

Report of the
CANADA-UNITED STATES
CONSULTATION IN PREPARATION
FOR WORLD CONGRESS III
AGAINST SEXUAL EXPLOITATION
OF CHILDREN AND ADOLESCENTS



October 2-3, 2008
Shared Hope International
Arlington, Virginia, USA

**Report of the
Canada-United States Consultation in Preparation for
World Congress III Against
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Introduction

On October 2-3, 2008 the United States and Canada held a Consultation in preparation for the World Congress III Against Sexual Exploitation of Children and Adolescents to be held in Brazil on November 25-28. Hosted by Shared Hope International, the meeting was attended by representatives of NGOs from both the U.S. and Canada, U.S. government representatives, and the Canadian government-appointed Federal Ombudsman for Victims of Crime.

The Consultation heard opening remarks from Ambassador Mark Lagon, Director of the Office to Monitor and Combat Trafficking in Persons, U.S. Department of State; Sigal Mandelker, Deputy Assistant Attorney General, Criminal Division, U.S. Department of Justice, who will lead the delegation for the U.S. government to the World Congress III; and Steven Sullivan, Federal Ombudsman for Victims of Crime in Canada.

The purpose of the meeting was to identify where Canada and the U.S. stand in their efforts to protect children from sexual exploitation, the major obstacles they face, and where to go from here. To that end, the Consultation was organized around four sequential roundtable discussions addressing the following topics: 1) Prevention and Private Sector Role; 2) Legislation; 3) Identification of Victims; and 4) Restorative Services. While individual experts were invited to participate in the specific roundtable discussions, the Consultation provided the opportunity for full audience participation and discussion. Each roundtable topic addressed 4-6 questions. Due to the overlap of information within and between roundtables, this report highlights the key points that emerged from all four roundtables. It is organized around three themes: 1) Commercial Sexual Exploitation of Children; 2) Restorative Services; and 3) Child Pornography.

Overall, several critical and crosscutting themes emerged:

1. Both Canada and the U.S. can point to much attention and successful efforts to address the problem of child sexual exploitation including excellent legislation, reporting mechanisms, databases and training at the national, state and regional levels.
2. In the U.S., while a variety of law enforcement task forces have done significant work, more work is still needed to identify and fill gaps in training, approach and coordination. For example, state laws generally criminalize prostitution and provide for arrest and prosecution in the juvenile justice system of children engaging in prostitution. As a result, sexually exploited children are treated as perpetrators rather than as victims.
3. In Canada, the lack of enforcement of the law against child sex tourism is the most glaring law enforcement gap. While child trafficking is beginning to be recognized in Canada with several recent prosecutions, there remains significant room for further enforcement action against traffickers and commercial child sex abusers.
4. Public attitudes in both countries fail to recognize the extent of the harm caused by the commercial sexual exploitation of children, resulting in inadequate public mobilization and support of efforts to combat it. At the same time, exploiters often do not receive appropriate or just punishment. Outreach and training to target sectors such as the judicial system, the media, corporations, NGOs, the general public, and often young people themselves, is necessary to raise awareness and change attitudes.
5. Both countries share a general lack of resources and specialized services for sexually exploited children because they are largely misidentified as delinquent youth. Insufficient resources are put into the creation of appropriate specialized services for this population, including for boys who are victimized by prostitution, though some groups are working to fill this gap in services.

I. Commercial Sexual Exploitation:

Good Practices and Laws

“We tend to get strong bipartisan congressional support. Our congress is very sympathetic and supportive on commercial sexual exploitation of children.” Monique Roth

“In Canada we have most of the legislation we need.” Steven Campbell

Laws and Enforcement

The U.S. and Canada have achieved excellent progress in the form of legislation, public awareness and outreach, education and prevention and somewhat more limited progress in data gathering.

United States

The Protect Act of 2003 makes it easier to prosecute U.S. citizens and permanent residents who exploit children in other countries. Immigration and Customs Enforcement (ICE) within the Department of Homeland Security (DHS) vigorously investigates cases of child sex tourism.

The Trafficking Victims Protection Act (TVPA) of 2000 and its reauthorization is a comprehensive law on human trafficking. It includes stiff penalties for traffickers; authorization for federal prevention and protection programs, public awareness, training and technical assistance and visa protection for international victims.

The PROTECT Our Children Act of 2008 requires development and implementation of a national strategy for child exploitation prevention and interdiction.

Legislation has been proposed that would require registered sex offenders to notify authorities when and where and for what purpose they plan to travel abroad.

Canada

Since 1997, the Criminal Code has extended extraterritorial criminal jurisdiction over Canadian citizens and permanent residents to a listed set of offenses involving the sexual abuse and exploitation of children and adolescents. Since 2002, it has no longer been required that the country in which the conduct took place request the commencement of extraterritorial child sex tourism proceedings.

Increasingly, child sexual exploitation is seen in Canada as an offense under the human trafficking law. Law enforcement officers generally view prostituted children as victims of sexual exploitation – not criminals. In November 2005, “trafficking in persons” became an offense in the Criminal Code, but makes no distinctions related to the age of the victim. The Criminal Code has, however, mandated that abuse victims under the age of 18 will be an aggravating factor in determining sentence; and the abuse of a position of trust is also an aggravating factor that would justify a harsher sentence.

Since May 1, 2008, the federal Tackling Violent Crime Act raised the age at which youths can consent to non-exploitative sexual activity from 14 to 16 years, while maintaining the existing age of protection of 18 years old for exploitative sexual activity (i.e. child prostitution, pornography, etc.). Exceptions exist for “close-in-age” relationships, marriages and pre-existing common-law relationships.

Awareness raising, Education and Prevention

United States

The National Coalition to Prevent Child Sexual Exploitation, supported partially by the National Center on Missing and Exploited Children (NCMEC) Prevention Committee has written a strong and broad national prevention plan that addresses both the commercial and non-commercial sexual exploitation of children. It pays special attention to primary prevention and positive youth development. A national summit with the Mayo Clinic entitled “From Sexploitation to Health” is planned for Fall 2009.

The Immigration and Customs Enforcement agency (ICE) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) have developed and aired public service announcements against human trafficking, sex tourism and sexual exploitation. The State Department and the Department of Health and Human Services (HHS) have also funded public awareness and deterrence campaigns against child sex tourism.

The Department of Justice (DOJ) has funded a number of initiatives in the last few years, including law enforcement training; training and technical assistance and awareness-raising through a number of partners, including Shared Hope International; and a 5-city program to train local authorities to identify and assist sexually exploited children in the U.S.

HHS operates a national public awareness campaign against human trafficking in general, entitled *Rescue and Restore Victims of Human Trafficking* which includes materials on education about trafficking of minors. HHS also supports numerous grants for street outreach and regional programs for victim identification, a national contract for victim services, and the National Human Trafficking Resource Center, which operates a 24-hour hotline, seven days a week.

Segments of the private sector now readily recognize these forms of sexual exploitation and work with NGOs to provide technical assistance and other types of support, beyond monetary support. For example, LexisNexis has provided a databank of social services to the U.S. National Human Trafficking Resource Center and its hotline. Manpower, Inc. has provided job training modules for trafficking victims. The companies that have signed the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism undertake steps to avoid promoting child sex tourism.

Programs focusing on the “demand” side, adults who sexually exploit children, are growing in number. For example, Shared Hope International has created The Defenders USA, a coalition of men working to end the demand for pornography and prostitution of children by educating and equipping men to speak out and stand against the commercial sex industry in all forms.

HHS trains its Division of Unaccompanied Children’s Services (DUCS) shelter staff, among others, to identify international child victims of trafficking, and ICE has held training sessions about investigating child sex tourism, human trafficking and forced labor and about the importance of working with NGOs as part of a multidisciplinary team.

At the local level, community organizations, including those that specifically serve ethnic communities, are developing outreach campaigns to identify and steer children to services.

NGOs have developed and carried out training and awareness curricula. Two examples in the U.S. are the Adults Saving Kids curriculum aimed at faith-based organizations and the curriculum designed by the Home for Little Wanderers in Boston, aimed at schools and agencies that serve children. In addition, there are some effective online safety curricula.

Canada

Training for law enforcement officers related to child trafficking is taking place.

Provinces provide prevention education aimed at youth.

Some service providers in both countries understand the difficulty of winning the trust of sexually exploited youth and have devised training programs for experiential women/survivors to go out on the street to identify victims and “walk with them on the journey of healing.”

Data gathering and Research

United States

Data gathering efforts are underway in several states.

The U.S. State Department Office to Monitor and Combat Trafficking in Persons (G/TIP) and the Department of Justice’s National Institutes of Justice co-chair an interagency committee on human trafficking research and data, covering both adult and child victims. All U.S. government-funded research projects are accessible on the G/TIP website at www.state.gov/g/tip.

Canada

A national research study on human trafficking and child sex tourism, including domestic and international minor sex trafficking in Canada, was launched in Fall 2007 at the University of British Columbia Faculty of Law by Professor Benjamin Perrin. The International Bureau of Children’s Rights is also conducting ongoing research on child trafficking.

Because trafficking of aboriginal girls has become a serious problem the House of Commons Standing Committee on the Status of Women recommended research and data collection “specific to Aboriginal women and trafficking in persons.”

Commercial Sexual Exploitation:

Challenges

Laws and Enforcement

In both countries, there is an ongoing need for training and awareness for NGOs, law enforcement, victim advocates and judges about good legislation designed to protect children rather than treat them as offenders.

In Canada, enforcement of the child sex tourism law has been especially lacking. From 1993 to 2008 at least 156 Canadian sex tourists were arrested abroad, but many evaded detection or prosecution in known child sex tourism destination countries. To date, only a single Canadian has been convicted of child sex trafficking, with a handful of additional cases currently before Canadian courts. Canadians convicted of sexual crimes against children in other countries are not registered on the Canadian Sex Offender Registry.

Child welfare authorities in both countries are constrained from serving children trafficked across state or provincial lines because of complicated child custody laws. These laws make it difficult to find a responsible agency or person with the legal authority to protect, care for, and transfer the child to another jurisdiction. Child welfare and child protective services agencies are often limited to investigating sexual abuse in the

home setting and do not always address, or even recognize, commercial sexual exploitation when the family is not involved in the abuse.

In the U.S. almost all state laws criminalizing prostitution place child victims at risk of prosecution in the juvenile justice system because they typically apply to all persons regardless of age. As a result, child victims of prostitution can be arrested as offenders and placed in the juvenile justice system.

Aboriginal (Canada) and Native American (U.S.) children are at greater risk for sexual exploitation and trafficking. For example, many schools in the First Nation Isolated Communities in Canada only go up to grade 9, which leaves many young people at the age of 14 years having to leave their communities and families to further their education. This often puts them at great risk of sexual exploitation and predators in the larger cities. In addition, on American Indian reservations sexual abuse is a serious concern, putting children at risk for recruitment in to sexual exploitation.

In both countries, there is a need to address inconsistencies in current laws. For example, under Canadian law, procuring a child is punished more severely than trafficking a child. In the U.S., federal and state laws conflict on the definition of victim of sexual exploitation.

In the U.S. it there is support for the use of a multidisciplinary team approach, with various agencies working together to meet the needs of the child and to conduct a thorough investigation. However, due to lack of awareness and education, sometimes agencies function independently which results in unmet needs of the child or the investigation. When these cases are investigated properly, interviews of the victim are limited so as not to re-traumatize the child. However, this is not always the case and children are interviewed multiple times by professionals who are not trained to conduct interviews with sexually abused children.

Sometimes children are unwilling or unable to testify against their trafficker or exploiter, making convictions even more difficult. Despite available technologies such as closed circuit television, due to Constitutional constraints on the use of such technology, children may be expected to testify in a courtroom in front of their abuser, which may result in re-traumatizing the victim.

Awareness raising, Education and Prevention

Media and advertising normalize the sexualization of children by depicting them as sexual objects. It is difficult for businesses and corporations to talk about this issue, even privately, because they are afraid of being seen as part of the problem.

Both domestic and international victims in both countries are falling through the cracks. Increased efforts in both countries are needed to find and rescue child victims of sexual exploitation.

Awareness, training and education are sorely lacking among outreach workers and first responders. Many outreach workers, law enforcement agents, judges, child protective service officers, health workers, etc. come into contact with sexually exploited children or trafficked children and do not know enough about the issue to identify them as victims or refer them to appropriate services. Sometimes these children are misidentified as perpetrators, juvenile delinquents or “troubled youth.”

Data gathering and Research

Despite the number of databases and scope of research, the U.S. government still does not know the number of children trafficked each year, either in the aggregate or disaggregated by gender, age or other descriptive factors. The main reasons for this are the decentralized federal, state and local structures, of the U.S., the hidden nature of these crimes and a lack of funding for relevant research. Notwithstanding an increasing

focus on this issue, definitive estimates of sexually exploited or at-risk children are lacking. In Canada there are no good numbers either, but it may be very difficult to gather this data due to the wide range of governmental and non-governmental agencies that are involved, as well as privacy constraints and the elusive nature of the problem.

Commercial Sexual Exploitation:

Recommendations

“Ultimately what you need to do [as the service provider] is replace the pimp. The pimp is acting like family. You need to replace that with positive family.” Sandy Skelaney

Laws and Enforcement

- In Canada, designate a lead law enforcement agency mandated to pro-actively enforce sex tourism offenses. A dedicated prosecutor should provide advice on issues such as mutual legal assistance and extradition.
- In Canada, provide additional resources to local law enforcement agencies to investigate and manage child trafficking cases.
- In Canada, amend the Criminal Code to provide a mandatory minimum penalty for child trafficking.
- In Canada, strengthen the sex offender registry, especially for cases of registered high risk sex offenders who at present have no restrictions placed on their international travel.
- In the U.S., encourage the states to change their laws so that most child victims of prostitution are not arrested as criminals and processed in the juvenile justice system, although some believe it is necessary to arrest some children for safety or similar reasons. Disseminate the New York State Safe Harbor Act as an example of state legislation that generally treats sexually exploited children as victims instead of as criminals while allowing for certain children to be processed in the juvenile justice system if necessary.
- Train all relevant professionals to raise their awareness and understanding of sexual exploitation of children.
- Develop and disseminate a guide composed of model laws for use by states/provinces and other countries.
- To the extent the law will allow, employ technology to allow privacy and safety for children to testify, such as closed circuit TV. Investigators should focus on gathering corroborative evidence to strengthen cases that typically rely solely on victim testimony.
- Use asset seizure and additional fines should be used as a means to fund sex trafficking investigations and services to victims.

- In enacting new legislation, consider the following:
 - 1) Linkages among all the forms of sexual exploitation;
 - 2) Clarity and consistency;
 - 3) Elimination of statutes of limitations on crimes against children (U.S. federal law has no statute of limitations for child sexual exploitation crimes);
 - 4) Strengthening of stalking laws for pimps who stalk children outside of group homes.

Awareness Raising, Education and Prevention

- Find ways to leverage private industry's expertise to help protect children:
 - 1) Create coalitions of local small businesses, Chambers of Commerce and Better Business Bureaus and political leadership to work together to develop solutions to the problem of sexual exploitation of youth, such as creating training and job programs. Providing opportunities for children will minimize the risk that children are susceptible to exploiters glamorizing prostitution.
 - 2) Demonstrate to companies how human rights work can support their corporate strategy and contribute to corporate growth in the long term and attract better and more loyal employees.
 - 1) Honor companies that do good work, e.g. celebrate and develop more prevention "champions." Use Beyond Borders' Canadian Media awards and the U.S. Department of State Office to Monitor and Combat Trafficking in Persons webpage honoring those leading the fight in the private sector as possible models.
 - 2) Encourage U.S. companies to sign the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism.
- NGOs should call on government to use its regulatory power to encourage corporations to do the right thing when it comes to preventing sexual exploitation of children.
- Analyze the trajectory of other social movements such as those against domestic violence and smoking for lessons learned and adaptable. Refer to recent USAID study of anti-domestic violence projects to illustrate successful models and challenges.
- Cultivate the media to recognize the problem of sexual exploitation of children and use as a channel to spread awareness while working with media to ensure that safety and confidentiality are maintained for the victims.
- Create a committee of experts to adapt existing curricula for both boys and girls on teen dating abuse or on domestic violence to include sexual exploitation of children. Include specific information about pimp control, pop culture, the normalization of sexual exploitation and how to recognize a pimp and focus on prevention.
- Appoint commissions in Canada and the U.S. to develop protocols for child protective services to protect sexually exploited children who cross state or provincial lines.

- Expand training and outreach for medical personnel in emergency rooms, in nursing and medical school and in continuing education course for medical personnel as well as child protective services, especially foster care and child protection investigators.
- Increase training and outreach for elected local leaders and administrators, especially district attorneys, county administrators and mayors.
- Create joint public health campaigns with existing organizations working on other forms of sexual violence.
- Hire and train survivors of sexual exploitation to conduct outreach to street children who are at high risk for sexual exploitation.
- In Canada, institute a Rescue and Restore campaign like that in the U.S. to train front-line responders on how to identify victims of child trafficking, and where to turn for help.
- In the U.S. write and implement a National Plan of Action Against Commercial Sexual Exploitation of Children, as agreed by the government when it signed the outcomes documents at the First and Second World Congresses Against Sexual Exploitation of Children, and include the National Prevention Plan as part of the National Plan.
- In Canada, develop a national strategy to lead to the creation of Child Advocacy Centers.

Data Gathering and Research

- Undertake national research projects to collect data specific to Aboriginal/Native American women and children and trafficking in persons.”
- Data is essential to improve public policy. Develop a state-by-state or city-by-city database of rescued or exploited children. Ensure that all data-gathering sources, including child protective services agencies, are collecting trafficking data that is disaggregated by age, gender, etc.

II. Restorative Services: Good Practices and Laws

In the U.S. good services exist at the federal level: 1) funding for services for foreign child trafficking victims in the U.S. 2) victim-witness coordinators who work with victims to support them and link them with services during the investigation of their case; 3) Unaccompanied Refugee Minor programs of the U.S. Department of Health and Human Services that provides culturally and linguistically appropriate foster care for children trafficked from other countries; and 4) DOJ's Office for Victims of Crime that offers funding to states for assistance to crime victims.

In Canada, the provinces are responsible for social services, each with its own policies. In Manitoba, for example, law enforcement picks up children and tries to ensure they receive social services. One very successful model used in some localities involves hiring "experiential" women, or survivors, to conduct outreach with street children. There is good evidence in both countries that sexually exploited children respond well to social service providers who have survived sexual exploitation themselves and can address the very specific trauma that make these children resistant to traditional social service approaches. There is a well developed child welfare system in the U.S. and Canada that includes a system of risk assessments, family preservation, foster care services, adoption services and youth development. These services are available to families and children when intra-familial abuse or neglect is identified. However, as parents or caretakers are often absent from the lives of sexually exploited adolescents, the child welfare system should be adapted to meet the needs of sexually exploited children who are without appropriate parents or caregivers.

Restorative Services: Challenges

"A New York City cop picked up a young girl who was being sexually exploited and kept driving around because he had no where to bring her. He said he would keep driving around until he ran out of gas." Kate Mullen

Three factors have combined to create a huge gap between excellent laws on the one hand and poor implementing policies and practices on the other hand: 1) lack of resources, 2) a desire by many communities to sweep the problem under the rug and 3) a general resistance to seeing sexually exploited adolescents as deserving protection. There are extremely limited services available to serve the sexually exploited population of children in the U.S. and Canada. As a result these children are pulled in different directions and/or they fall right through the cracks.

Despite the U.S. federal law which generally treats children as victims, many states still arrest children as offenders. Even supportive law enforcement officers who do not want to incarcerate these children and who see them as victims, struggle to find places that will assist them. Child welfare authorities often do not have the knowledge to identify these children as victims and may be constrained by law and regulations that prohibit them from assisting children other than those abused in the home setting.

There are numerous challenges to identifying and referring children for services. Identifying sexually exploited children by mandating initial intake interview question to elicit information regarding sexual exploitation can contribute to the collection of data, but if there are no services to which to refer them,

agencies may stop asking the question. Child victims often do not see themselves as sexually exploited and do not typically self identify and are often trained to lie about their ages to avoid placement in juvenile detention where the pimp cannot bail them out. Often they misidentify themselves as over the age of 18. Outreach workers without experience or training may not interview the child appropriately and may even be judgmental about the response. In addition, asking the question raises dilemmas about mandated reporting and what the outreach worker is expected to do when sexual exploitation is identified.

When children are not identified as victims, or even if they are, the lack of specific services often results in these children being mixed in with “troubled” or “delinquent” youth in group houses, foster care, or detention under the juvenile justice system that are not appropriate for their needs, and which could also pose a risk for other children in those settings. Commonly, as a result of their multiple contacts with the child welfare system, they have come to distrust the system, which may engender behavior that is not seen as sympathetic or in need of help. In addition, there is staff burn-out, and increased risks to other children and staff from traffickers and pimps who wait outside facilities to target these children.

Another stumbling block to the provision of services involves the problem of finding someone to take custody of these children so they can receive long-term care and services. Runaway and homeless youth shelters in the U.S. are only allowed to house them for a short time. Then they have to go to some more permanent placement.

The single biggest challenge is securing safe housing for these child victims. There is widespread agreement that the lack of appropriate shelter leaves law enforcement with few other choices than the juvenile justice system.

Finally, the general public, overall, is not sympathetic to adolescent victims. And where business is bound up with the sexual exploitation industry, as in Las Vegas, it is viewed as bad for the hotel business to arrest exploiters and pimps.

Agencies interested in providing shelter and focused services to sexually exploited children have difficulty finding funding to provide the full array of services. Existing programs such as Ma Mawi Wi Chi Itata Centre in Canada and the few in the U.S. struggle for funding every year.

Federally funded child advocacy centers exist all over the U.S. But they focus on victims under 12 year old and have less experience identifying and working with older sexually exploited children.

Restorative Services:

Recommendations

- Make the same type of comprehensive services available to sexually exploited children over 12 years old as are available to sexually exploited and abused children under 12 years old.
- Create a committee to examine the problem with child custody procedures to eliminate this barrier to services for sexually exploited children.
- In the U.S., explore these possible funding sources for services: 1) Funds from the DOJ’s Office of Victims of Crimes; 2) Fines from or assets from sexual exploitation offenders; 3) Medicaid for medical services; 4) Civil suits for restitution for victims.

- Reconfigure existing funding sources for shelters and services for children to provide more resources that go directly to first responder services and residential services.
- Hold discussions with domestic violence movement to understand lessons learned to ensure appropriate services and justice for victims.

III. Child Pornography:

Good Practices and Laws

Laws and Enforcement

The U.S. and Canada both have strong laws against child pornography; both have excellent resources and experience in enforcing laws against child pornography, both in their home countries and in cases involving international investigations.

The International Centre for Missing & Exploited Children conducted a survey of laws against child pornography around the world and found major gaps and weaknesses. On the basis of this study it is providing assistance to other countries to create or revise existing laws in order to have a substantial impact against child pornography.

“Clean feed” is used in Canada, allowing participating internet service providers (ISPs) to block access to child pornographic content. The National Center for Missing & Exploited Children (NCMEC) in the U.S. provides participating electronic service providers with a daily list of illegal web pages to allow the companies to ensure they are not inadvertently hosting illegal content.

Awareness raising, Education and Prevention

NCMEC and the Canadian Center for Child Protection (CCCP) both serve as national clearinghouses for online reporting, and identifying victims of pornography and exploitation. They are both very successful in raising awareness with law enforcement and in finding children. Hundreds of thousands of reports regarding child pornography have been reported to the CyberTipline (U.S.) and Cybertip.ca (Canada). As a result of their work, they are in a unique position to help law enforcement to identify the child victims and to provide technical assistance to investigators. According to NCMEC, more than 1,700 child victims seen in sexually abusive images/videos have been identified around the world.

There is much public private partnership. The International Centre for Missing & Exploited Children’s (ICMEC) Financial Coalition Against Child Pornography, whose members include 30 credit card companies, banks and alternative payment companies along with law enforcement, has made enormous strides in eliminating the use of credit cards in the purchase of child pornography. A U.S.-Canadian financial coalition is growing and sharing best practices

Technology companies provide hardware, software and technical assistance to NCMEC and CCCP. Most ISPs are cooperative in identifying and taking down child pornography found on their servers.

Data Gathering and Research

Because of the online reporting mechanisms in both US and Canada there is relatively more data about child pornography than about other forms of sexual exploitation. However, both CyberTipline (U.S.) and Cybertip.ca (Canada) accept and analyze reports regarding other types of child sexual exploitation prior to referring the information to the appropriate law enforcement agency.

Child Pornography:

Challenges

Laws and Enforcement

In some states in the U.S., possession of child pornography is only a misdemeanor, while it is a felony in the federal system. This discrepancy is a challenge to the effective enforcement of laws protecting children. Changing this is another challenge however, as judges, juries and the public still don't take child pornography offenses seriously. More information is needed to consider mandatory minimum sentences for sexual exploitation offenders across the U.S. and how this may impact convictions.

Canada does not have a federal law mandating that ISPs report child pornography.

"Clean feed", the blocking of access to sites with child pornography is not done in the U.S.

Awareness raising, Education and Prevention

Raising awareness among ISPs, judges, juries and the general public faces many challenges. It is difficult because the public has to rely solely on what they are told. It would be illegal to display the images/videos to the public. While it is not surprising there are misconceptions regarding what child pornography really is, it is important to educate the public that each image/video was created as a result of a child being sexually abused. In addition, many people don't understand that those who view child pornography are more inclined to sexually molest or exploit children.

One important challenge that has not been addressed is whether and how long to keep child abuse images, how to deal with telling children about them and when to tell children about them.

Another challenge is fully understanding the impact of the pervasive pornography and the impact of the legal pornography industry in feeding demand for child pornography and the consumer culture on the demand for sexual objectification of children.

Child Pornography:

Recommendations

- Make possessing, producing and distributing child pornography a more serious offense crime by making it a felony offense at the state level in the United States or an indictable offense in all jurisdictions.
- Change terminology in legislation from "child pornography" to "sexually abusive images of children" (U.S.) or "child abuse images and materials" (Canada) as a way to enhance understanding of the nature of the problem and eliminate apathy toward the term "pornography."
- Mandate ISP reporting for child pornography in Canada. This is currently being reviewed both federally and by various provinces.
- Use Clean feed in the U.S.

- Develop campaigns specifically on this form of exploitation in order to address the lack of awareness by judges, juries and the general public about child pornography.
- Develop international guidelines and principles regarding the creation of national and international databases, the disposition of pictures of sexually exploited children and victim rights and privacy issues (for example, when and how to tell children about the existence of these pictures).
- Prioritize the identification of victims of child sexual abuse images.
- Conduct research that examines the impact of pornography and the pervasiveness of pornography on the demand for child sexual abuse images.

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Sandy Skelaney	<i>Kristi House</i>
Linda Smith	<i>Shared Hope International</i>
Carol Smolenski	<i>ECPAT-USA</i>
Melissa Snow	<i>Shared Hope International</i>
Samantha Vardaman	<i>Shared Hope International</i>
Laurie Weeks	<i>U.S. Immigration and Customs Enforcement</i>
Katherine Welch	<i>Global Health Promise</i>
Debra Whitcomb	<i>National Crime Prevention Council</i>
Brian Willis	<i>ECPAT-USA</i>
Maggie Wynne	<i>U.S. Department of Health and Human Services</i>