



Network of Women Parliamentarians of the Americas

Discussion Paper on Human Trafficking¹

Human trafficking has been a subject of profound interest to the Network of Women Parliamentarians of the Americas for some time. In March, 2006, a first series of discussions launched the debate on this topic during the Network's Executive Committee meeting in Puebla, Mexico. At the 6th Annual Meeting, in Quito, Ecuador on May 30, 2006, participants chose this subject as the main theme of the 2006–2007 term in order to continue to flesh out the work they had begun.

The purpose of this text is to present the main issues with regard to human trafficking and to initiate examination of this problem. The international character of human trafficking makes it a compelling subject: the role of parliamentarians in the ratification and implementation of effective international instruments; the sharing of notable legislative, governmental, and social experiences; as well as the study of mechanisms of international cooperation targeting the elimination of this scourge are all potential directions that a discussion on human trafficking within the Network could take.

1. Definition and principal characteristics of human trafficking

Human trafficking has been characterized in many ways during the past century. Recently, a certain consensus has developed around the definition included in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the *United Nations Convention against Transnational Organized Crime*. The expression “trafficking in persons” is defined as follows in line *a* of article 3 of this Protocol, adopted in 2000:

“The recruitment, transportation, transfer, harbouring 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 labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

¹ This text was produced by the Secretariat of the Network of Women Parliamentarians of the Americas in October 2006.

Human trafficking and the smuggling of migrants comprise two distinct offences and they are the subject of two different protocols supplementing the *United Nations Convention against Transnational Organized Crime*. While the smuggling of migrants consists of facilitating the illegal entry of a person into a state, human trafficking implies an element of constraint and exploitation. In both cases, the individuals can have left their countries of origin voluntarily, their consent being obtained by deception or fraud. Finally, although human trafficking can be transnational, it can also operate within national borders. Certain organized criminal groups exploit vast international networks while smaller organizations engage in the trafficking of one, or a few people, at a time. Internal networks have also developed within states.

2. The state of international law concerning human trafficking

Under the aegis of the United Nations, several international conventions and protocols have been adopted to strengthen the fight against human trafficking. To date, the most successful effort has undoubtedly been the *United Nations Convention against Transnational Organized Crime* (2000) and its *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (2000). The purpose of this Protocol is to prevent and suppress human trafficking, to protect and aid its victims, and to promote cooperation among states. It has been ratified by 110 countries².

Various conventions on slavery, forced labor, and migrant workers' rights protect victims of human trafficking: the *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery* (1956), and the *Abolition of Forced Labour Convention* (no. 105) of the International Labour Organization (ILO) (1957). *The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, which came into force on July 1, 2003, can also be invoked in the struggle against human trafficking.

The Convention on the Rights of the Child (1989) and its *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* (2000) are the main documents concerning the trafficking of children. The countries that have ratified the Protocol undertake to ban juvenile prostitution, child pornography, and the sale of children, to strengthen international cooperation, to seize and confiscate goods used to commit these offenses, to take measures to inform the public, and to rehabilitate children who are victims of these crimes. It has been ratified by 110 countries. Finally, the *ILO Convention no.182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour* was adopted in 1999.

Other international documents apply specifically to women, for example, the *Convention on the Elimination of All Forms of Discrimination against Women* (1979) and its *Optional Protocol* (1999). The countries party to this convention are invited to take "all appropriate measures, including legislation, to suppress all forms of traffic in women and the exploitation of prostitution of women" (art. 6).

² See appendices 1 to 4 for information on the status of the ratifications of the international and inter-American accords mentioned in this text by American states and their reservations.

In the Americas, 13 states have ratified the *Inter-American Convention on the International Traffic of Minors* (1994), which coordinates the prevention and punishment of the international traffic of minors, as well as the regulation of the civil and criminal aspects of this traffic. Certain clauses of the American Convention on Human Rights can also be invoked, of which article 6 stipulates that “No one shall be subject to slavery or to involuntary servitude, which are prohibited in all their forms, as are the slave trade and traffic in women.” Finally, the *Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women*, in force since 1995, explicitly recognizes human trafficking and sexual exploitation as forms of violence against women. The 32 states party to this convention are called upon to fight against this violence.

3. The state of human trafficking worldwide and in the Americas

In a recent report by the U.S. Department of State, the number of victims of transnational human trafficking each year is estimated at between 600,000 and 800,000³. This document reveals that about 80% of them are women or girls, and the majority of them are sexually exploited. There are also thousands of victims of trafficking within national borders. According to the ILO, the minimum number of victims of forced labor associated with internal or external trafficking is about 2.45 million⁴. This is a form of organized crime whose growth has been the fastest in recent years.

Many of the victims of human trafficking come from Latin America and the Caribbean, notably Brazil, Colombia, Guatemala, Mexico, and the Dominican Republic⁵. It is estimated that about 50,000 Dominican women and 70,000 Brazilian women are engaged in international prostitution at this time and that a good number of them are victims of human trafficking⁶. A large number of Brazilian children are subject to trafficking and sexual exploitation. Most of the victims are taken to North America (the United States, Canada), Western Europe (Spain, Germany, Italy, Great Britain, the Netherlands, Belgium), and Japan. Many Latin American and Caribbean countries are also transit areas for victims of human trafficking coming from Asian countries and heading for the United States.

There is also considerable inter-regional and internal human trafficking in Latin America and the Caribbean. The victims, estimated at 250,000 by the ILO, are often from the Dominican Republic, Honduras, Colombia, Nicaragua, and Guatemala. Costa Rica, Mexico, and Belize are more often destinations for these victims⁷. The increase in internal human trafficking in the region is associated with the increase in sexual tourism and child prostitution, particularly in Brazil and the Dominican Republic⁸. Finally, there is still a significant occurrence of debt

³ U.S. Department of State, *Trafficking in Persons Report*, 2006.

(<http://www.state.gov/documents/organization/66086.pdf>)

⁴ International Labor Organization, *A Global Alliance against Forced Labour*, 2005.

(http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=5059)

⁵ United Nations Office on Drugs and Crime (UNODC), *Trafficking in Persons: Global Patterns*, 2006.

(http://www.unodc.org/pdf/traffickinginpersons_report_2006ver2.pdf)

⁶ U.S. Department of State, *op.cit.*, 2006.

⁷ Inter-American Commission of Women, Organization of American States, *Trafficking in Women and Children: Research Findings and Follow-up*, XXXI Assembly of Delegates, 2002.

⁸ Alison Phinney, *Trafficking of Women and Children for Sexual Exploitation in the Americas*, Pan American Health Organization, 2001.

servitude in Latin America and the Caribbean. It is estimated that in 2006 about 25,000 Brazilians, mostly men, do forced labor, particularly in the agricultural sector⁹. Debt servitude occurs in several countries, such as Brazil, Peru, Guatemala and Paraguay.

Human trafficking also involves North American countries, which are usually destinations or transit countries. A report by the U.S. Department of State estimates that between 14,500 and 17,500 victims of trafficking are brought into the United States each year. According to the International Organization for Migrations (IOM)¹⁰, they come mainly from Asia (Thailand, Vietnam, China), Latin America (Mexico), and Eastern Europe (Russia, the Ukraine, the Czech Republic). The majority are women and children, and they are forced to work in the sex industry, in clandestine workshops, as domestics, or in drug trade. In Canada, the Royal Canadian Mounted Police estimates that 800 victims of human trafficking enter the country every year. About 600 of them are women and children sold for sexual exploitation. It is estimated that a further 1,500 to 2,200 victims transit through Canada on their way to the United States.

4. The impact of human trafficking on women and children

Human trafficking, whether internal or external, has a severe impact on the women and children who are its victims. It is a serious violation of human dignity and of fundamental rights, liberty, and security and, in certain cases, is life threatening. These numerous infringements of individual rights occur through commerce, extortion, and sexual exploitation, deplorable living conditions, malnutrition, inexistent or clandestine healthcare, and constant physical and psychological fear¹¹. Victims also undergo forced abortions, and some are even murdered without the perpetrators ever being brought to justice. Fundamental rights violations also arise through the various means of control used. They cause the social isolation of the victims, who are gradually reduced to a state of dependence and invisibility.

In addition, “victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance.”¹² Victims of human trafficking are moved from poorer countries to richer ones and members of certain racial or ethnic groups are more exposed to the associated forms of exploitation. Moreover, there is a fear that racial discrimination will determine their treatment in the country where they end up. Human trafficking is also an issue of equality of the sexes, by the simple fact that the majority of victims are women and the clients are generally male. According to many, the struggle against the trafficking of women and enforced prostitution will only succeed through the promotion of equality between men and women.

⁹ U.S. Department of State, *op. cit.*, 2006.

¹⁰ The IOM is an intergovernmental organization founded in 1951. It brings together 118 member states and 89 observers: 20 states and 69 international organizations and NGO's of international caliber. The IOM's website address is <http://www.iom.int/jahia/jsp/index.jsp>.

¹¹ Susana Chiarotti, “La trata de mujeres: sus conexiones y desconexiones con la migración y los derechos humanos,” *Serie Poblacion y desarrollo*, Economic Commission for Latin America and the Caribbean, United Nations, 39 (2003).

¹² Declaration of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Durban, 2001.

Human trafficking generally has very harmful effects on the victims' short-term and long-term health. The voyage itself involves multiple risks: exhaustion through lack of food, drowning, suffocation, etc. Women and children are often subject to physical and sexual violence, forced drug use, and food deprivation¹³. They are also very susceptible to contracting sexually transmitted diseases such as HIV/AIDS. We can add unsafe abortions to the list, which often cause serious complications. Certain victims of human trafficking suffer permanent injuries, sometimes resulting in death. The conditions of exploitation, violence, and isolation can also have significant effects on the victims' mental health¹⁴. This trauma can often continue even after the forced servitude has ended. In the case of children, trafficking endangers their entire physical, psychological, spiritual, moral, and social development¹⁵.

Finally, the victims who succeed in returning to their communities are often disgraced or ostracized. Pregnant women and girls are often abandoned by the traffickers and then rejected by their families¹⁶. The fear of falling into the hands of the traffickers can lead members of target groups to live in hiding¹⁷. It is recognized that this behavior has harmful effects on the victims' education and on their financial future, which further increases the probability of their falling into the hands of the traffickers once again.

5. The stances of large international and interparliamentary organizations

In recent years, many international and inter-parliamentary organizations have actively joined the struggle against human trafficking. The following is a brief portrait of recent stances of various players:

5.1 Specialized organizations and institutions of the United Nations

In 2000, the adoption of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* marked a further step in the international community's determination to combat this scourge. The Protocol sets out certain priorities: It calls first for greater cooperation among countries and for the harmonization of national initiatives. In order to respect fundamental rights, it is considered important that measures from now on include protection and assistance to victims, and that the prevention of trafficking and punishment of traffickers also be reinforced. It also states that particular attention should be paid to women and children, the main victims of human trafficking. In 2004, the United Nations General Assembly adopted a resolution¹⁸ on the trafficking of women and girls that underlines the importance of using a sex-specific approach in the struggle against human trafficking¹⁹. Another important issue has also been raised in the discussion on trafficking: the need to focus on the demand that feeds this phenomenon.

The various institutions of the United Nations have also participated in the struggle, according to their particular sphere of activity. For the past several years, the United Nations High

¹³ U.S. Department of State, *op. cit.*, 2006.

¹⁴ Alison Phinney, *op. cit.*, 2001.

¹⁵ Declaration of the World Congress against the Commercial Sexual Exploitation of Children, Stockholm, 1996.

¹⁶ ILO, *op. cit.*, 2002.

¹⁷ U.S. Department of State, *op. cit.*, 2006.

¹⁸ Resolution A/RES/59/166.

¹⁹ Marie Yvette L. Banzon, "Intégrer une stratégie sexospécifique pour lutter contre la traite des personnes," *Chronique de l'ONU*, 2005.

Commission on Human Rights has given priority to the issue of human trafficking, particularly that of women and children. It is active in different regions in the world and helps victims and facilitates legal proceedings. The ILO is also very interested in this issue and tackles it through its work on forced labor, child labor, and the situation of migrant workers. The work of women in the sex industry is similarly an important preoccupation of this organization. The United Nations Development Fund for Women (UNIFEM) and the United Nations Children's Fund (UNICEF) finance several projects whose purpose is to increase our knowledge and improve information systems on the exploitation of women and children. Finally, specialized organizations of the United Nations approach the problem from the organized crime angle, for example the United Nations Office on Drugs and Crime (UNODC).

5.2 Other intergovernmental organizations for international cooperation

5.2.1 International Organization for Migration (IOM)

The IOM is active in prevention and in raising awareness, and plays an important role in the protection of victims, in particular by facilitating their repatriation and by providing medical advice and care in collaboration with NGOs and regional institutions. The organization, however, calls for more severe sanctions against those who profit from human trafficking.

5.2.2 INTERPOL

For its part, Interpol works on the problem in three main spheres of activity: the trafficking of women for sexual exploitation, the illicit traffic of migrants, and the sexual exploitation of children. The purpose of its special division on human trafficking is to facilitate “international cooperation...in order to bring offenders to justice...”²⁰.

5.3 Organization of American States (OAS)

In recent years, the issue of human trafficking has sparked marked interest at the OAS. In 2004, the organization created its Anti-Trafficking in Persons Section, which initially was part of the Inter-American Commission on Women and was then integrated into the Department for the Prevention of Threats against Public Security. The section plans to improve information exchange, offer training, and promote policies against trafficking in order to back the efforts of member states. Human rights and international crime are its main preoccupations. The OAS's Commission on Women has also been active in the struggle against human trafficking. The Commission is now working in partnership with the IOM on the development of a new project that includes applied research and training in various Latin American and Caribbean countries. Moreover, since 2002, human trafficking has been the subject of several OAS resolutions.

²⁰ Interpol, Resolution AG-2005-RES-11 referring to AGN/65/RES/8.

5.4 Inter-Parliamentary Organizations

5.4.1 The Inter-Parliamentary Union (IPU)

The IPU recently adopted resolutions recognizing the existence of human trafficking. In 2005, after deliberating on migrations and development, it called on the governments of member states to promote an approach to migrations and human trafficking that takes into account the difference between the sexes, and to take effective action against the trafficking of women and girls in particular. In 2006 in a resolution on violence against women, it stressed the need to intensify international and regional cooperation in the struggle against human trafficking.

5.4.2 Parliamentary Assembly of the Francophonie (APF)

Following a round table on the “trafficking of children” at a meeting of the APF’s Commission on Education, Communication and Cultural Affairs in April, 2004, the parliamentarians adopted a resolution recognizing the trafficking of children as a modern form of slavery and calling on member states of the International Organization of the Francophonie (OIF) to fight against this problem in all its forms.

5.4.3 Parliamentary Assembly of the Council of Europe (PACE)

PACE deplores human trafficking, which it considers a new form of slavery. According to this inter-parliamentary organization, today’s slaves are mainly women who work most often in private homes, where they arrive as immigrant domestics, au pairs, or mail order wives. PACE is in favor of strengthening legislation on this problem and, since 2001, has called for the development of a charter of rights for domestic workers.

5.4.4 Commonwealth Parliamentary Association (CPA)

The association discussed human trafficking during a workshop on transnational security and illegal immigration at its 52nd Plenary Conference in Nigeria, September 4 to 10, 2006. Various themes were tackled, notably issues related to security and human rights.

5.4.5 European Parliament

The European Parliament made known its concern over human trafficking in 1996 and has called for an escalation of the struggle against it. It has appealed to the European Union (EU) and proposed legislative measures. The European Parliament was thus the instigator of a landmark EU policy against human trafficking and continues to support measures in this regard. It insists, moreover, that this problem be considered a serious infringement of human rights and not just a form of illegal immigration.

6. Suggestions for action by parliamentarians

The members of the Network of Women Parliamentarians of the Americas can contribute to the struggle against human trafficking, in particular the trafficking of women and children, by working in two spheres of activity: the prevention and suppression of human trafficking and protection for and aid to its victims.

6.1 Prevention and suppression of human trafficking

Parliamentarians can encourage governments to help prevent trafficking through information campaigns to educate the public about the existence of the problem in the Americas and, specifically, to alert potential victims. Spreading the word about trafficking and about the punishment for this crime can have a dissuasive effect on the sex industry's clients, particularly sex tourists. An infrastructure could be created for systematically collecting information and documentation on various aspects of the problem, which would help inform parliamentarians and promote cooperation. Many people also maintain that there is a lack of research on this subject in the Americas²¹. Detailed studies on the most important themes could be commissioned.

Parliamentarians should study current laws, policies, and governmental programs that can have an impact on human trafficking, to identify practices that could serve as models as well as areas that need improvement. Policies and programs should emphasize the specific problems and needs of women and children. It is up to parliamentarians to ensure that governments are aware of the threat that human trafficking poses to women. It is essential to push governments that have not already done so to ratify inter-American and international judicial instruments, such as the *United Nations' Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. It is also up to the parliamentarians of member states to closely monitor the application of the Protocol in their respective countries and to insist that their governments be accountable. Moreover, parliamentarians must be able to identify potential obstacles to the Protocol's application and seek ways to surmount them as the case may be. When this process is well underway within the Network, it could be useful to submit certain recommendations to the OAS and to subregional executive institutions in the Americas.

Finally, it is important to encourage actions that have an impact on the underlying causes of the problem, notably poverty and the inequality of the sexes. In this regard, parliamentarians need to appeal to their respective governments about the importance of making women more independent through education, training, credit, and other initiatives. In fact, long-term commitments are needed to fight all aspects of the problem and address the issue of supply and demand.

²¹ On this subject, see: Pamela Sumner Coffey, dir., *Literature Review of Trafficking in Persons in Latin America and the Caribbean*, USAID, EGAT/WID, 2004.

6.2 Protection for and aid to victims

Parliamentarians must demand that support and rehabilitation programs be put in place for the victims, and that these programs pay particular attention to the needs of women and children. The programs must provide housing for the victim as well as psychological, medical, and material aid. The various national parliaments could hold consultations to tap the expertise of non-governmental organizations and the private sector before adopting protection measures for victims or improving those that already exist. Parliamentarians also must make sure that national legislation and policies allow victims to return freely to their countries. Laws must not permit countries to bring legal proceedings against victims because of illegal entry or residence.

Parliamentarians can ensure that adequate training is given to those responsible for maintaining law and order, as well as workers in the justice system, the medical field, and social aid, or any others who work with victims of human trafficking. It is important as well that all these people have the necessary means to help victims. Parliamentarians must appeal to their respective governments to this effect. The thinking of the Network on the important issues of protecting and assisting victims of human trafficking eventually could be passed on to regional and subregional executive institutions in the Americas.

These are only a few suggestions for possible action and should above all stimulate the thinking of Network members on the role they could play in the fight against human trafficking. Their actions, however, should be part of an overall strategy to strengthen efforts in the prevention and suppression of trafficking as well as the protection of victims, particularly women and children.

APPENDIX 1

Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional y Protocolo para Prevenir, Reprimir y Sancionar la Trata de Personas, especialmente Mujeres y Niños.

United Nations Convention against Transnational Organized Crime and Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

Convenção das Nações Unidas contra a Criminalidade Transnacional Organizada e Protocolo para Prevenir, Reprimir e Punir o Tráfico de Pessoas, especialmente Mulheres e Crianças

Convention des Nations Unies contre la criminalité transnationale organisée et Protocole visant à prévenir, réprimer et punir la traite des personnes, en particulier des femmes et des enfants

S : Firma – Signature – Assinatura / R : Ratificación – Ratification – Ratificação / A : Adhesión – Accession – Adesão – Adhésion

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	RESERVAS RESERVATIONS RÉSERVES
Antigua and Barbuda	S : 2001-09-26 R : 2002-07-24			
Argentina	S : 2000-12-12 R : 2002-11-19		S : 2000-12-12 R : 2002-11-19	
Bahamas	S : 2001-04-09		S : 2001-04-09	
Barbados	S : 2001-09-26		S : 2001-09-26	
Belize	A : 2003-09-26	ART. 35 (PARA.2)	A : 2003-09-26	
Bolivia	S : 2000-12-12 R : 2005-10-10		S : 2000-12-12 R : 2006-05-18	ART. 15 (PARA 2)
Brasil	S : 2000-12-12 R : 2004-01-29		S : 2000-12-12 R : 2004-01-29	
Canada	S : 2000-12-14 R : 2002-05-13		S : 2000-12-14 R : 2002-05-13	
Chile	S : 2000-12-13 R : 2004-11-29		S : 2002-08-08 R : 2004-11-29	
Colombia	S : 2000-12-12 R : 2004-08-04	ART. 35 (PARA.2)	S : 2000-12-12 R : 2004-08-04	ART. 15 (PARA.2)
Costa Rica	S : 2001-03-16 R : 2003-07-24		S : 2001-03-16 R : 2003-09-09	
Cuba	S : 2000-12-13			
Dominica	-			
Ecuador	S : 2000-12-13 R : 2002-09-17	ART. 10; ART. 35 (PARA.2)	S : 2000-12-13 R : 2002-09-17	ART. 15 (PARA.2)
El Salvador	S : 2000-12-14 R : 2004-03-18	ART. 35 (PARA.2)	S : 2002-08-15 R : 2004-03-18	

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	RESERVAS RESERVATIONS RÉSERVES
Grenada	A : 2004-05-21		A : 2004-05-21	
Guatemala	S : 2000-12-12 R : 2003-09-25		A : 2004-04-01	
Guyana	A : 2004-09-14		A : 2004-09-14	
Haiti	S : 2000-12-13		S : 2000-12-13	
Honduras	S : 2000-12-14 R : 2003-12-02		-	
Jamaica	S : 2001-09-26 R : 2003-09-29		S : 2002-02-13 R : 2003-09-29	
México	S : 2000-12-13 R : 2003-03-04		S : 2000-12-13 R : 2003-05-04	
Nicaragua	S : 2000-12-14 R : 2002-09-09		R : 2004-10-12	
Panamá	S : 2000-12-13 R : 2004-08-18	No estará obligado a proceder a extradiciones ni prestar asistencia legal mutua, en los casos en que los acontecimientos que den lugar a una petición no constituyan una infracción en virtud del derecho penal de la República de Panamá. (1)	S : 2000-12-13 R : 2004-08-18	
Paraguay	S : 2000-12-12 R : 2004-09-22		S : 2000-12-12 R : 2004-09-22	
Perú	S : 2000-12-14 R : 2002-01-23		S : 2000-12-14 R : 2002-01-23	
República Dominicana	S : 2000-12-13 R : 2006-10-26		S : 2000-12-15	
Saint Kitts and Nevis	S : 2001-11-20 R : 2004-05-21		A : 2004-05-21	
Saint Lucia	S : 2001-11-26			
Saint Vincent and the Grenadines	S : 2002-07-24		S : 2002-11-20	
Suriname	-			
Trinidad and Tobago	S : 2001-09-26		S : 2001-09-26	

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	RESERVAS RESERVATIONS RÉSERVES
United States	S : 2000-12-13 R : 2005-11-03	ART. 15 (PARA.1B); ART. 35 (PARA.2) Se reserva el derecho de asumir las obligaciones previstas en la Convención, de conformidad con sus principios fundamentales de federalismo. (2)	S : 2000-12-13 R : 2005-11-03	ART. 15 (PARA.2) Se reserva el derecho de asumir las obligaciones previstas en el Protocolo, de conformidad con sus principios fundamentales de federalismo. (3)
Uruguay	S : 2000-12-13 R : 2005-03-04		S : 2000-12-13 R : 2005-03-04	
Venezuela	S : 2000-12-14 R : 2002-05-13		S : 2000-12-14 R : 2002-05-13	ART. 35 (PARA. 2)

2006-11-15

Panamá (1):

It shall not be obliged to carry out extraditions or to render mutual legal assistance in cases where the events giving rise to a request are not offences under the criminal legislation of the Republic of Panama.

Não será obrigatória a efetivação das extradições, nem serão disponibilizados serviços jurídicos mútuos nos casos em que as ocorrências resultantes de uma petição não constituam uma infração em virtude do direito penal da República do Panamá.

Il ne sera pas tenu de procéder aux extraditions ni d'offrir une aide juridique mutuelle dans les cas où les événements donnant lieu à une requête ne constituent pas une infraction en vertu du droit pénal de la République de Panama.

United States (2) :

Reserves the right to assume obligations under the Convention in a manner consistent with its fundamental principles of federalism.

Dá-se o direito de assegurar as obrigações previstas na Convenção de uma maneira conforme aos seus princípios fundamentais de federalismo.

Se réserve le droit d'assumer les obligations prévues à la Convention d'une manière conforme à ses principes fondamentaux de fédéralisme.

United States (3):

Reserves the right to assume obligations under the Protocol in a manner consistent with its fundamental principles of federalism.

Dá-se o direito de assegurar as obrigações previstas no Protocolo de uma maneira conforme aos seus princípios fundamentais de federalismo.

Se réserve le droit d'assumer les obligations prévues au Protocole d'une manière conforme à ses principes fondamentaux de fédéralisme.

APPENDIX 2

Convención de las Naciones Unidas sobre los Derechos del Niño y Protocolo Facultativo relativo a la Venta de Niños, la Prostitución Infantil y la Utilización de los Niños en la Pornografía

United Nations Convention on the Rights of the Child and Optional Protocol on the sale of children, child prostitution and child pornography

Convenção das Nações Unidas sobre os Direitos da Criança e Protocolo Facultativo referente à Venda de Crianças, à Prostituição Infantil e à Pornografia Infantil

Convention des Nations Unies relative aux droits de l'enfant et Protocole facultatif concernant la vente d'enfants, la prostitution des enfants et la pornographie mettant en scène des enfants

S : Firma – Signature – Assinatura / R : Ratificación – Ratification – Ratificação / A : Adhesión – Accession – Adesão – Adhésión

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	RESERVAS RESERVATIONS RÉSERVES
Antigua and Barbuda	S : 1991-03-12 R : 1993-10-05		S : 2001-12-18 R : 2002-04-30	
Argentina	S : 1990-06-29 R : 1990-12-04	ART. 21 (B,C,D,E)	S : 2002-04-01 R : 2003-09-25	
Bahamas	S : 1990-10-30 R : 1991-02-20	ART. 2		
Barbados	S : 1990-04-19 R : 1990-10-09			
Belize	S : 1990-02-02 R : 1990-05-02		S : 2000-09-06 R : 2003-12-01	
Bolivia	S : 1990-03-08 R : 1990-06-26		S : 2001-11-10 R : 2003-06-03	
Brasil	S : 1990-01-26 R : 1990-09-24		S : 2000-09-06 R : 2004-01-27	
Canada	S : 1990-05-28 R : 1991-12-13	ART. 21; ART. 37 ©	S : 2001-11-10 R : 2005-09-14	
Chile	S : 1990-01-26 R : 1990-08-13		S : 2000-06-28 R : 2003-02-06	
Colombia	S : 1990-01-26 R : 1991-01-28	ART. 38 (2 & 3)	S : 2000-09-06 R : 2003-11-11	Interpreta la sanción de "confiscación" sólo como embargo o pérdida durante la fase de sanción. (1)
Costa Rica	S : 1990-01-26 R : 1990-08-21		S : 2000-09-07 R : 2002-04-09	
Cuba	S : 1990-01-26 R : 1991-08-21		S : 2000-10-13 R : 2001-09-25	

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	RESERVAS RESERVATIONS RÉSERVES
Dominica	S : 1990-01-26 R : 1991-03-13		A : 2002-09-20	
Ecuador	S : 1990-01-26 R : 1990-03-23		S : 2000-09-06 R : 2004-01-30	
El Salvador	S : 1990-01-26 R : 1990-07-10		S : 2002-09-13 R : 2004-05-17	
Grenada	S : 1990-02-21 R : 1990-11-05			
Guatemala	S : 1990-01-26 R : 1990-06-06		S : 2000-09-07 R : 2002-05-09	
Guyana	S : 1990-09-30 R : 1991-01-14			
Haïti	S : 1990-01-26 R : 1995-06-08		S : 2002-08-15	
Honduras	S : 1990-05-31 R : 1990-08-10		A : 2002-05-08	
Jamaica	S : 1990-01-26 R : 1991-05-14		S : 2000-09-08	
México	S : 1990-01-26 R : 1990-09-21		S : 2000-09-07 R : 2002-03-15	
Nicaragua	S : 1990-02-06 R : 1990-10-05		A : 2004-12-02	
Panamá	S : 1990-01-26 R : 1990-12-12		S : 2000-10-31 R : 2001-02-09	
Paraguay	S : 1990-04-04 R : 1990-09-25		S : 2000-09-13 R : 2003-08-18	
Perú	S : 1990-01-26 R : 1990-09-04		S : 2000-11-01 R : 2002-05-08	
República Dominicana	S : 1990-08-08 R : 1991-06-11			
Saint Kitts and Nevis	S : 1990-01-26 R : 1990-07-24			
Saint Lucia	S : 1990-09-30 R : 1993-06-16			
Saint Vincent and the Grenadines	S : 1993-09-20 R : 1993-10-26		A : 2005-09-15	

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	RESERVAS RESERVATIONS RÉSERVES
Suriname	S : 1990-01-26 R : 1993-03-01		S : 2002-05-10	
Trinidad and Tobago	S : 1990-09-30 R : 1991-12-05			
United States	S : 1995-02-16		S : 2000-07-05 R : 2002-12-23	ART. 3 (PARA.1)
Uruguay	S : 1990-01-26 R : 1990-11-20		S : 2000-09-07 R : 2003-07-03	
Venezuela	S : 1990-01-26 R : 1990-09-13		S : 2000-09-07 R : 2002-05-08	

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Colombia (1):

Construes the penalty of "confiscation" only as seizure or forfeiture during the penalty phase.

Interpreta a sanção de "confiscação" apenas como apreensão ou perda no decorrer da sanção.

N'interprète la sanction de « confiscation » que comme saisie ou déchéance au cours de la phase de sanction.

APPENDIX 3

**Convención de las Naciones Unidas sobre la Eliminación de Todas las Formas de Discriminación
contra la Mujer y Protocolo Facultativo**

**United Nations Convention on the Elimination of All Forms of Discrimination
against Women and Optional Protocol**

**Convenção das Nações Unidas sobre a Eliminação de Todas as Formas de Discriminação
contra a Mulher e Protocolo Facultativo**

**Convention des Nations Unies sur l'élimination de toutes les formes de discrimination
à l'égard des femmes et Protocole facultatif**

S : Firma – Signature – Assinatura / R : Ratificación – Ratification – Ratificação / A : Adhesión – Accession – Adesão – Adhésión

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	ÚLTIMO INFORME ÚLTIMO RELATÓRIO LAST REPORT DERNIER RAPPORT
Antigua and Barbuda	A : 1989-08-01		A : 2006-06-05	1995
Argentina	S : 1980-07-17 R : 1985-07-15		S : 2000-02-28	2004 – Follow-up (2002, 2000)
Bahamas	A : 1993-10-06	ART.2 (A); ART.9 (PARA.2); ART.16 (H); ART.29 (PARA.1)		
Barbados	S : 1980-07-24 R : 1980-10-16			2000
Belize	S : 1980-03-07 R : 1980-05-16		A : 2002-12-09	2005
Bolivia	S : 1980-05-30 R : 1980-06-08		S : 1999-12-19 R : 2000-09-27	1991
Brasil	S : 1981-03-31 R : 1984-02-01	ART.29 (PARA.1)	S : 2001-03-13 R : 2002-06-28	2005
Canada	S : 1980-07-17 R : 1981-12-10		A : 2002-10-18	2002
Chile	S : 1980-07-17 R : 1989-12-07	Declaración en la firma: Se compromete a modificar su legislación no conforme. *	S : 1999-12-10	2004
Colombia	S : 1980-07-17 R : 1982-01-19		S : 1999-12-10	2005
Costa Rica	S : 1980-07-17 R : 1986-04-04		S : 1999-12-10 R : 2001-09-20	2003

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	ÚLTIMO INFORME ÚLTIMO RELATÓRIO LAST REPORT DERNIER RAPPORT
Cuba	S : 1980-03-06 R : 1980-07-17	ART.29 <i>Protocolo – Protocol- Protocole : ART. 8 & 9</i>	S : 2000-03-17	2006
Dominica	S & R : 1980-09-15			
Ecuador	S : 1980-07-17 R : 1981-11-09		S : 1999-12-10 R : 2002-02-05	2002
El Salvador	S : 1980-11-14 R : 1981-08-19	ART.29 (PARA.1)	S : 2001-04-04	2002
Grenada	S : 1980-07-17 R : 1990-08-30			
Guatemala	S : 1981-06-08 R : 1982-08-12		S : 2000-09-07 R : 2002-05-09	2004
Guyana	S & R : 1980-07-17			2004
Haiti	S : 1980-07-17 R : 1981-07-20			
Honduras	S : 1980-06-11 R : 1983-03-03			1992
Jamaica	S : 1980-07-17 R : 1984-10-19	ART.29 (PARA.1)		2004
México	S : 1980-07-17 R : 1981-03-23	Declaración en la firma: La concesión de prestaciones materiales dependerá de los recursos del Estado. **	S : 1999-12-10 R : 2002-03-15	2006
Nicaragua	S : 1980-07-17 R : 1981-10-27			2005
Panamá	S : 1980-06-26 R : 1981-10-29		S : 2000-06-09 R : 2001-05-09	1997
Paraguay	A : 1987-04-06		S : 1999-12-28 R : 2001-05-14	2004
Perú	S : 1981-07-23 R : 1982-09-13		S : 2000-12-22 R : 2001-04-09	2004
República Dominicana	S : 1980-07-17 R : 1982-09-02		S : 2000-03-14 R : 2001-08-10	2003
Saint Kitts and Nevis	A : 1985-04-25		A : 2006-01-20	2002
Saint Lucia	A : 1982-10-08			2005
Saint Vincent and the Grenadines	A : 1981-08-04			1991
Suriname	A : 1993-03-01			2005

PAÍS STATE PAYS	CONVENCIÓN CONVENTION CONVENÇÃO	RESERVAS RESERVATIONS RÉSERVES	PROTOCOLO PROTOCOL PROTOCOLE	ÚLTIMO INFORME ÚLTIMO RELATÓRIO LAST REPORT DERNIER RAPPORT
Trinidad and Tobago	S : 1985-06-27 R : 1990-01-12	ART.29 (PARA.1)		2001
United States	S : 1980-07-17			
Uruguay	S : 1981-03-30 R : 1981-10-09		S : 2000-05-09 R : 2001-07-26	2002
Venezuela	S : 1980-07-17 R : 1983-05-02	ART.29 (PARA.1)	S : 2000-03-17 R : 2002-05-13	2004

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*** Chile:**

Declaration at signing: Commitment to amending legislation that contravenes the Convention.

Declaração na assinatura: Comprometimento em modificar sua legislação não conforme.

Déclaration à la signature : S'engage à modifier sa législation non conforme.

**** México:**

Declaration at signing: The granting of benefits will depend on state resources.

Declaração na assinatura: Concessão de assistência material dependerá dos recursos do Estado.

Déclaration à la signature : L'octroi de prestations matérielles dépendront des ressources de l'État.

APPENDIX 4

***Convención Interamericana sobre Tráfico Internacional de Menores (1) y
Convención Interamericana para Prevenir, Sancionar y Erradicar la Violencia contra la Mujer (2)***

***Convention on International Traffic in Minors (1) and
Convention on the Prevention, Punishment and Eradication of Violence Against Women (2)***

***Convenção Interamericana sobre o Tráfico Internacional de Menores (1) e
Convenção Interamericana para Prevenir, Punir e Erradicar a Violência contra a Mulher (2)***

***Convention interaméricaine sur le trafic international des mineurs (1) et Convention
interaméricaine sur la prévention, la sanction et l'élimination de la violence contre la femme (2)***

S : Firma – Signature – Assinatura / R : Ratificación – Ratification – Ratificação / A : Adhesión – Accession – Adesão – Adhésion

PAÍS STATE PAYS	CONVENCIÓN (1) CONVENTION (1) CONVENÇÃO (1)	RESERVAS RESERVATIONS RÉSERVES	CONVENCIÓN (2) CONVENTION (2) CONVENÇÃO (2)	RESERVAS RESERVATIONS RÉSERVES
Antigua and Barbuda			A : 1998-08-12	
Argentina	A : 1999-12-13		S : 1994-06-10 R : 1996-04-09	
Bahamas			S : 1995-05-16 A : 1995-05-03	El Artículo 7 no implica ninguna obligación de proporcionar ninguna forma de indemnización de fondos públicos a ninguna mujer que haya sido sujeta a violencia en circunstancias en que esta responsabilidad podría normalmente no haber sido incurrida bajo las leyes vigentes. (1)
Barbados			S : 1995-05-16 R : 1995-02-08	
Belize	R : 1997-06-11		S : 1996-11-15 A : 1996-11-25	
Bolivia	S : 1994-03-18 R : 2003-10-31		S : 1994-09-14 R : 1994-10-26	
Brasil	S : 1994-03-18 R : 1997-07-03		S : 1994-06-09 R : 1995-11-16	
Canada				
Chile			S : 1994-10-17 R : 1996-10-24	
Colombia	A : 2000-06-12		A : 1996-10-03	

PAÍS STATE PAYS	CONVENCIÓN (1) CONVENTION (1) CONVENÇÃO (1)	RESERVAS RESERVATIONS RÉSERVES	CONVENCIÓN (2) CONVENTION (2) CONVENÇÃO (2)	RESERVAS RESERVATIONS RÉSERVES
Costa Rica	S : 1997-05-22 R : 2001-05-22		S : 1994-06-09 R : 1995-07-05	
Cuba				
Dominica			R : 1995-06-30	
Ecuador	S : 1998-06-11 R : 2002-05-20	Ecuador no ha de conceder la extradición de sus nacionales y que su juzgamiento se sujetará a las leyes de nuestro país.		
El Salvador	A : 2005-10-17		S : 1995-08-14 R : 1995-11-13	
Grenada			R : 2000-11-29	
Guatemala			S : 1994-06-24 R : 1995-01-04	
Guyana			S : 1995-01-10 R : 1996-01-08	
Haïti			R : 1997-04-07	
Honduras			S : 1994-06-10 R : 1995-07-04	
Jamaica			S : 2005-12-14 R : 2005-11-11	
México	S : 1995-11-27		S : 1995-06-04 R : 1998-06-19	
Nicaragua	A : 2005-10-07		S : 1994-06-09 R : 1995-10-06	
Panamá	S : 1998-05-28 R : 2000-01-18		S : 1994-10-05 R : 1995-04-26	
Paraguay	S : 1996-08-07 R : 1997-11-28		S : 1995-10-17 R : 1995-09-29	
Perú	A : 2004-04-20		S : 1995-07-12 R : 1996-04-02	
República Dominicana			S : 1994-06-09 R : 1996-01-10	
Saint Kitts and Nevis			S : 1994-06-09 R : 1995-03-17	
Saint Lucia			S : 1994-11-11 R : 1995-03-08	
Saint Vincent and the Grenadines			S : 1996-03-05 R : 1996-05-23	
Suriname			R : 2002-02-19	

PAÍS STATE PAYS	CONVENCIÓN (1) CONVENTION (1) CONVENÇÃO (1)	RESERVAS RESERVATIONS RÉSERVES	CONVENCIÓN (2) CONVENTION (2) CONVENÇÃO (2)	RESERVAS RESERVATIONS RÉSERVES
Trinidad and Tobago			S : 1995-11-03 R : 1996-01-04	
United States				
Uruguay	S : 1994-03-18 R : 1998-10-28		S : 1994-06-30 R : 1996-01-04	
Venezuela	S : 1994-03-18		S : 1994-06-09 R : 1995-01-16	

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Bahamas (1)

ART.7 imports no obligation to provide compensation from public funds to any women who has been subjected to violence in circumstances in which liability would not normally have been incurred under existing law.

O Artigo 7 não supõe obrigação alguma de se repassar, diretamente das verbas públicas, uma indenização a toda mulher vítima de violência nas circunstâncias em que a responsabilidade não teria sido normalmente engajada em virtude da lei vigente.

L'article 7 ne sous-entend aucune obligation de verser, à même les fonds publics, une indemnité à toute femme qui a été victime de violence dans des circonstances où la responsabilité n'aurait normalement été engagée en vertu de la loi en vigueur.

Ecuador (2)

Ecuador may not grant the extradition of its nationals, and their prosecution shall be subject to the national laws.

O Equador não pode acordar a extradição de seus cidadãos e o processo dos mesmos fica submetido às leis nacionais.

L'Équateur ne peut accorder l'extradition de ses ressortissants, et leur poursuite sera soumise aux lois nationales.