purpose in all Brazilian regions, with a flux from rural to urban areas, and to the less-developed regions. Trafficking in persons of women, children and adolescents is the result of social contradictions made it more apparent due to globalizations and for the fragility of the state, making the inequalities of gender, race and ethnicity more apparent. The phenomena is multidimensional, multifaceted and transnational... It also has its roots in cultural relations (values that are patriarchal, chauvinistic, class-based, from gender and adult-centered that insert women, children and adolescents in unequal relations of power.... From a human rights standpoint, it is configured as a criminal violation of the rights, mandating a response that creates accountability for the aggressor, but also for the state and for society itself.<sup>32</sup>

### **Determinants of Child Sex Trafficking in Brazil**

There are multiple factors that contribute to child trafficking in Brazil, which are summarized below.

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<sup>30</sup> Darlington, S. 2014 Brazil tackling child prostitution for World Cup - CNN Freedom Project

<sup>31</sup> [http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf\\_2002.pdf](http://www.childhood.org.br/wp-content/uploads/2014/03/Pestraf_2002.pdf)

<sup>32</sup> Tráfico de mulheres, crianças e adolescentes para fins de exploração sexual e comercial no Brasil – realidade e desafios, Leal & Leal, 1998

### ***Extreme economic disparities and lack of social mobility***

Brazil's history of political, economic, and social instability has led to high levels of inequality, putting vulnerable groups at higher risk of exploitation, including children. Youth unemployment among those aged 15 to 24 years of age, estimated to be 15.8% in 2015,<sup>33</sup> is likely to be further exacerbated by the country's current economic recession.<sup>34</sup> About 30% of the total Brazilian population is younger than 15 years, and 45% of those living in extreme poverty (less than \$61 per capita) are in this age group. And the situation is even worse for those who are younger: almost 40% of five-year-olds live with families who earn less than \$61 per year.<sup>35</sup> In 2013, Brazil's GDP was US\$2.24 trillion: the highest in Latin America. However, its GDP per capita is only US\$14,455.<sup>36</sup> There are very limited opportunities for income-generation activities for youth from low-income backgrounds.<sup>37</sup>

### ***Deep-rooted historical racism***

The vast majority of girls and boys being sold for sex are Afro-descendants, most of whom are girls and women between the ages of 15-24.<sup>38</sup> Slavery in Brazil lasted for approximately three centuries, from the start of the 16th century to the mid-19th, a period during which five million slaves were shipped from Africa — around 11 times more than to North America.<sup>39</sup> The nation was the last in the Americas to abolish slavery in 1888. But many Afro-Brazilians are still confined to the margins of society. Today, almost 70 percent of people living in extreme poverty are black.<sup>40</sup> And they are almost totally absent from positions of power. Afro-Brazilians make up 53% of Brazil's population, a total of about 106 million individuals. It is the world's largest black population outside Africa.<sup>41</sup> As an indication of their vulnerability, according to the United Nations Children's Fund, black Brazilians ages 12 to 18 are

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<sup>33</sup> <http://uk.reuters.com/article/uk-employment-china-idUKKCN0S22QI20151009>

<sup>34</sup> <http://www.bbc.com/news/business-36425427>

<sup>35</sup> Neri, M. and Da Costa, D.R., *O tempo das crianças*, Brazil: Graduate School of Economics, Getúlio Vargas Foundation, 2002

<sup>36</sup> Legatum Institute, 2016 Prosperity Index

<sup>37</sup> Some organizations are working to fill this gap: Project Vira Vida, an NGO established in 2010 has been successful in training youth survivors of sexual violence in modern service skills in fashion, tourism and hospitality, gastronomy, digital communication, and office administration. In the first six years, the program has served 5,000 youth in 26 cities across Brazil see: <http://www.viravida.org.br>.

<sup>38</sup> [https://www.unicef.org/about/annualreport/files/Brazil\\_2016\\_COAR.pdf](https://www.unicef.org/about/annualreport/files/Brazil_2016_COAR.pdf)

<sup>39</sup> <https://library.brown.edu/create/fivecenturiesofchange/chapters/chapter-2/african-slavery/>

<sup>40</sup> <https://freedomhouse.org/report/freedom-world/2018/brazil>

<sup>41</sup> <http://www.nytimes.com/2015/03/24/opinion/vanessa-barbara-in-denial-over-racism-in-brazil.html>

almost three times more likely to get killed than their white counterparts, and a survey by the Brazilian Forum on Public Security found that black Brazilians accounted for 68% of all homicide victims.<sup>42</sup>

### ***Cultural norms that sexualize girls***

While an in-depth discussion of this topic is beyond the scope of this paper, Brazil's cultural norms are rooted in a long history of patriarchy, impunity, and economic disparities. The tele-novelas and media also continue to affect the Brazilian collective psyche on sexuality, beauty, and disability, and continue to denigrate girls and promote a perceived hyper-sexuality of girls and women. In a 2013 survey of construction workers by Childhood Brasil, 57% confirmed that children and adolescents nearby big construction projects were being sexually exploited, while 25% of them admitted to having had sex one or more times with adolescents.<sup>43</sup> Childhood Brasil concluded that, "In the eyes of this population of male workers, there is no sexual exploitation of children and adolescents."<sup>44</sup> A 2012 report by Instituto ProMundo found that 77% of men thought it was common to have sex with "underage prostitutes."<sup>45</sup>

Brazil ranks fourth in the world in terms of adolescents marrying by 15 years of age. ProMundo data shows that older men seek younger women because they are perceived as more "obedient" of men, because by association they feel younger themselves, and because they want to "marry someone who they can teach things to."<sup>46</sup> Gender inequality clearly contributes to the sexual exploitation of Brazilian girls, through unequal power dynamics, commodification of women as sexual objects at the disposal of men, and uneven share of family responsibilities that in the poorest sectors forcing mothers to enter into prostitution to ensure the survival of children.<sup>47</sup>

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<sup>42</sup> <https://www.hrw.org/report/2009/12/08/lethal-force/police-violence-and-public-security-rio-de-janeiro-and-sao-paulo>

<sup>43</sup> <http://www.childhood.org.br/dimensoes-e-impactos-dos-grandes-eventos-esportivos#as-licoos>

<sup>44</sup> <http://www.childhood.org.br/dimensoes-e-impactos-dos-grandes-eventos-esportivos#as-licoos>

<sup>45</sup> [https://promundoglobal.org/wp-content/uploads/2015/07/SheGoesWithMyBoat\\_ChildAdolescentMarriageBrazil.pdf](https://promundoglobal.org/wp-content/uploads/2015/07/SheGoesWithMyBoat_ChildAdolescentMarriageBrazil.pdf)

<sup>46</sup> <https://promundo.org.br/wp-content/uploads/sites/2/2015/02/Understanding-Mens-Use-of-Violence-Against-Women-IMAGES-Brazil-Chile-Mexico.pdf>

<sup>47</sup> Rights of the Child, Report submitted by the Special Rapporteur on the sale of children, child prostitution and child pornography, Juan Miguel Petit, 2004

Girls and boys subjected to sexual abuse and violence at home or those who live in an environment where adult prostitution is widespread learn to view such sexual activity as the norm and may not see themselves as victims later.<sup>48</sup> This is compounded by the pervasive belief that adolescent victims of sex trafficking are to blame for their situation.<sup>49</sup>

### ***Cultural norms that accept violence against women***

A 16-year old adolescent girl from a low-income community in Rio was gang-raped in 2015. Graphic photos and videos of the unconscious, naked adolescent were posted on Twitter, and several men joked online about the attack.<sup>50</sup> The case rocked Brazil, and highlighted the nation's deep-rooted problem of violence against women. The Brazilian Center for Latin American Studies found that more than 92,000 women were killed in gender-related crimes, including rape and domestic abuse, from 1980 to 2010.<sup>51</sup> According to a 2014 report by an NGO called the Fórum Brasileiro de Segurança Pública (Brazilian Forum of Public Security), a rape is *reported* to police every 11 minutes in Brazil.<sup>52</sup> In 2014, more than 47,500 rapes were reported in the country, of those cases 61% of the victims were black women.<sup>53</sup>

### ***Technology as an enabler***

Brazil's fastest growing online population of young people has made the country, according to the *Wall Street Journal*, "the social media capital of the universe."<sup>54</sup> Internet technologies and digital networks give users the unprecedented ability to connect and communicate instantaneously with individuals and large audiences over long distances. While such technologies have certainly had a liberating effect, they also enable traffickers to exploit a greater number of victims across geographic boundaries.<sup>55</sup> WhatsApp, which now has more than 100 million users in Brazil (90% of whom have a mobile phone) has enabled sellers and

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<sup>48</sup> 2016 Offenders on the Move Report, A Global Study on Sexual Exploitation of Children in Travel and Tourism, ECPAT International

<sup>49</sup> 2016 Offenders on the Move Report, A Global Study on Sexual Exploitation of Children in Travel and Tourism, ECPAT International

<sup>50</sup> <https://www.nytimes.com/2016/05/29/world/americas/first-arrest-made-in-gang-rape-case-in-brazil.html>

<sup>51</sup> <https://www.nytimes.com/2016/05/29/world/americas/first-arrest-made-in-gang-rape-case-in-brazil.html>

<sup>52</sup> <http://www.forumseguranca.org.br/estatisticas/introducao/>

<sup>53</sup> <https://www.hrw.org/world-report/2017/country-chapters/brazil>

<sup>54</sup> <https://www.wsj.com/articles/SB10001424127887323301104578257950857891898>

<sup>55</sup> Latonero, Mark, Ph.D., Human Trafficking Online - The Role of Social Networking Sites and Online Classifieds, 2011



buyers to connect in an unprecedented way.<sup>56</sup> In 2015 Reuters reported that traffickers worldwide are increasingly using social media to contact vulnerable teenagers and sell them into sex work.<sup>57</sup> They are quick to adopt the latest online platforms popular with teenagers, creating new challenges for law enforcement agencies. Once limited to luring victims in the street, traffickers and their intermediaries can now communicate and recruit thousands of people through Instagram, Facebook, Kik, Tagged, Twitter, WhatsApp and Snapchat.<sup>58</sup> Europol, the European Union's police agency, has stated that social media and other online technology have not only taken the recruitment and selling process off the streets but also allow traffickers to control victims using remote surveillance.<sup>59</sup>

### ***Lack of trust in the justice system, corruption, and a culture of impunity***

Brazilians have very little faith in the judicial system, which is generally viewed as corrupt. In a 2013 Transparency International study, 50% of Brazilians reported that they believe their judicial system is corrupt or extremely corrupt.<sup>60</sup> The legal system is also incredibly slow-moving. Conservative statistics estimate the number of lawsuits awaiting final decision to be more than 50 million.<sup>61</sup> Between 1995 and 1999, 32.2 million cases entered the Brazilian courts. However, only 22.6 million of these were decided during the same period.<sup>62</sup> Judicial stagnation in Brazil is caused by an excess of guaranteed appeals as well as an overloaded Supreme Court.<sup>63</sup>

Lack of trust in the police is also an aggravating factor. According to Human Rights Watch, police in the state of Rio de Janeiro have killed more than 8,000 people in the past

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<sup>56</sup> <https://www.wsj.com/articles/SB10001424127887323301104578257950857891898>

<sup>57</sup> <https://www.reuters.com/article/women-conference-traffickers/feature-tech-savvy-sex-traffickers-stay-ahead-of-authorities-as-lure-teens-online-idUSL8N1343ZL20151116>

<sup>58</sup> These findings were confirmed by the 2016 Offenders on the Move Report, A Global Study on Sexual Exploitation of Children in Travel and Tourism; Britain's National Crime Agency

<sup>59</sup> Global Corruption Barometer of Transparency International, 2013

<sup>60</sup> Global Corruption Barometer of Transparency International, 2013

<sup>61</sup> Global Corruption Barometer of Transparency International, 2013

<sup>62</sup> International Trade and Business Law Review, Jones. R & Moens, G., 2008

<sup>63</sup> The United Nations Human Rights Council confirmed that courts in Brazil are 'extremely slow,' citing the extensive appeals system; United Nations Press Release, 'United Nations Expert Concerned About Lack of Access to Justice in Brazil'.

decade.<sup>64</sup> In 2015, police were responsible for one fifth of the homicides in the city of Rio alone. According to Amnesty International, the police are responsible for as much as 15% of the homicides in Rio de Janeiro.<sup>65</sup> In São Paulo, the police are responsible for as many as 1 out of 5 violent deaths.<sup>66</sup> Corrupt behavior of law enforcers may help traffickers to recruit, transport, and exploit their victims; corrupt criminal justice authorities may obstruct the investigation and prosecution of cases, and/or impede the adequate protection of victims of the crime.<sup>67</sup>

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<sup>64</sup> <https://www.hrw.org/world-report/2018/country-chapters/brazil>

<sup>65</sup> <https://www.amnesty.org/en/countries/americas/brazil/report-brazil/>

<sup>66</sup> <https://www.hrw.org/world-report/2018/country-chapters/brazil>

<sup>67</sup> <https://www.hrw.org/world-report/2018/country-chapters/brazil>

## Legal frameworks to address child sex trafficking

### International Law

Trafficking in human beings is not a recent phenomenon. Nevertheless, a common international legal definition for the term ‘trafficking’ was not articulated until December 2000 during the Political Conference of the United Nations in Palermo, Italy, when 121 countries signed the International Convention Against Transnational Organized Crime, which included the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the Palermo Protocol). The Convention entered into force September 29, 2003 and the protocol entered into force on 25 December 2003. The Palermo Protocol defines trafficking in persons as:

[T]he recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

Notably, the definition of trafficking *does not necessarily require movement*. Furthermore, even when the definition of trafficking addresses the movement of the victim (“transfer”, “transport” and “receipt”) there is no specification that this movement has to be across borders, which is particularly relevant given the prevalence of internal trafficking *within* Brazil. Importantly, Article 3(b) of the Palermo Protocol notes that the “consent of a victim of trafficking in persons to the intended exploitation” described in the above definition is rendered irrelevant where any of the means described in the definition have been employed.

Importantly, Principle 8 of the Palermo Protocol requires states to ensure that the victim is protected from further exploitation and harm (from those who have already exploited that

person and from anyone else). Under the Palermo Protocol states are explicitly responsible for protecting and caring for victims and are required to provide victims of national and international trafficking with physical and psychological care that is adequate to meet at least immediate needs. The Protocol is supplemented by a number of Guidelines that focus on specific elements of such care and support. Guidelines 6.1 and 6.2, for example, request States and others to consider ensuring, along with NGOs, the availability of safe and adequate shelter that meets the needs of trafficked persons and access to primary health care and counseling.

The Palermo Protocol offers additional protections for children. Article 3(c) articulates that “[t]he recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth” in the definition. This means that the crime of trafficking in children requires only an action (movement, sale, receipt, etc.) carried out for the purpose of exploitation; it is not necessary to establish any “means” such as deception, coercion or the abuse of power or of a position of vulnerability. This means that when a child is recruited, enticed, harbored, transported, provided, obtained, or maintained to perform a commercial sex act, it is not necessary to prove force, fraud, or coercion in order for the offense to be characterized as human trafficking. There are no exceptions to this rule: Children who are “prostituted” are by definition trafficking victims.<sup>68</sup> Guideline 8 of the Palermo Protocol specifies that the particular physical, psychological harm suffered by trafficked children and their increased vulnerability to exploitation require that they be dealt with separately from adult trafficked person in terms of laws, policies, programs, and interventions. It further states that child victims should be provided with appropriate assistance and protection and full account should be taken of their special rights and needs.<sup>69</sup>

Beyond the 2004 ratification of the Palermo Protocol, Brazil has signed or ratified all major international child protection instruments, including the Geneva Declaration of the

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<sup>68</sup> Trafficking in Persons Report, 2015, US Department of State

<sup>69</sup> Surtees, R. (2013). After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region, UNIAP/NEXUS Institute

Rights of the Child (1924), The Universal Declaration of Human Rights (1948), The Second Declaration of the Rights of the Child (1959), The Convention on the Rights of the Child, (1989), The Vienna Declaration and Programme of Action (1993), and the Worst Forms of Child Labor Convention 182 (1999). Under the UN Convention on the Rights of the Child (CRC) States have the duty to ensure the protection of every child against any form of neglect, abuse, violence, and exploitation.<sup>70</sup>

## National Legal Framework

As mentioned in an earlier section, Brazil ratified the Palermo Protocol in 2004, affirming to revise the country's penal code, which at the time didn't align with the Protocol. Twelve years later, with decree 5.017/2004, Law 13.344 was revised on October 16, 2016 addressing domestic and international trafficking in persons and criminalized all forms of labor trafficking and some forms of sex trafficking, and prescribed penalties of four to eight years of imprisonment and a fine. The law also created additional provisions for the crime of trafficking in persons in Article 149-A<sup>71</sup> of the penal code (added to the penal code after the crime of reducing a person to conditions analogous to slavery).<sup>72</sup>

Retrospectively, in 2006, Brazil created the *Política Nacional de Enfrentamento ao Tráfico de Pessoas* to implement a national plan on coping with trafficked persons (Plano Nacional de Enfrentamento ao Tráfico de Pessoas, PNET-I).<sup>73</sup> In 2008, Brazil hosted the III World

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<sup>70</sup> UN Convention on the Rights of the Child (CRC)

<sup>71</sup> **Article 149 of the Brazilian Penal Code**

Reducing to a condition analogous to slavery, either by subjecting someone to forced labor or exhaustive workday, or by subjecting him/her to degrading working conditions, or restricting his/her locomotion, by any means, because of indebtedness towards the employer or his agent:

Penalty – imprisonment from two to eight years and, in addition, a fine according to the penalty corresponding to the violence.

§ 1. The same penalties apply to those who:

I – restrict the use of any means of transport by the employee, in order to retain him/her in the workplace;

II – keeps overt surveillance in the workplace or seizes documents or personal belongings of the employee, in order to retain him/her in the workplace.

<sup>72</sup> [http://www.planalto.gov.br/ccivil\\_03/decreto-lei/Del2848compilado.htm](http://www.planalto.gov.br/ccivil_03/decreto-lei/Del2848compilado.htm)

<sup>73</sup> Ministério da Justiça do Brasil. Tráfico de Pessoas – II Plano Nacional [www.portal.mj.gov.br](http://www.portal.mj.gov.br)

Congress to Combat Sexual Exploitation of Children and Adolescents, at which the government committed to revising the 2006 Plan based on the nature of transnational crimes, the role that technology plays in these crimes, and the structure of psycho-social work for victims as a fundamental component of the long-term strategy of breaking the cycle of violence.<sup>74</sup>

### ***Domestic Laws protecting Children***

Brazil's enactment of the *Estatuto da Criança e do Adolescente* (Statute on the Child and Adolescent, ECA) in 1990 marked a major and unprecedented milestone in Latin America because it gave children their full rights as citizens. Since then, the country has moved toward building a system of protection to ensure the rights of children. The ECA called for the establishment of an institutional framework to protect children's rights, but years after its adoption, several provisions of ECA are yet to be fully implemented in practice. In 1993, Brazil created a Parliamentary Investigative Commission (CPI, Comissão Parlamentar de Inquérito) with the mandate to further investigate the sexual exploitation of children and adolescents in Brazil.<sup>75</sup> Brazil put into place The National Plan for Combating Sexual Violence Against Children and Adolescents in 2000 (Plano Nacional de Enfrentamento à Violência Sexual contra Crianças e Adolescentes), The National Plan of Family and Community Interaction (Plano Nacional de Convivência Familiar e Comunitária) in 2006, The National Plan to Combat Human Trafficking (Plano Nacional de Enfrentamento ao Tráfico de Pessoas II) in 2008, The Decennial Plan for Children and Adolescents (Plano Decenal dos Direitos de Crianças e Adolescentes), and The National Program for Human Rights (Programa Nacional dos Direitos Humanos- PNDH-III) in

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<sup>74</sup> Brazil has also engaged in extensive awareness campaigns on trafficking, particularly around large sporting events. In 2013, Brazil joined the United Nations Office on Drugs and Crime (UNODC) Blue Heart Campaign against Human Trafficking. Brazilian pop star Ivete Sangalo was appointed as a national UNODC Goodwill Ambassador and became the face of the campaign, which aims to mobilize Brazilian society against this crime. There were also other campaigns to raise awareness about child exploitation in general around the major sporting events that took place in Brazil in 2014 and 2016 such as "Get on the Field" (Entre em Campo, Redes Pelos Direitos da Criança e do Adolescente) planned by ECPAT Brasil, The National Committee to Combat Sexual Violence of Children and Adolescents (Comitê Nacional de Enfrentamento à Violência Sexual Contra Crianças e Adolescentes), The National Association of Centers for the Protection of the Rights of the Child and Adolescents (Associação Nacional dos Centros de Defesa dos Direitos da Criança e do Adolescente), ANCED/DCI Brasil (Seção Defense for Children Brasil), The National Forum for the Rights of Children and Adolescents (Fórum Nacional de Defesa dos Direitos da Criança e do Adolescente, FNDCA), and the National Forum of Child Slave Labor Eradication (Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil, FNPETI). For the World Cup, the Brazilian government set aside 8 million Reais (about \$3.3 USD million) to combat child sex exploitation in host cities. The Brazilian government, the NGO community and UN agencies also developed the Convergence Agenda of Promotion, Protection and Defense of the Rights of Children and Adolescents in Great Events before mega-sporting events.

<sup>75</sup> <http://www.cidh.oas.org/countryrep/brazil-eng/chaper%205%20.htm>

2010. In 2013, Brazil signed the Brasilia Declaration on Child Labor, which provides guidance for an integrated response to child labor and set ambitious goals to eliminate the worst forms of child labor by the year 2016.<sup>76</sup> And more recently, in 2018, changes to the ECA were put in effect, specifically Law 13.431/2017 which re-establishes the systems of guarantees of the rights of the child and reinforces the vulnerability of the child, and that their consent is irrelevant in accordance with the Palermo Protocol (evidence of deception, force, coercion, should not be required elements when children are the victims of trafficking cases).<sup>77</sup> While these plans represent good intention and commitment to protecting the rights of Brazilian children, their decentralized organization, bureaucratic layers of overlapping and sometimes conflicting efforts by multiple committees and organized bodies, chronic lack of funding, and general obstacles to implementation of any theory to action, all impede the practical implementation of these worthy goals.

### ***Children Guardianship Councils***

In 1990, one year after the almost universal ratification of the 1989 United Nations Convention on the Rights of the Child (UNCRC), the Statute on the Child and Adolescent, Exploração Comercial de Adolescentes (ECA) was passed into law in Brazil as part of the progressive Brazilian Federal Constitution of 1988 following years of military dictatorship. Closely following the main principles outlined in the United Nations Convention of the Rights of the Child, ECA represented a profound modification in the way children and adolescents were considered by the Brazilian legislation.<sup>78</sup> The fact that this legislation, “currently acknowledged as one of the most advanced in the world, was enacted in a society well-known for its numerous examples of violations of child rights, is a clear indication of the many deep contradictions that characterize Brazil.”<sup>79</sup>

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<sup>76</sup> 2013 Brasilia Declaration on Child Labor, ILO, <http://www.ilo.org/ipec/Campaignandadvocacy/BrasiliaConference/lang-en/index.htm>

<sup>77</sup> [http://www.planalto.gov.br/ccivil\\_03/\\_Ato2015-2018/2017/Lei/L13431.htm](http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2017/Lei/L13431.htm)

<sup>78</sup> Rizzini, I., *The Child-Saving Movement in Brazil: Ideology in the Late Nineteenth and Early Twentieth Centuries*, 2002

<sup>79</sup> Duarte, Cristina., Hoven, Cristina. W., Rizzini, Irene, Earls, Felton, Carlson, Mary. *The evolution of child rights councils in Brazil*. *International Journal of Children's Rights*.

Children Guardianships Councils (CGCs, “Conselhos Tutelares”) were established all over Brazil as part of ECA’s implementation. CGCs are regulated by ECA and are of strategic importance in the system that guarantees the rights of the child as it ensures that the rights of the child are safeguarded by other institutions. The CGCs do not provide any direct service to children or their families. Rather, they are permanent, autonomous, non-judicial institutions with the mandate to inform public policies at the municipal levels and monitor the implementation of the policies to guarantee children’s rights as outlined in the UNCRC according to the “System of Guarantees of the Rights of the Child and Adolescents” (the “System of Guarantees”). The System of Guarantees is a three axes system that is supposed to articulate and integrate government and civil society on the mechanisms of promotion, protection, and executive control of the rights of the child at all levels. This system is responsible for activating the competent services in the judiciary, and in relevant sectors, such as health, education and social assistance. The role of the CGCs is to ensure that children in need or at-risk receive the best possible assistance. Therefore, the CGCs respond to a wide range of situations (e.g., child abuse, school drop-out, inadequate health care, legal issues, etc.). It should be emphasized that the CGCs are not responsible for actually providing the needed service; their task is to make referrals and guarantee that children actually get the needed intervention. Anyone, including children themselves, families, teachers, social workers, policemen or other officials, may ask CGCs to intervene.

In total, there are 5,904 CGCs across the 5,570 municipalities in Brazil, meaning that 99% of municipalities have a dedicated CGC.<sup>80</sup> The CGC is formed by five community members voted in by the local community. Its members receive about R\$4,500 monthly (\$1,382 USD) and are eligible for maternity and paternity leave, vacation time, and a year-end bonus. One municipality may have more than one Council, for example, in a large municipality like Rio de Janeiro, there are dozens. Under the ECA, Public Defender’s Office (“Ministério Público”) is responsible for the monitoring of the operation of the CGCs.

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<sup>80</sup> 268 municipalities have fewer than one CGC per 100,000 people, some have multiples, and some have none.



## Challenges and Opportunities to Prevent and Respond to Child Sex Trafficking

### Children Guardianship Councils

In theory, the CGCs should work well given their autonomy and their capillary structure throughout Brazil. In practice, however, the system for enforcing children's rights is not operating as it was envisioned in ECA. Legal professionals, public defenders, public prosecutors and judges, operate in an inefficient institutional environment replete with constraints and dysfunction as well as loopholes that lead to pervasive impunity for perpetrators. The lack of resources and the lack of training of counselors hamper the proper functioning of many CGCs. Their politicized nature could also be an obstacle to their functioning effectively, as counselors often use their election and appointment as a first step in their political careers.

Most CGCs don't have the physical infrastructure or the ability to train and professionalize the elected counselors. Once elected, a counselor is given a brief training on ECA before starting on his or her post, but the training is insufficient and not required often enough. Interviews with local NGOs in Rio de Janeiro revealed that CGCs often do not have the expertise or resources to identify child victims correctly and refer them to the appropriate services. The people selected as members might know little or very little about trauma, developmental milestones, or mental health, for example. Moreover, there is very little third-party monitoring or oversight of CGCs' functioning.

Assessing the performance of CGCs is also difficult. A number of researchers from different NGOs in Brazil mentioned the barriers in accessing any data and files from some of the CGCs in Rio de Janeiro state, as an example. CGCs are not prepared to systematically collect or analyze data about the cases they see. There is an existing system— *Sistema de Informação Para Infância e Adolescência* (SIPIA)— but it is underutilized and for the most part the information is not entered electronically. For example, a search for commercial sex exploitation cases in the state of Rio de Janeiro from January 1, 2016 to December 30, 2016 produced zero results (see image 2). One CGC counselor who has been in her position for 34 years in a

prominent, high-volume CGC in Rio de Janeiro’s said if she has to share any information with the police or a hospital, for example, she sends it by fax. She does not trust the “SIPIA” system and keeps all of her cases in hard copies, which were visibly sitting at her desk where details could be read. The low level of sophistication of the current data systems in CGCs make it impossible to account for all cases of commercial exploitation of children (and to multiple count for others) across municipalities, and impossible to share.

The screenshot shows a search interface with the following fields and values:

- Período inicial: 01/01/2016
- Período final: 30/12/2016
- Critério de pesquisa: Direito Violado
- Estado: RJ - Rio de Janeiro
- Município: Seleccione
- Bairro: Seleccione
- Direito fundamental: Liberdade, Respeito e Dignidade
- Categoria de direito: Violência sexual - exploração sexu.
- Direito violado: Corrupção para a prostituição e/ou exploração sexual comercial

Buttons: Voltar, Limpar, Exportar, Pesquisar.

Message: Não foram encontrados registros.

*A sample search in SIPIA for commercial sex exploitation cases in the state of Rio de Janeiro from January 1, 2016 to December 30, 2016, showing “no results”.*

The best practices documentation available to the general public covers the physical aspects of the “Model CGC Unit” including placement of water fountains, distance between front desk and counselor’s office, but it does not inform the quality of its personnel, infrastructure, technical support, or monitoring.<sup>81</sup> In 2012, the Human Rights Secretariat of the Presidency started a national assessment to understand what basic tools of service each CGC was missing, and as a result, established that each CGC should have at a minimum: one automobile, five computers, one printer, one refrigerator and one drinking fountain. The assessment showed that 44% of the CGCs don’t have an automobile, 25% don’t have a landline, 37% don’t have a 24-hour emergency cell phone, and 52% have changed address at least once in the last 4 years and 15% changed more than once.<sup>82</sup> Nowhere in the narrative of any documentation does the Secretariat provides any language on how to better train counselors,

<sup>81</sup> <http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/programas/fortalecimento-de-conselhos/conselho-tutelar-referencial/arquivos/manual-de-orientacoes-para-construcao-dos-conselhos-tutelaes>

<sup>82</sup> [http://www.mpap.mp.br/images/infancia/Cadastro\\_CT.pdf](http://www.mpap.mp.br/images/infancia/Cadastro_CT.pdf)

or better monitor their work.

The CGCs *could* play a key role in combating child sex trafficking in Brazil. They are poised, in each municipality to be the frontline advocates to identify victims; to understand, gather, and analyze trends in recruitment by traffickers; to work with schools and churches on prevention; to partner with local NGOs on advocating for high-quality healing and re-integration services for victims.

### **Definitions of trafficking**

Solving any challenge requires a common understanding of the problem itself. In Brazil, although the legislation has been aligned with The Palermo Protocol since late 2016, the implementation of the law lags behind. The domestic sex trafficking of Brazil's poorest and most vulnerable children is hardly discussed because it is still not perceived of as "trafficking", despite the 2016 changes in legislation.<sup>83</sup> This inconsistent use of terminology in Brazil between commercial sexual exploitation, "child prostitution," and trafficking seriously hinders the development and application of public policies between the multiple involved government bodies as the definitions are still fragmented and recorded among multiple systems of information. If government bodies and NGOs don't consider certain indicators that would help them to identify trafficking victims, the victims will fall through service delivery cracks and adds to the "invisibility" of the problem. The misidentification of trafficking victims in Brazil might be keeping Brazil from securing valuable international funding to support the work of NGOs assisting trafficking victims.

The Palermo Protocol's provisions have not yet permeated to local level government and NGOs, despite legislation change in 2016. During some of my interviews at the local level, government and NGO staff recognized that commercial exploitation of children exists, but none really addressed it under a trafficking framework. Nearly every source interviewed – from

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<sup>83</sup> Article 149 of the Penal Code is still misaligned as it refers to additional sentencing for international border crossing. There is additional sentencing for traffickers when a victim crosses international borders from Brazil, but not if a victim is brought into Brazil. [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_111297.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_111297.pdf)

government, to NGO, to the average public— questioned the political will required to see domestic sex trafficking as a priority.

### **Lack of infrastructure**

Although Brazil has made significant progress in protecting the rights of children, the country still lacks the infrastructure and resources to identify, rescue, shelter, and rehabilitate trafficking victims. Law enforcement, social workers, teachers, and other frontline workers have not been offered the training or given the resources to enable them to identify the problem. NGOs also cite the lack of financial resources, the extremely slow pace of the justice system, and the precarious conditions of the public systems and networks that are supposed to be in place to protect women and children. They also cite the lack of capacity/professionalization of the people who are the frontline workers in the direct service space both in government and in NGOs.<sup>84</sup>

### **Government support of services**

The federal government does not fund specialized shelters or services for trafficking victims. General victim services and shelters vary in quality from state to state and generally remain underfunded and inadequate. In 2013 there were about 45,000 available beds at both government and NGO shelters throughout Brazil, specifically for children and adolescents, but no effort has been made to make these beds available according to age range or gender, even though this policy already exists in the *Plano Nacional de Promoção e Defesa dos Direitos de Crianças e Adolescente a Convivência Familiar e Comunitária*.<sup>85</sup> Anti-trafficking offices were responsible for referring victims to services, but authorities did not report how many victims were actually referred. The government operates specialized social service centers across the country where psychologists and social workers provided assistance to vulnerable people, but only 23% were certified to assist trafficking victims and many centers were underfunded.<sup>86</sup>

In 2013— the last year for which statistics were available—these centers reported

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<sup>84</sup> <https://www.loc.gov/law/help/child-rights/brazil.php>

<sup>85</sup> Ministério Público, 2013

<sup>86</sup> <https://www.state.gov/j/tip/rls/tiprpt/>

assisting 292 trafficking victims; authorities did not report the age or gender of 228 of these victims, but reported assisting 12 girls, 10 women, 10 boys, and 32 men. There were no specialized services for male and transgender sex trafficking victims. The government did not fund long-term shelter for trafficking victims.<sup>87</sup>

### **Lack of reliable data**

There is a profound lack of data related to child exploitation in Brazil. The figures that exist are from the Human Rights Secretariat of the Presidency's Rights Abuse hotline "Disque Denúncia Nacional" (Dial 100). Complaints are forwarded directly to Dial 100, but they include all human rights violations, and are not exclusive to sexual exploitation, sexual violence, or trafficking. Parallel to the hotline, there is a free app "Proteja Brasil" (Protect Brazil). The app also receives complaints concerning places without accessibility, internet crimes, and violations related to other vulnerable populations. In 2013 the hotline received more than 120,000 denunciations of violations of children's rights. Analysis of reports to the Dial 100 hotline found that nearly 50% of victims were female, 60% were Afro-Brazilian, and victims of violence were mainly aged 8-14, with 65% of the aggressors belonging to their immediate family.<sup>88</sup> Sexual violence ranked fourth place among the Dial 100 complaints in 2013 at 26 % (sexual violence is classified in two categories: "domestic abuse of a minor, like statutory rape, and sexual exploitation for profit, like prostitution"). In 2013 there were 28,552 reports of abuse and 10,664 of sexual exploitation.<sup>89</sup> There is no data on the quality or on the follow-up services of Disque 100 referrals.

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<sup>87</sup> Ministério Público, 2013

<sup>88</sup> <http://www.sdh.gov.br/disque100/disque-direitos-humanos>

<sup>89</sup> <http://www.ipsnews.net/2014/06/red-card-for-exploitation-of-children-at-brazils-world-cup/>

## Addressing the Psychological Impact of Child Sex Trafficking

Trafficking often has a profound long-term impact on the health and well-being of survivors as a result of physical, sexual, and psychological abuse, forced or coerced use of drugs and alcohol, social restrictions and manipulation, economic exploitation and debt bondage, and other abuses.<sup>90</sup> The infliction of physical injuries and their psychological impact are in all cases intertwined. Indeed, interpersonal physical violence often includes a psychological component. For example, physical injury which is specifically intended to degrade, humiliate, or subjugate the victim results in psychological injury and distress. Psychological control—ranging from emotional manipulation to threats of violence or witnessing violence against others— may cause a victim to self-harm or attempt suicide, thereby resulting in physical injury.

The experience of severe trauma can overwhelm healthy adaptation, resulting in intense fear, helplessness, loss of control, threat of annihilation, helplessness, and terror.<sup>91</sup> These reactions may affect normally integrated functioning, increasing physiological arousal and emotional deregulation, and cause changes in cognition and memory.<sup>92</sup> In a study of 387 child and adolescent survivors of human trafficking attending post-trafficking services in Thailand, Cambodia, and Vietnam, 56% screened positive for depression, 33% for anxiety, and 26% for PTSD.<sup>93</sup> Child trafficking victims, by virtue of their age and maturity, may not have developed the tools and skills needed to cope with the trauma that would be difficult for an adult to overcome. Children and adolescents are particularly vulnerable to trauma because their brains are not fully developed. During childhood, new neuronal pathways and interconnections form because the brain is constantly being shaped by new experiences.<sup>94</sup> When experiences involve trauma, the brain cannot learn new information because it is focused instead on avoiding harm and danger. When children experience trauma, “there is a

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<sup>90</sup> Zimmerman, C. et al., *The Health Risks and Consequences of Trafficking in Women and Adolescents*, 2003, <http://www.lshtm.ac.uk/php/ghd/docs/traffickingfinal.pdf>; Addressing mental health needs in survivors of modern slavery, a critical review and research agenda, The Freedom Fund and the Helen Bamber Foundation, 2015

<sup>91</sup> [http://www.barnardos.org.uk/considering\\_trauma\\_and\\_recovery-2.pdf](http://www.barnardos.org.uk/considering_trauma_and_recovery-2.pdf)

<sup>92</sup> [http://www.barnardos.org.uk/considering\\_trauma\\_and\\_recovery-2.pdf](http://www.barnardos.org.uk/considering_trauma_and_recovery-2.pdf)

<sup>93</sup> 82% female; ages ranging between 10 and 17; Kiss et al., 2015b

<sup>94</sup> Ford, 2009

shift from a brain (and body) focused on learning to a brain (and body) focused on survival.”<sup>95</sup> Moreover, they often lack resources such as education, professional skills, or finances, to build a healthy and positive life after trafficking.

A common response to severe trauma is dissociation, which is the perceived detachment of the mind from the emotional state and the body.<sup>96</sup> Dissociative behaviors are frequently observed across the clinical spectrum of cases in which interpersonal violence has occurred.<sup>97</sup> Many victims of trafficking also suffer from “hyper-vigilance,” which is a condition of being constantly “on guard,” often continuing long after the victim has escaped the confines of their situation.<sup>98</sup> People who have been trafficked frequently express fears that they are being watched or followed by other people, or that they are being spoken about, mocked, and laughed at by casual acquaintances or strangers.<sup>99</sup> Those fears are compounded by feelings of shame and low self-esteem, particularly in those who have suffered from sexual violence who may perceive that others can instinctively “see” or “know” what has happened to them.<sup>100</sup> All those factors can result in social isolation and an inability to form positive relationships. Self-harm is a form of coping with overwhelming emotion, particularly anxiety. It is common amongst survivors of interpersonal violence including sexual abuse/assault.<sup>101</sup>

### **Adverse Childhood Experiences (ACEs)**

Adverse Childhood Experiences (ACEs) refer to some of the most intensive and frequently occurring sources of stress that children may suffer early in life. Such experiences include multiple types of abuse, neglect, violence between parents or caregivers, other kinds of serious household dysfunction such as alcohol and substance abuse, and peer, community, and collective violence. ACEs are biological stressors that disrupt human neurological development and, in turn, interfere with normal cognition and behavior. Neuroscience has shown that

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<sup>95</sup> Dahlia Nissa Silberg, *The Utilization of Movement and Dance to Support Children in the Aftermath of Community Disaster*.

<sup>96</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5156567/>

<sup>97</sup> [https://www.unodc.org/documents/human-trafficking/TIP\\_module3\\_Ebook.pdf](https://www.unodc.org/documents/human-trafficking/TIP_module3_Ebook.pdf)

<sup>98</sup> <http://www.helenbamber.org>

<sup>99</sup> Zimmerman, Cathy <http://researchonline.lshtm.ac.uk/1343272/1/498767.pdf>

<sup>100</sup> Zimmerman, Cathy <http://researchonline.lshtm.ac.uk/1343272/1/498767.pdf>

<sup>101</sup> Zimmerman, C., et al, *Stolen Smiles Stolen smiles: a summary report on the physical and psychological health consequences of women and adolescents trafficked in Europe*, 2006

children who experience adversities can have a physiological “toxic stress” response that inhibits their brain development, compromise functioning of the nervous and immune systems, and impact their physical and mental health cognition, behavior, and relationships.<sup>102</sup> Individual ACEs have a cumulative effect, which can be expressed as the sum of all ACEs an individual is exposed to, often referred to as a “trauma dose.” Following the launch of reports such as the World Report on Violence and Health and the UN Study on Violence Against Children, scholars increasingly recognized the consequences of child maltreatment. In the decade since the first ACE Study results were published, a number of other initiatives in developed and developing countries have begun examining the consequences of child maltreatment and other traumatic stressors for health risk behaviors and increased long-term chronic disease consequences.<sup>103</sup> These studies show that the higher the ACE score (and therefore the trauma dose), the more frequent and severe the consequences in respect of cognitive and behavioral disturbances.<sup>104</sup> High ACE scores are correlated with increased likelihood of smoking, alcohol abuse, illicit drug abuse, and risky sexual behavior.<sup>105</sup> ACEs also increase the risk of heart disease, chronic lung disease, liver disease, suicide, injuries, HIV and STDs. From a public health lens, ACEs are widely prevalent, highly interrelated, and intergenerational.<sup>106</sup>

In many cases, victims of trafficking have suffered traumatic experiences such as abuse, neglect, exploitation and/or social and economic deprivation that began in their developmental years, making them specifically vulnerable to targeting for trafficking.<sup>107</sup> These early traumatic experiences are compounded through the process of being trafficked.

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<sup>102</sup> National Scientific Council on the Developing Child. (2005/2014). Excessive Stress Disrupts the Architecture of the Developing Brain: Working Paper 3. Updated Edition. <http://www.developingchild.harvard.edu>

<sup>103</sup> Including a comparative risk assessment of child sexual abuse to inform the global burden of disease (GBD) estimates; the Global Schools-based Student Health Survey (GSHS), the International Society for Prevention of Child Abuse and Neglect (ISPCAN) International Child Abuse Screening Tool (ICAST), and country-specific projects (e.g. in Australia, China, Malaysia, Singapore, South Africa, Swaziland, and Vietnam).

<sup>104</sup> [http://www.who.int/violence\\_injury\\_prevention/violence/activities/adverse\\_childhood\\_experiences/global\\_research\\_network\\_may\\_2009.pdf](http://www.who.int/violence_injury_prevention/violence/activities/adverse_childhood_experiences/global_research_network_may_2009.pdf)

<sup>105</sup> Center for Disease Control, Division of Violence Prevention, Major Findings, About Behavioral Risk Factor Surveillance System ACE Data

<sup>106</sup> WHO, Addressing Adverse Childhood Experiences To Improve Public Health: Expert Consultation [http://www.who.int/violence\\_injury\\_prevention/violence/activities/adverse\\_childhood\\_experiences/global\\_research\\_network\\_may\\_2009.pdf](http://www.who.int/violence_injury_prevention/violence/activities/adverse_childhood_experiences/global_research_network_may_2009.pdf)

<sup>107</sup> [https://www.unodc.org/documents/human-trafficking/An\\_Introduction\\_to\\_Human\\_Trafficking\\_-\\_Background\\_Paper.pdf](https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf)



The typical ACEs survey would aim to identify 10 types of childhood trauma. Five are personal: 1. physical abuse, 2. verbal abuse, 3. sexual abuse, 4. physical neglect, and 5. emotional neglect. And five are related to other family members: 1. a parent who's an alcoholic, 2. a mother who's a victim of domestic violence, 3. a family member in jail, 4. a family member diagnosed with a mental illness, 5. and the disappearance of a parent through divorce, death, or abandonment. Each type of trauma is coded as one "point." So, for example, a person who's been physically abused, with one alcoholic parent, and a mother who was a victim of domestic violence has an ACE score of three. Based on direct observation at a Brazilian non-profit organization that works with at-risk girls, as well as conversations with program staff, it is believed that the great majority of program participants have experienced at least four of these types of trauma. ACE scores of 4 or higher are correlated with an increased risk of many health consequences including adult onset chronic disease, depression, suicide, being violent, and becoming a victim of violence; such trauma has also been shown to increase the likelihood of chronic pulmonary lung disease by 390 percent; hepatitis by 240 percent, depression by 460 percent, and suicide by 1,220 percent.<sup>108</sup>

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<sup>108</sup> <https://acestoohigh.com/?s=get+your+ace+score%3F&submit=Search>

## Addressing the Challenges with Alternative Tools

Given the scale of modern slavery around the world, there is a critical need to better understand the mental health need of survivors. And given that most victims and survivors are in developing countries with inadequate health infrastructure, it's necessary to identify effective, low-cost, scalable treatment options that can be used by local organizations to help millions of survivors to tackle their trauma."<sup>109</sup> As of 2013 Brazil had 5,259 psychiatrists, 12,377 psychologists, 11,958 social workers, 3,119 psychiatric nurses and 2,661 occupational therapists working for the federal health system (Unified Health System) in 2013.<sup>110</sup> These are a very small numbers when one considers the country's 240 million-person population.

The fundamental components of assistance for young survivors of sex trafficking are the provision of a safe, secure environment, access to social and emotional support, education and play. A wide range of therapies for survivors of violence exist to meet the specific needs of victims of trafficking including individual psychotherapy, trauma-focused therapy/trauma counseling, systemic psychotherapy/family therapy, psychodynamic therapy, counseling, Gestalt therapy, existential and group psychotherapy, Hakomi-applied mindfulness, yoga and movement class, cranio-sacral therapy, osteopathy, and acupuncture. However, in Brazil, many survivors reside in areas where there are not enough mental health professionals to help children cope with post-trafficking physical and mental health symptoms or prevent them from becoming vulnerable to the same forces that led them to be trafficked in the first place. Services are unequally distributed across regions of the country and there are substantial gaps in mental health care and trained social workers, especially in poor regions of the country.

Given the impact of trauma on the brain and nervous system, somatic approaches to treatment may be of potential benefit to traumatized people.<sup>111</sup> In particular, intervention

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<sup>109</sup> Grono, N., CNN International, 2015 Traumatized and vulnerable, slavery survivors live with mental health issues.

<sup>110</sup> The Unified Health System (SUS) is a single, public system to aggregate all health services provided by federal, state and municipal public institutions through direct and indirect administration, as well as foundations supported by public authorities. These numbers were the last available.

<sup>111</sup> Van der Kolk, 1994; Van der Kolk, 2014; Van der Kolk, 2006.

approaches that incorporate somatic forms of regulation may benefit traumatized children and adolescents for whom language-based approaches are difficult to implement. A somatic intervention for children and adolescents does not depend on verbal expression by the client, uses some form of movement-based activity, and may build interoceptive awareness as components or tools for improved self-regulation. Failure to integrate sensory input, modulate arousal, and engage in effective verbal communication interferes with the capability of traumatized individuals to engage in the present, thereby causing them “to lose their way in the world.”<sup>112</sup> Some victims of trafficking come to experience their body as a continuous source of suffering, beyond their control. They are inseparable from their pain and detached from their body as a source of vitality, which inhibits their ability to function in daily life. Responses to trauma combine to exacerbate anxiety, panic, and vulnerability, resulting in isolation and withdrawal from other people.

Body-mind therapy uses the mutual influence of body on mind, and mind on body to facilitate healing and recovery from trauma and aid in the processing of unpleasant sensations and emotions that originates in physical sensations. Mind-body approaches involve increasing the tolerance of feelings and sensations that originate within the body, modulation of those emotions, and learning effective action to confront the sense of physical helplessness.

### **Dance Movement Therapy: *Menina Dança***

Trauma leaves its imprint on both mind and body and research demonstrates that effective treatment requires addressing the involvement of both.<sup>113</sup> Reconnecting with the body, learning how to care for the body, developing more positive feelings for the body, and recreating sexuality must occur in the process of healing.<sup>114</sup>

*Menina Dança* is a Brazilian non-profit organization that works with at-risk girls in communities along the BR-116, Brazil’s “exploitation highway” serving about 150 girls ages 6-21

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<sup>112</sup> Van der Kolk, 2006.

<sup>113</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3181584/>

<sup>114</sup> Mills, Letty J. & Daniluk, Judith C., Her Body Speaks: The Experience of Dance Therapy for Women Survivors of Child Sexual Abuse, 2002, Journal of Counseling and Development

in the city of Medina in Minas Gerais. There is not one single playground in the town, although there are makeshift soccer fields throughout town and three semi-commercial squares with park benches. None of Menina Dança's programs have been formally evaluated since they opened their doors in 2011.<sup>115</sup> I observed the program to understand how a small NGO in Brazil could better support and engage vulnerable, at-risk girls, and how movement and dance can facilitate change and promote healing. Not all of the girls who attend Menina Dança have been trafficked, but all of them have a high degree of vulnerability.<sup>116</sup>

Menina Dança is primarily a "before and after-school" program that uses Dance Movement Therapy (DMT) as a primary tool for engagement. A primary theoretical underpinning of this psychotherapeutic practice is that movement is a primary language for all human beings and, as such, is a powerful means to access implicit memory and stored history, trauma-related or not. From a developmental perspective, DMT acknowledges the non-verbal roots of all human language, communication, and experience, and therefore may be particularly suited to work with survivors who have literally experienced the unspeakable directly on their bodies. Dance may be considered the creative or expressive aspect of movement, and for many cultures, like Brazilian culture, where the creative process is included in ritual, healing, and daily life, DMT may be more appropriate than conventional talk.<sup>117</sup> In fact, in some of my meetings with staff, many shared that girls refer to their bodies with shame, guilt, and dissociation, and they described the transformation the girls felt when they danced.

Because DMT uses movement as the primary means of communication, the body is not merely addressed in therapy but actually given a voice. Survivors can eventually regain a sense of control over confusing thoughts and feelings as they navigate their own bodily experience. Because of its active intervention methods, DMT is an important form of treatment for traumatized children whose brain development, nervous systems, and externalized behavior are altered by traumatic experiences. Movement and dance served an important role in this process by allowing for healing self-expression and play.

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<sup>115</sup> According to then Executive Director, Rita Marques.

<sup>116</sup> Since I was on the ground in April of 2016, Rita Marques, one of the founders of Menina Dança and its Executive Director left the organization due to a disagreement with the Board of Directors.

<sup>117</sup> Gray: Expressive Arts Therapies: Working with Survivors of Torture

## Recommendations

Much more research is needed in order to fully understand the scope of child sex trafficking in Brazil and to formulate effective and realistic preventive measures, improve service delivery standards, clarify roles of the multiple agencies involved and better integrate policies that affect the most vulnerable families and children, better integrate the government response with NGO efforts across Brazil, establish benchmarks for training of front line workers, and ultimately put Brazil in a better position to combat the trafficking of its children. Based on a comprehensive analysis of challenges and opportunities to combat trafficking of children in Brazil, the following recommendations are proposed:

1. **Rethink the role of CGCs in combating child sex trafficking** in Brazil by strengthening and equipping the Child Guardianship Councils with infrastructure (vehicles, computers, databases), but also with better and more frequent training and oversight of counselors. Invest in implementation of the CGCs intended purpose set forth in the ECA. Improve child trafficking data collection among the CGCs, municipal police, state police, health clinics and schools and continue to improve on the communication of actors within the “Rede de Proteção” (Network of Protection), also strengthen collaboration and integration among these separated systems, reducing overall bureaucracy in the systems that converge around the child.
2. **Provide professionalization and capacity training** to teachers, social-workers, doctors, nurses, paramedics, police officers, and all CGC staff, including training for rapid identification of domestic child victims of trafficking, and legal and psychosocial training. Help society at-large recognize that these are not separate unrelated incidents of child exploitation throughout Brazil, but a hidden systematic crisis that is failing the most vulnerable and marginalized of Brazilian citizens

3. **Improve the Disque 100 hotline and data collection across multiple governmental bodies:** both in terms of collecting, sharing, analyzing the data, but also in being able to actually help those who call in, rather than serving primarily as a repository of calls; connect Disque 100 data with international hotlines to share data, strategies, and resources. Invest in data collection as it relates to the mapping of vulnerabilities and risks that leave many at a heightened risk, and start deploying resources more effectively and efficiently based on better understanding of these risk factors.

4. **Invest in alternative treatment interventions** for children who are trauma survivors: fund small pilot studies of effectiveness of certain therapies on child survivors' healing; document and evaluate services and interventions that support survivors; and train more individuals and NGOs to deliver some of those low-cost interventions such as Dance Movement Therapy. Adopt specialized policies and programs to protect and support children who have been victims of trafficking. Children should be provided with appropriate physical, psychosocial, legal, educational, housing, and health-care assistance. Design treatments that take into account the compounding effects of ACEs in the lives of children.

## **Appendix 1: Op-Ed**

### **Children sold for sex - Brazil must stop the domestic sex trafficking of its children**

**July 2016**

Brazil is making headlines lately, with stories about the crumbling political system, the costly infrastructure upgrades for the Olympics, the Zika virus, and the endless corruption scandals that plague the country. However, there is a more frightening story not being told: Brazilian children are being sold for sex.

Sex trafficking of children is one of the gravest human rights violations of our time and it is happening in my home country today. The Brazilian government must do more to protect and assist the most marginalized of its citizens, especially in an era where technology enables buyers to find young girls and boys with the touch of a few buttons on a smart phone.

UNICEF reports that the most hidden and underreported form of violence against children is sexual abuse and that children who have been sexually abused are at heightened risk of being drawn into the commercial sex trade. Children who have been sexually exploited deal with a myriad of health issues from depression, anxiety, and traumatic stress, to dissociation between brain and body for the rest of their lives. They may be withdrawn, moody, self-destructive and sometimes suicidal. The overall negative health outcomes from the accumulation of stress disrupt early brain development and compromise functioning of the nervous and immune systems.

On a recent research trip to Brazil, I discovered that very few mental health and stress-regulation services were available to children survivors of sex trafficking. There is no cohesive, systematic response to identify victims, and provide qualified and specific services. I was also astonished by the lack of overall training and resources of the Children Guardianship Councils (Conselhos Tutelares), which are present in almost all municipalities in Brazil, put in place in the 1990s as independent, autonomous institutions to guarantee the rights of the child.

Brazil is in denial about the scope of the problem. Consistently people referred to the Northeast of Brazil as a hotspot for this problem (which it is), but they failed to see that this is also a problem in Brazil's largest cities, Rio de Janeiro and São Paulo. Many of the people I interviewed told me that the fastest way to get killed in Brazil was to report on the systematic exploitation of children happening across the country; many people also told me that services like What's App have moved the conversations and exchanges between traffickers and buyers off the streets.

The U.S. State Department confirms that Brazilian women and children are exploited in sex trafficking and some police officers tolerate "child prostitution," patronize brothels, and rob and assault women in prostitution, impeding proactive identification of sex trafficking victims. It also points out that Brazilian statutes prohibiting trafficking do not align with international law, and that government funding and provision of specialized services for victims is inadequate.

The invisibility of this phenomenon may stem in part from the permissiveness of the Brazilian culture and the objectification of women and girls. Sexual stereotypes are embedded in everyday life in this historically patriarchal society. Unless Brazilians can break free from the social norms that accept and normalize those stereotypes and related behaviors, we cannot address the root causes of this problem. A 2012 report by Instituto ProMundo found that 77% of men thought it was common to have sex with "underage prostitutes".

It is true that there are many urgent ills plaguing the country starting with the corruption scandals of Brazil's top leadership. However, protecting children from the worst form of human rights abuses must rise above political priorities. Brazil ratified the UN's Palermo Protocol (which defined trafficking in persons) in 2004, showing a commitment to all forms of human trafficking. Yet victims of this crime are not receiving the legal assistance or access to physical, mental and social services that the government should make available to them.



The Brazilian government must act immediately. First, it must increase training and oversight of Children Guardianship Councils in all municipalities so child trafficking victims are identified and receive specialized care. Second, it must strengthen the network of victim care services, including funding specific programs of re-integration and assistance for this population (legal, psychological, economic, educational/vocational, and social) and verify through ongoing oversight that victims of sex trafficking actually receive those comprehensive services. Lastly, it must increase efforts to investigate and prosecute trafficking offenses, and convict and sentence traffickers; “perceived impunity” from law enforcement is a key driver of demand.

Preventing the sexual exploitation of children must become a priority for the Brazilian government, and a priority conversation for every Brazilian citizen. There is an opportunity with the current media attention to build on the international community’s awareness and protect Brazilian children from becoming victims of this heinous crime.

***Natasha Dolby is a human rights activist, philanthropist and a Research Fellow at the WSD Handa Center for Human Rights and International Justice at Stanford University.***

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## **About the WSD Handa Center for Human Rights and International Justice**

The WSD Handa Center for Human Rights and International Justice equips a new generation of leaders with the knowledge and skills necessary to protect and promote human rights and dignity for all. Reflecting a deep commitment to international justice and the rule of law, the Center collaborates with partners across Stanford University and beyond on innovative programs that foster critical inquiry in the classroom and in the world. The Center pursues its mission through a range of international programs including justice sector capacity-building initiatives, civil society outreach efforts, trial monitoring, expert consultancies, and archival resource development, with a focus on transitional justice initiatives and new technologies.

The Handa Center was originally founded in 1999 as the War Crimes Studies Center at UC Berkeley. In 2014, Director David Cohen moved the Center to Stanford University with the generous support of Dr. Haruhisa Handa and his foundation, Worldwide Support for Development (WSD). The move enabled the newly re-named Handa Center to sustain its established international programs, while expanding the scope of opportunities for meaningful student engagement by integrating classroom curricula with faculty research, student internships, and community-engaged learning opportunities.

In Fall 2016, the Handa Center launched Stanford's first Minor in Human Rights, open to undergraduates in any major. This has been accompanied by new interdisciplinary curricula that enable students to apply a human rights lens to issues and regions of their choosing. Meanwhile, the Center remains engaged with several interdisciplinary, policy-oriented research and applied initiatives both domestically and internationally. The Center focuses on wide-ranging issues including human trafficking, trauma mental health, justice and reconciliation in post-conflict societies, and atrocities prevention and response.

Through its programs at Stanford and beyond, the Center is committed to increasing awareness of and raising the level of discourse around new developments in the fields of human rights and international law among a variety of stakeholders.



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Menina Dança Staff  
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