

A photograph showing two young boys walking away from the camera on a set of railway tracks. The boy on the left is wearing a striped t-shirt and a patterned sarong, while the boy on the right is wearing a green polo shirt and khaki shorts. They are holding hands. In the background, a busy street scene is visible with many people, some carrying items on their heads, and a traffic light with a red light. The overall atmosphere is one of a crowded, possibly urban or slum, environment.

**UNITED NATIONS SPECIAL  
RAPPORTEUR ON THE SALE OF  
CHILDREN, CHILD PROSTITUTION  
AND CHILD PORNOGRAPHY**

**25 YEARS OF  
FIGHTING THE SALE  
AND SEXUAL EXPLOITATION  
OF CHILDREN: ADDRESSING  
NEW CHALLENGES**

# ACKNOWLEDGEMENTS

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Lastly, Ms de Boer-Buquicchio wishes to pay tribute to the second Special Rapporteur Ms Ofelia Calcetas-Santos who passed away in 2011. Her contribution to the mandate is immeasurable and she helped shape the agenda on the fight against the sale and sexual exploitation of children at crucial moments, namely during the first World Congress against Commercial Sexual Exploitation of Children in Stockholm in 1996 and the negotiations leading to the adoption of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2000.

## Handbook by the Special Rapporteur on the sale of children, child prostitution and child pornography

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Cover Photo: Jafur (13) walks on the tracks with his friend in Bangladesh. Jafur ran away from home at age 9 to escape his abusive family. He then lived on the street for a year, where he earned the money he needed to survive by selling bananas. He is now living in a Drop-In Centre funded by Plan International.

# TABLE OF CONTENTS

<b>Acknowledgements</b>	<b>ii</b>
<b>Preface</b>	<b>v</b>
<b>Foreword</b>	<b>vii</b>
<b>The creation of the mandate of the United Nations Special Rapporteur on the sale of children, child prostitution and child pornography</b>	<b>1</b>
The mandate	1
The evolving international legal framework	2
<b>The working methods of the mandate</b>	<b>4</b>
Country visits	4
Communications	5
Thematic studies	6
Awareness-raising	7
<b>Issues in focus</b>	<b>8</b>
Prevention of the sale and sexual exploitation of children	8
Addressing the demand for the sale and sexual exploitation of children	9
Ensuring the provision of comprehensive care, recovery and rehabilitation for child victims of sale and sexual exploitation	9
Information and communication technologies facilitating the sale and sexual exploitation of children	10
Sexual exploitation of children in travel and tourism	12
Protection of children from sale and sexual exploitation following humanitarian crises due to natural disasters	13
<b>Achievements of the last 25 years</b>	<b>14</b>
Development of a holistic approach	14
Issuing practical recommendations	15
Raising awareness and creating effective networks	15
Sharing of good practices	17
Child-sensitive counselling, complaint and reporting mechanisms	17
Calling for action in cases of child rights violations	17
<b>The remaining challenges</b>	<b>19</b>
Empowering children and enhancing their meaningful participation	19
Combatting impunity of perpetrators	19
Tackling social tolerance	20
Engagement of the business sector	20
Emerging risk factors	21
Data collection	21
<b>Concluding Remarks</b>	<b>22</b>
<b>Annexes</b>	<b>23</b>
Annex 1: Biographies of the mandate holders	23
Annex 2: List of country visits	25
Annex 3: List of thematic reports: Reports to the UN General Assembly and the UN Human Rights Council/Commission on Human Rights	26



Kabita (17) worked as a kamalari from age 10 to 12. A "kamalari" is a girl belonging to Nepal's indigenous population who works as a housekeeper in conditions comparable to bonded labour. The parents of kamalaris have sold their daughters into wealthy families because of financial difficulties.

# PREFACE

The last 25 years have witnessed a momentous rise in the knowledge of and awareness given to children victim of sale and sexual exploitation. Yet, significant changes have not taken place, and existing initiatives remain at the legislative or policy level without any effective implementation. This year will mark the twentieth anniversary of the first World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996. This ground-breaking event was followed by two more congresses in Yokohama in 2001 and in Rio de Janeiro in 2008. Unfortunately, the numerous political commitments made by participating States have remained mostly unfulfilled. There is thus an urgent need for a common strong political will to move forward towards implementation through effective and sustained allocation of the necessary resources.

At the international level, there is potential for concrete action with the multiplication of cooperation initiatives such as the Virtual Global Taskforce, the Global Alliance against Child Sexual Abuse Online and the #WePROTECT Children Online Initiative. Though they focus on the sale and sexual exploitation of children online, they could still impact these crimes in the real world. I aim to work specifically on reaching an effective cooperation between these initiatives in order to achieve a better protection of children and prevention of crimes.

## Committing to protecting children through the Global Sustainable Development Goals

- Goal 5 aims inter alia to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, as well as to eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation.
- Goal 8 calls among others to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.
- Goal 16 aims inter alia to end abuse, exploitation, trafficking and all forms of violence against and torture of children ([A/69/L.85](#)).

Since its creation, the mandate of the Special Rapporteur has been underfunded and has operated without a specific budget from the Human Rights Council. This constraint has limited its scope of action. It is essential to seize the opportunity of the renewal of the mandate in 2017 to provide it with sufficient funds, to effectively enable the mandate to maximise its potential. Furthermore, the renewal of the mandate would also be the occasion to recognise the evolutions in terminology in this field and thus modify the name of the mandate of the Special Rapporteur to make it child rights compliant.

In September 2015, the international community adopted the Agenda for Sustainable Development, which will guide the work of many stakeholders towards a world free of poverty by 2030. The Agenda has set among its targets the eradication of abuse, exploitation, trafficking and all forms of violence against children by 2030. The international community has thus given itself a clear deadline. We can only hope that ongoing efforts at the international

and national levels, including from non-governmental actors, combined with effective political resolve from world leaders and the allocation of necessary resources by States, will finally lead to the eradication of the sale and sexual exploitation of children worldwide.

The mandate can make a contribution to what is most important, namely a change of the hearts and the minds of all people in order to give children their due: respect of their human rights. They are vulnerable and underrepresented and thus need more, not less human rights.



Ms Maud de Boer-Buquicchio  
United Nations Special Rapporteur on the sale of children, child prostitution, and child pornography



Special Rapporteur, Ms Maud de Boer-Buquicchio, meeting with care leavers and members of the Youth Council of the Georgian Child and Youth Coalition, in Tbilisi, during her country visit to Georgia in 2016.

# FOREWORD

In 1989, the international community affirmed and set out the many rights to which children are entitled when they adopted the Convention on the Rights of the Child. Just one year later, the first new Special Procedures mandate to be created after the Convention's adoption was the Special Rapporteur on the sale of children, child prostitution and child pornography. The creation of this mandate represented a clear statement by the international community that the issue of the sale and sexual exploitation of children was indeed a significant obstacle to the fulfilment of the vision of the Convention on the Rights of the Child, and one that urgently needed to be addressed.

The present handbook, produced by the current United Nations Special Rapporteur on the sale of children, child prostitution and child pornography, with support from Plan International, Defence for Children-ECPAT Netherlands, and Terre des Hommes International, commemorates the 25 years of achievements of this mandate. Over the last two and a half decades, the five Special Rapporteurs have succeeded in exploring and understanding the complex issues surrounding the sale and sexual exploitation of children, always seeking to address contemporary trends as well as new and emerging challenges faced by children. They have consistently urged United Nations Member States to live up to their commitments under the Convention on the Rights of the Child (CRC) and its Optional Protocols.

Over these years, the mandate has collaborated closely with civil society, and these partnerships have rendered the mandate even more effective. Organisations like Plan International, ECPAT International, Defence for Children International and Terre des Hommes International have partnered with the Special Rapporteur, mutually strengthening advocacy at the international level and raising the profile of these critical issues among policy-makers. Engagement with civil society has been particularly important at the national level, where organisations have provided key information for the Special Rapporteur's thematic and country-specific reports, facilitated partnerships with actors on the ground, and established essential links with children themselves. Such connections have helped the Special Rapporteur to identify and raise awareness of often overlooked issues, and ensure that all facets of these issues are explored.

Despite the enormous value the Special Rapporteur has brought to the international system, change has been too slow. It is unacceptable that in 2016, millions of girls and boys continue to be sold, exploited at the whims of adults, and treated as property to be passed from one hand to another. The Special Procedures mandate holders are just one piece of a puzzle, and without significant political will at the national level, progress will continue to stagnate. 196 Governments have ratified the CRC, and 173 have ratified its Optional Protocol on the sale of children. These commitments are important, but without action, they are insufficient. National governments need to commit resources to establish comprehensive child protection systems, collaborate more effectively across borders, and fortify their justice systems to ensure that perpetrators do not walk free.

It is these same Governments that have committed, by adopting the Sustainable Development Goals, to end all forms of violence against girls and boys by 2030. If this goal is to be reached, progress must be accelerated. It is our hope that this report will serve not only to further increase awareness about the complex issues surrounding the sale and sexual exploitation of children, but also to inspire concrete action on the part of all actors – Governments, UN agencies, the private sector and civil society – to do everything in their power to create a world in which every girl and boy is free from abuse, exploitation and all forms of violence by 2030. We have 14 years. We must step up the pace.

Plan International  
ECPAT International  
Terre des Hommes International

# PART 1

## THE CREATION OF THE MANDATE

### A. The mandate

The sale and sexual exploitation of children was addressed and codified at the international level for the first time with the adoption of the Convention on the Rights of the Child in 1989.<sup>1</sup> The need to condemn the exploitation of children, in general, had nonetheless been addressed in the previous declarations on the rights of the child both of 1924 and 1959.<sup>2</sup> Moreover since 1974, the Working Group on Contemporary Forms of Slavery had studied severe forms of exploitation of children.<sup>3</sup> The development of international law on the rights of the child also pushed the United Nations Commission on Human Rights to appoint in 1990 at its 46<sup>th</sup> session “a Special Rapporteur to consider all matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes.”<sup>4</sup>

This newly created mandate was added to the United Nations Special Procedures system. The latter has been in existence since 1967 when the Commission on Human Rights and then the Economic and Social Council decided to give annual consideration to the question of the violation of human rights and fundamental freedoms in all countries.<sup>5</sup> From the onset of the creation of the first mandates it was clearly established that Special

“THE SPECIAL RAPPORTEUR OFFERS A UNIQUE PLATFORM TO RAISE AWARENESS, KNOWLEDGE AND UNDERSTANDING OF THE PHENOMENON, MONITOR RESPECT FOR CHILDREN’S RIGHTS, ADDRESS ALLEGATIONS OF VIOLATIONS, AND ADVOCATE FOR THE IMPLEMENTATION OF SPECIFIC MEASURES AND CONCRETE RECOMMENDATIONS.”

*- Ms Najat Maalla M’jid, former Special Rapporteur*

Rapporteurs were independent experts who had to be of the utmost integrity and impartiality.<sup>6</sup>

The first thematic studies by the initial Special Rapporteur, Mr Vitit Muntarbhorn (Thailand), aimed to create a centralised compilation of data on the sale and sexual exploitation of children. The reports would thus contain an update on statistics and good practices provided by Member States and non-governmental organisations. Following the first World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996, the second Special Rapporteur, Ms Ofelia Calcetas-Santos (the Philippines), called for all States to engage in systematic and regular data gathering.<sup>7</sup> During her

<sup>1</sup> See [Convention on the Rights of the Child](#), Arts. 19, 25, 34 & 39.

<sup>2</sup> [Geneva Declaration of the Rights of the Child](#) (1924), Art. 4; [Declaration of the Rights of the Child](#) (1959), Principle 9.

<sup>3</sup> [Handbook on the Optional Protocol on the sale of children, child prostitution and child pornography](#), UNICEF Innocenti Research Centre, 2009, p.3.

<sup>4</sup> [E/CN4/RES/1990/68](#).

<sup>5</sup> Resolution 8 (XXIII) 16 March 1967 of the Commission on Human Rights; Resolution 1235 (XLII) 6 June 1967 of the Economic and Social Council.

<sup>6</sup> Special Rapporteurs serve in their personal capacity. Thus, they are not staff members of the United Nations and do not receive a salary for their work. Furthermore, mandate holders are legally classified as experts on mission and thus enjoy functional privileges and immunities provided by the Convention on the Privileges and Immunities of the United Nations. Special Rapporteurs are supported in their work by staff members from the Office of the High Commissioner for Human Rights. The work of Special Rapporteurs is governed by the code of conduct for Special Procedures mandate holders and the Manual of Operations of Special Procedures (Manual of Operations of the Special Procedures of the Human Rights Council, August 2008).

<sup>7</sup> [E/CN.4/1997/95](#).



## Quantifying child sexual exploitation

The relevance of the Special Rapporteur was confirmed by the groundbreaking research undertaken by the International Labour Organization (ILO) which quantified, for the first time in 2000, the extent of child sexual exploitation worldwide. Out of 8.4 million children involved in other worst forms of child labour, 1.8 million were being prostituted or coerced into producing pornography.<sup>8</sup> This data was nonetheless considered to be a conservative estimate and the ILO emphasised that the true extent of the sale and sexual exploitation of children was hard to quantify.

In 2012, the ILO estimated that 5.5 million children below the age of 17 were involved in forced labour of which 960,000 were sexually exploited.<sup>9</sup> The drop in the number of children affected in the last ten years should nonetheless be questioned as the very nature of the activities of sale and sexual exploitation are clandestine and thus difficult to quantify. Besides, exploitation through new technologies and in particular through the “dark web” has further complicated the collection of data.

participation at the World Congress, she also took the opportunity to highlight the need to involve the private sector and the media in the fight against the sale and sexual exploitation of children.

The mandate was renewed continuously: firstly on a biannual basis, then every three years.

The broad scope of the mandate was significantly further detailed in 2008 by the Human Rights Council. For its renewal, it was stated that the Special Rapporteur was mandated to, *inter alia*:

- Analyse the root causes of the sale of children, child prostitution and child pornography;
- Identify new patterns of sale of children, child prostitution and child pornography;
- Identify, exchange and promote best practices on measures to combat the sale of children, child prostitution and child pornography;
- Continue efforts to promote comprehensive strategies and measures on the prevention of sale of children, child prostitution and child pornography;
- Make recommendations on the promotion and protection of human rights of children, actual or potential victims of sale, prostitution and pornography, as well as on the aspects related to the rehabilitation of child victims of sexual exploitation;
- Integrate a gender perspective throughout the work of the mandate.<sup>10</sup>

Through this resolution, Member States expected the mandate to intensify its work in order to adequately face

emerging risk factors.

## B. The evolving international legal framework

The first decade of the mandate was of particular importance with momentum gaining in the fight against the sale and sexual exploitation of children. In 1992, the Commission on Human Rights adopted the Programmes of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and for the Elimination of the Exploitation of Child Labour.<sup>11</sup> In 1993, the General Assembly subsequently requested the Commission to consider creating a “working group to study, as a matter of priority and in close contact with the Special Rapporteur, the elaboration of guidelines for a possible draft convention on the issues related to the sale of children, child prostitution and child pornography, as well as the basic measures required for preventing and eradicating these serious problems.”<sup>12</sup>

The second Special Rapporteur, Ms Calcetas-Santos, brought her support during the second session of the working group. She identified the gaps in the Convention on the Rights of the Child, such as the definitions of these crimes and the legal responsibilities of States. She emphasised the need to focus on the international criminalisation of the offences of sale and sexual exploitation, and the decriminalisation of child victims.<sup>13</sup> The final adoption of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2000 prohibited and criminalised the sale of children for the purposes of sexual exploitation, transfer of organs,

<sup>8</sup> [Every Child Counts: New Global Estimates on Child Labour](#), ILO 2002, p.25.

<sup>9</sup> [Marking progress against child labour - Global estimates and trends 2000-2012](#), ILO 2013, p.22.

<sup>10</sup> [A/HRC/RES/7/13](#).

<sup>11</sup> [E/CN.4/RES/1992/74](#).

<sup>12</sup> [A/RES/48/156](#).

<sup>13</sup> [E/CN.4/1996/101](#).

forced labour and adoptions, as well as child prostitution and child pornography. It was a momentous event for the mandate of the Special Rapporteur as the Optional Protocol backed up its work with an international framework which by now has been ratified by 173 States.<sup>14</sup>

In the last 25 years, the international legal framework dealing with the sale and sexual exploitation of children has been greatly strengthened. Apart from the Optional Protocol, several other treaties were adopted such as the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the International Labour Organization (ILO) Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182 of 17 June 1999), the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (15 November 2000), and the Protocol of 2014 to the ILO Forced Labour Convention, 1930 (No. 29), and the 1993 Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption.

New instruments have likewise been developed at the regional level, namely the Council of Europe Convention on Cybercrime, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the Council of Europe Convention on Action against Trafficking in Human Beings, the Inter-American Convention on International Traffic in Minors, the African Charter on the Rights and Welfare of the Child and the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

A series of international commitments and policy initiatives have also been taken, such as the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008), the Yokohama Global Commitment (2001), and the Stockholm Declaration and Agenda for Action against Commercial Sexual Exploitation of Children (1996). Furthermore, the Secretary General's Study on Violence against Children (2006) touched upon the sexual exploitation of children.



Special Rapporteur, Mr Juan Miguel Petit, talking with the Minister of Human Rights, during his country visit to Brazil in 2003.

<sup>14</sup> See [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-c&chapter=4&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-c&chapter=4&lang=en), last accessed on 2 May 2016. Barbados, Cameroon, the Cook Islands, Fiji, Ghana, Ireland, Kenya, Liberia, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Saint Kitts and Nevis, Sao Tome and Principe, Singapore, the Solomon Islands, Somalia, South Sudan, the State of Palestine, Tonga, Trinidad and Tobago, Tuvalu and Zambia still need to ratify the Optional Protocol on the sale of children, child prostitution and child pornography.

# PART 2

## WORKING METHODS OF THE MANDATE

### A. Country visits

Fact-finding missions or country visits are an opportunity for the Special Rapporteur to assess the human rights situation in a given country and more specifically the state of child rights and child protection systems. During a country visit, the Rapporteur will aim to meet all the concerned stakeholders ranging from national and local authorities, which include the executive, legislative and judicial branches; members of civil society; child rights and protection non-governmental organisations and experts; children; as well as the United Nations and other inter-governmental agencies. A country visit is always concluded by a press conference in order to present the preliminary findings of the mission.

Country visits are undertaken following an invitation by the Government and are prepared and conducted in close cooperation with the State concerned. In preparation of the mission, the Special Rapporteur seeks relevant information from multiple stakeholders.

The selection of countries for visits is based on a set of criteria, which are determined at the discretion of each mandate holder. These include indicators such as the prevalence of the phenomena of sale and sexual exploitation of children in the country, allegations of violations, implementation of effective programmes to prevent and combat the phenomena, information on whether visits have already been requested by previous mandate holders, follow-up to previous

### FOUR WORKING METHODS OF THE SPECIAL RAPPORTEUR



#### COUNTRY VISITS

When invited by a Government, the Special Rapporteur can visit a country to assess the human rights situation.



#### COMMUNICATIONS

Individuals and groups can send information to the Special Rapporteur on allegations of human rights violations.



#### THEMATIC STUDIES

The Special Rapporteur writes reports on specific topics that warrant attention.



#### AWARENESS-RAISING

The Special Rapporteur raises awareness and provides expertise on specific topics that require action.

visits, communications sent by the mandate holder, ratification by States of the Convention on the Rights of the Child and Optional Protocol on the sale of children, child prostitution and child pornography and their reporting status, and countries scheduled to undergo the next cycle of the Universal Periodic Review by the Human Rights Council. Invitations from States, as well as proposals from UN partners and non-governmental organisations may also be at the origin of a visit. The selection of the countries to be visited also needs to reflect a geographical balance and tackle the transnational dimension of the phenomena.<sup>15</sup>

The conduct of a country visit is governed by the terms of reference for fact-finding missions, the code of conduct for Special Procedures mandate holders and the Manual of Operations of Special Procedures.<sup>16</sup> These documents contain the key principles to ensure the independence of the fact-finding mission, the freedom of action of the Special Rapporteur, and the security and safety of his or her interlocutors.

Following a country visit, the Special Rapporteur

### Democratic transition and child protection

“During the 2001-2008 period, the mandate focused its action on several countries that were facing the consolidation of their democratic institutions. Many of them were leaving behind troubled times of absence of rule of law, lack of political participation and human rights violations. In this context, abuse and trafficking in all their possible manifestations became a serious problem. Transitional processes needed powerful ideas to pave the way towards holistic public policies for the protection of children. Visits to Albania, Romania, Ukraine, Paraguay and South Africa were aimed at this purpose: to tackle the need for a new kind of intervention from the State to protect children from becoming victims of sexual abuse, trafficking, sexual commercial exploitation, the production of abusive images (pornography) and all kinds of exploitation.

The question of migration was focused on as a human rights issue and also as a phenomenon needing special protective measures for children. In this sense, missions to Mexico and Greece pointed to the need of a global human rights perspective to handle the arrival of families, to assist unaccompanied minors, and to develop safety nets to avoid crimes against and exploitation of children.”

*Mr Juan Miguel Petit, former Special Rapporteur*

presents a report with his or her findings, conclusions and recommendations to the State concerned at the Human Rights Council session in March. The conclusions and recommendations made by the Special Rapporteur are a particularly useful tool for States to improve measures to prevent and eliminate the sale and sexual exploitation of children, and to strengthen their national child protection systems.

Special Rapporteurs conduct two to three country visits per year, for a duration of generally one to two weeks. Since the mandate’s inception, the successive Special Rapporteurs have been to 34 different countries (see Annex 2 for a comprehensive list of the countries visited). The conclusions and recommendations made in the country visit reports have provided guidance for legislative and institutional reforms, among others. There have also been follow-up visits which have enhanced the possibility of verifying the impact and implementation of recommendations made previously. Follow-up is also ensured through coordination with other human rights monitoring mechanisms, including the Committee on the Rights of the Child and Universal Periodic Review, as well as international and regional actors, including United Nations agencies, funds and programmes.

## B. Communications

An essential tool of the Special Rapporteur is the possibility to act on information received on allegations of human rights violations related to the mandate from different sources, by sending a communication to the Government concerned. A communication, which can take the form of an urgent appeal or an allegation letter, is a diplomatic letter addressed to the Minister of Foreign Affairs of the State concerned. Communications cover a wide range of situations, such as a child or a group of children whose rights are alleged to have been breached or legislation, policies or practices which at first view jeopardise or contravene the rights of the child. The decision to act or not on the information received is at the discretion of the Special Rapporteur.

Communications are a quick response tool. Their objective is to ensure that the relevant authorities are aware of a particular violation and take immediate measures to stop, redress and/or prevent the violation of the rights of the child.

Communications of United Nations Special Procedures are not a quasi-judicial procedure. Thus, it is not necessary to exhaust national remedies to issue a communication. This procedural flexibility is important when it is compared to the communications procedure by the Committee on the Rights of the Child governed by

<sup>15</sup> [A/69/262](#).

<sup>16</sup> [E/CN.4/1998/45](#).

### Communications as an advocacy tool

“Given the limited resources a mandate holder has for his or her activities, the mandate in this period (2001 – 2008) developed a very active strategy about communications sent to Governments. 125 communications were sent, covering diverse matters of concern, specific cases requiring the protection of the child victim, and complaints and issues to be taken into account in public policies. This allowed the mandate to have a significant presence in many countries, and to advocate in public decisions regarding the situation of children and adolescents.”

*Mr Juan Miguel Petit, former Special Rapporteur*

the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OPIC), which entered into force on 14 April 2014.

The communication and the response from the State are confidential until their publication in the Communications reports of Special Procedures. Such a report is published at each regular session of the Human Rights Council, i.e. three times a year. In exceptional circumstances, the Special Rapporteur may, nonetheless, issue a public statement on a case before its publication in the Communications report. For example, such statements may be issued in cases of imminent threats to the life of a child or risks of deportation.

The successive mandate holders have dealt with cases or situations in which the following violations have occurred or were at risk of occurring:

- The sexual exploitation of children and related sale and trafficking;
- The sexual exploitation of a child which can be in exchange of money, goods or favours (e.g. accommodation or drugs);
- The sale of children for purposes of commercial sexual exploitation, criminal activities, armed conflict, begging, forced labour, sport, adoption, forced marriage, the transfer of organs or other purposes;

### The Optional Protocol to the Convention on the Rights of the Child on a communications procedure

Since 2014, children whose rights have been violated can submit a complaint to the Committee on the Rights of the Child if the concerned State has ratified the OPIC. If a violation has been committed by a State which is a party to the Convention on the Rights of the Child or one of its first two Protocols, a communication can be sent to the Committee. Where a violation is found, the Committee will recommend that the State concerned takes action to remedy the situation. For a case to be considered, all national remedies must be exhausted, or there must be proof that they are ineffective.

- The possession, production and dissemination of child abuse material;
- The grooming of a child which involves conditioning a child to ensure he or she acquiesces to engage in sexual activities;
- The exploitation of children for sexual purposes by people who travel locally or internationally (also known as “child sex tourism”).

From the creation of the mandate until April 2016, 174 communications were sent either solely or jointly with other mandate-holders, and 84 Government replies were received. This represents a response rate of 48.28%. The communications sent have served the purpose of raising awareness about specific cases of sale and sexual exploitation of children and related violations with States. Moreover, in certain instances, they have led to concrete protection measures for the alleged victims or prevention of violations.

### C. Thematic studies

Apart from their reporting duties on their activities to the Human Rights Council and to the General Assembly, the Special Rapporteurs of the mandate have had the opportunity to dedicate parts of their reports to studies on a particular topic that warrants attention. The Special Rapporteurs have reached out to United Nations agencies, Member States, civil society, regional organisations or other international bodies and experts during the researching for the reports. The consultative process adopted in the elaboration of thematic reports has led to comprehensive studies with a space for different actors to input into the work of the Special Rapporteur. Challenges and positive measures have been collated and thus numerous reports represent a compendium of international standards and good practices.

The thematic studies conclude with a set of recommendations which allow the Special Rapporteur to guide policy-making and provide practical indications on measures to take on a specific aspect of the sale and sexual exploitation of children. Over the last 25 years, the successive mandate holders were able to cover in great breadth different issues. The wide array of subjects



Special Rapporteur, Ms Najat Maalla M'jid, speaks with members of the press during her country visit to Guatemala in 2012.

that have been covered is detailed in the next chapter.

#### D. Awareness-raising

As the only mandate holder in the Special Procedures system with an exclusive focus on children, the Special Rapporteur has a unique role and responsibility to raise awareness about the rights of the child. In 1990, the first Special Rapporteur, Mr Vitit Muntarbhorn, was, with the Committee on the Rights of the Child, the only voice in the United Nations human rights system bringing the rights of the child to the fore. Though the mandate of the Special Rapporteur is focused specifically on the sale and sexual exploitation of children, successive mandate holders have applied a broad interpretation to its scope to include prohibition, protection and prevention aspects.

The Special Rapporteurs have used their visibility at the international level to bring attention to the sale and sexual exploitation of children. This has mainly been achieved through their participation in seminars, expert meetings, conferences, events and interactions with civil society, academia, youth and the media. The Special Rapporteurs have also issued press releases to bring attention to pressing issues or situations.

It has also been the function of the Special Rapporteur to engage with all the relevant stakeholders and facilitate or create links between different actors at the international, regional and local levels for advocacy purposes. Firstly, the mandate holders have closely collaborated with the Committee on the Rights of the

Child. Secondly, they have cooperated intensively with other Special Rapporteurs whose work often addressed the sale and sexual exploitation of children and related child right concerns, such as the Special Rapporteur on trafficking in persons, especially women and children; the Special Rapporteur on contemporary forms of slavery; the Special Rapporteur on violence against women, its causes and consequences; and the Working Group on the issue of discrimination against women in law and in practice. The Special Rapporteurs have also cooperated with the new mechanisms that have been created in the last ten years, such as the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General on Children in Armed Conflict. They have further interacted with relevant regional mechanisms, in particular the Special Rapporteur on Rights of Women in Africa of the African Commission on Human and Peoples' Rights and the Office of the Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights.

#### Press releases

Concerning the abduction of around 200 school girls by Boko Haram in the northeast of Nigeria in April 2014, two joint press releases were led by the Special Rapporteur. In January 2016, the Special Rapporteur undertook a joint country visit to Nigeria with the Special Rapporteurs on the right to health and contemporary forms of slavery, which allowed follow-up on the situation in the field.

# PART 3

## ISSUES IN FOCUS

### A. Prevention of the sale and sexual exploitation of children

The prevention of the sale and sexual exploitation of children has been a key priority for the mandate. It was first dealt with comprehensively in 2004 by the third Special Rapporteur, Mr Juan Miguel Petit (Uruguay), with the aim of creating a report that could be used as a reference for the design of prevention programmes and policies.<sup>17</sup> It was concluded that for prevention to be effective it is fundamental to have “political will; a sound knowledge base; an institutional presence; a multidisciplinary approach and coordination between different institutions; the participation of children and their families; outreach to the grass-roots level, especially to marginalised groups; attention to gender issues and the concerns of groups exposed to higher risks of sexual exploitation, as well as adequate human and financial resources.”<sup>18</sup>

In 2013, the development of efficient prevention strategies was further tackled by the fourth Special Rapporteur, Ms Najat Maalla M’jid (Morocco). She re-emphasised that prevention is cost-effective. Indeed the costs of response interventions are much higher than those of preventive measures. A high price in socio-economic terms is paid for the long-term effects of harm, in particular owing to the irreversible consequences to a child’s health and development.<sup>19</sup> Prevention was defined in her report with three layers identified: primary prevention, which focuses on the entire population

and consists in the provision of universal quality social services that reduce the likelihood of future violations; secondary prevention, which concentrates on specific groups or children which are known to be more at risk by providing additional, targeted, support services; and tertiary prevention, which consists of services targeting perpetrators and/or victims in order to limit the effects of the violation and prevent reoffending.<sup>20</sup>

**FOR PREVENTION TO BE EFFECTIVE, IT IS FUNDAMENTAL TO HAVE THE PARTICIPATION OF CHILDREN AND THEIR FAMILIES AND COMMUNITIES.**

The combined work of mandate holders has led to a clear conceptualisation of an integrated and holistic prevention strategy which must be incorporated in any comprehensive child protection system. For this strategy to be efficient it is essential to improve the knowledge and understanding of the phenomenon, to have an all-encompassing legal framework, to ensure a child-sensitive reporting mechanism, to identify vulnerable children, to strengthen families and communities, to empower children, to promote corporate social responsibility, to enhance international cooperation, and to regularly assess and monitor all these prevention measures.<sup>21</sup>

<sup>17</sup> [E/CN.4/2004/9](#), p.7.

<sup>18</sup> *Ibid.*, p.22.

<sup>19</sup> [A/68/275](#), pp.4-5.

<sup>20</sup> *Ibid.*, p.6.

<sup>21</sup> [A/68/275](#), pp.25-26.

## B. Addressing the demand for the sale and sexual exploitation of children

An essential aspect of any inclusive prevention strategy is the understanding of the demand behind the sale and sexual exploitation of children. In 2006, the Special Rapporteur, Mr Juan Miguel Petit, and the Special Rapporteur on trafficking in persons, especially women and children, Ms Sigma Huda, joined their efforts to study in depth, from their different perspectives, the demand for commercial sexual exploitation and trafficking. It was concluded that the sexual exploitation of children is mainly driven by men and the victims are overwhelmingly girls. A key recommendation that came out of the study was that it was necessary to prosecute not only the offenders, but also the whole supply chain from the pimps to the intermediaries. In addition, it was crucial to target potential perpetrators through awareness-raising campaigns and prevent patriarchal structures. Beliefs surrounding sexual dominance and machismo, male power and control as well as the viewing of children, especially girls, as objects of possession all contribute to foster the demand. The importance of sex-offender treatment programmes was also underlined as well as the need to engage with military personnel before their deployment.<sup>22</sup>

The fifth Special Rapporteur, Ms Maud de Boer-Buquicchio (the Netherlands), has updated and furthered research on the demand factor. The report focused on successful strategies to address the demand for sexual exploitation of children and established a more detailed profile of all those who are involved in such heinous crimes with a particular focus on all the intermediaries. In the recommendations, the Special Rapporteur called for a comprehensive mapping of the demand in order to adopt appropriate strategies. She insisted on the need to prevent the demand in the first place, to ensure the accountability of perpetrators and rehabilitate them. On this latter aspect, it is underlined that further research is necessary to clearly determine the efficiency and impact of offender rehabilitation.<sup>23</sup>

## C. Ensuring the provision of comprehensive care, recovery and rehabilitation for child victims of sale and sexual exploitation

Due to the abhorrent nature of the crimes suffered by children victims of sale and sexual exploitation, the care they receive when they escape or are rescued is of the utmost importance. The successive Special Rapporteurs

have throughout their work emphasised the obligation of States to provide care, recovery and rehabilitation services to child victims of sale and sexual exploitation. The initial programmes that were advocated included counselling programmes, organised support for families in order to prevent the victim's placement in an institution, and awareness-raising on the subject to prevent the stigmatisation of the survivor.<sup>24</sup> It was observed that in the majority of national scenarios there was no programme specifically addressing child victims of sale and sexual exploitation. Furthermore, the risk of system-induced trauma and re-victimisation were very high due to these inappropriate services.

Successive mandate holders thus sought to provide

### Sexual exploitation by criminal gangs

In the last decade, the large scale of sexual exploitation of children by organised criminal gangs was exposed in the United Kingdom. Several gangs were able to target vulnerable children due in part to the deficient care they were receiving from public institutions. Unaccompanied minors had been placed in inappropriate accommodation with little to no supervision thus making them easy targets for the perpetrators. Furthermore, budget cuts had led to the weakening of child support services. Moreover, several cases were brought to the attention of care services or law enforcement and were not taken seriously or addressed effectively.

practical guidelines to States and other actors. An urgent priority was to provide separate care for child victims of sale and sexual exploitation and differentiate this care from existing programmes dealing with child victims of domestic abuse and violence or dealing with adults. The third Special Rapporteur, Mr Juan Miguel Petit, detailed the services that needed to be provided by shelters and the importance of long term therapies.<sup>25</sup>

The report of the current Special Rapporteur, Ms Maud de Boer-Buquicchio, built on collected good practices to present concise and concrete guidelines. From this study, it was concluded that comprehensive care, recovery and reintegration programmes needed to include:

- Rapid victim identification and coordinated referral mechanisms;
- Specialised training for personnel involved in the

<sup>22</sup> [E/CN.4/2006/67](#), p.21.

<sup>23</sup> [A/HRC/31/58](#)

<sup>24</sup> [A/50/456](#), pp.16, 18, 20.

<sup>25</sup> [A/HRC/7/8](#), pp.21-23.



detection process;

- Awareness-raising and outreach to victims and children in vulnerable situations;
- Centralised databases for case management to ensure that child victims are identified, linked to services and followed-up on a long-term basis;
- Access of child victims to safe and secure housing, medical and psychological care, legal assistance, education, vocational training, life skills and socio-economic support, sports and leisure activities, religion and cultural practices;
- Accessible avenues for participation, supporting a sense of agency in the care, recovery and reintegration programme of children, keeping them informed and consulting them on decisions affecting them;
- The involvement of the family in the care, recovery and reintegration process;
- Providing assistance, including psychosocial support and livelihoods, to the family;
- Inter-disciplinary agencies for the coordination of integrated care, recovery and reintegration programmes, with clear roles and responsibilities in the delivery of support services;
- Independent monitoring and assessment mechanisms to inform, evaluate and guide care, recovery and reintegration programmes;
- Consistent funding and adequate resources to provide continuous comprehensive quality assistance and ensure the sustainability of support services to child victims in the short, medium and long term.<sup>26</sup>

These guidelines constitute a perfect example of the technical assistance and advice the Special Rapporteur can give to States, and fulfils a basic responsibility of

### Grooming of children on the Internet

Sexual predators have used the anonymity offered by the Internet to groom children. Through the gradual building of a relationship of trust, predators manage to persuade the child to engage in sexual activity either live in front of a webcam or by sending explicit pictures. The child is then vulnerable to exploitation as predators will often blackmail them into producing more material.

the United Nations to support concrete reforms at the national level.

### D. Information and communication technologies facilitating the sale and sexual exploitation of children

A recurrent pattern during the last 25 years has been the inexorable rise of the Internet and new technologies as tools to commit the offences of sale and sexual exploitation of children. Several Special Rapporteurs studied the impact of information and communication technologies in their thematic studies and the fast evolving nature of the Internet has necessitated constant updates.

In the second half of the nineties, the second Special Rapporteur, Ms Calcetas-Santos, began to address the emerging risks presented by the Internet. Firstly, she identified that the definition of child pornography risked being outdated and did not explicitly cover the prohibition of pseudo-child pornography, which included the “morphing” of child and adult bodies to create virtual child pornographic images.<sup>27</sup> She further emphasised the need to involve users and encourage self-regulation through the possibility of reporting child abuse material. The private sector and computer industries were strongly encouraged to strengthen self-regulatory tools.

In 2005, the third Special Rapporteur, Mr Juan Miguel Petit, dedicated a comprehensive report to the subject, and it had a particularly strong echo among State agencies and non-governmental organisations. He was invited to present his report officially in Chile to the Servicio Nacional de Menores.<sup>28</sup> He identified new types of abuse committed through the Internet, such as grooming or the production of child erotica, and technological advances facilitating illicit activities, such as purchases through virtual currencies. The advent of Internet-enabled mobile phones was also flagged as being a risk factor. The Special Rapporteur welcomed positive measures such as the Council of Europe Convention on Cybercrime, which comprehensively dealt with the issue of child pornography, and called for the adoption of legislation covering the crimes of grooming a child for sexual exploitation, and the production of child erotica.

In addition, in his report, the Special Rapporteur approached the complex issue of consent for sexual activity and deemed that legislation on child pornography should protect all children under the age of 18 regardless of a lower age of consent for sexual

<sup>26</sup> [A/70/222](#), p.23.

<sup>27</sup> [E/CN.4/1998/101](#), p.9.

<sup>28</sup> [A/HRC/7/8](#), p.8.



Young mother with her baby in Nicaragua.

activity, stressing that a child cannot be considered as able to consent to engage in pornography.<sup>29</sup> The Special Rapporteur observed that attention was concentrated on prevention with little to no consideration for child victims of online exploitation. He further concluded that though self-regulation by Internet service providers was fundamental, it was insufficient to prevent the sexual exploitation of children online.

Despite the fact that precise data remains difficult to obtain due to the illicit nature of child pornography and the anonymity offered by the Internet, clearer patterns were identified by the mandate. One of the most abhorrent elements was the majority of images of prepubescent children in the mass of child abuse material.<sup>30</sup> Another new element was the use of online streaming of child abuse which further complicates the work of law enforcement bodies. A shift in terminology was also operationalised, with a preference for referring to “child abuse material” instead of “child pornography”, though the latter remained in the discourse because of the title of the mandate, as determined by the Commission on Human Rights and the Human Rights Council.<sup>31</sup>

The involvement and cooperation of all relevant actors has greatly improved and the thematic study of 2014 on information and communication technologies by the current Special Rapporteur, Ms Maud de Boer-Buquicchio, highlighted several positive patterns. Initiatives such as the Virtual Global Taskforce, the Global Alliance against Child Sexual Abuse Online and the #WePROTECT Children Online Initiative have aimed to involve all the relevant actors in the fight against child sexual exploitation and meet the challenge represented by the borderless nature of Internet related crime.<sup>32</sup> The current Special Rapporteur has insisted on the need to ensure effective cooperation between these above-mentioned initiatives in order to have a truly functioning global permanent body which would be responsible for the harmonisation of practices and procedures, the sharing of expertise and good practices, and finally the provision of assistance to States for the development of national legislation, policies and strategies to effectively combat online child sexual exploitation.

## E. Sexual exploitation of children in travel and tourism

Since the very inception of the mandate, it was clear

for the Special Rapporteurs that the sale and sexual exploitation of children were rife in the context of travel and tourism. The position of the Special Rapporteur at the international level was particularly well adapted to tackle the global nature of exploitation in travel. The different layers of demand for the sexual exploitation of children in travel and tourism has mainly originated in industrialised countries and targeted popular tourist destinations. It is not limited to developing countries and will depend mainly on the ease to commit such crimes with utter impunity.<sup>34</sup>

### Sexual exploitation of children in travel and tourism

Instances of sexual exploitation of children in travel and tourism are reported in 62 countries out of the 188 covered by The Protection Project's Trafficking in Persons Report of 2014, with offenders originating from 21 countries and travelling to 30 countries.<sup>32</sup> In certain popular tourist destinations, children in particularly vulnerable situations (e.g. poverty, economic hardship), have been pushed by their parents to prostitute themselves in order to bring additional income to the household. The Global Study on the Sexual Exploitation of Children in Travel and Tourism will be launched this year, providing the largest databank on this phenomena.

The involvement of all the relevant different actors has led to significant advances. For example, a Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (“The Code”) was created by ECPAT Sweden, in 1996, as a follow-up to the first World Congress against Commercial Sexual Exploitation of Children. It is an industry-driven and multi-stakeholder initiative.<sup>35</sup> Member companies have pledged to establish an ethical policy regarding the commercial sexual exploitation of children; to train the personnel in the country of origin and travel destinations; to introduce clauses in contracts with suppliers, stating a common rejection of sexual exploitation of children; to provide information to travellers by means of awareness materials (catalogues, brochures, in-flight films, ticket-slips, home pages, etc.); to provide information to local “key persons” in tourism destinations; and to report annually.<sup>36</sup> In addition, the World Tourism Organization

<sup>29</sup> [E/CN.4/2005/78](#), p.15.

<sup>30</sup> [A/HRC/12/23](#), p.9; [A/HRC/28/56](#), pp.8-9.

<sup>31</sup> [A/HRC/28/56](#), p.9.

<sup>32</sup> The Protection Project. "[The Protection Project Review of the Trafficking in Persons Report.](#)" July 2014.

<sup>33</sup> [A/HRC/28/56](#), p.18.

<sup>34</sup> [A/HRC/22/54](#), p.6.

<sup>35</sup> *Ibid*, p.17.

<sup>36</sup> *Ibid*, p.17.

developed a Global Code of Ethics for Tourism in 1999, which covers the issue of the sexual exploitation of children in travel and tourism. Such initiatives have pushed forward corporate social responsibility and have led to effective awareness-raising and training of staff.

The fourth Special Rapporteur, Ms Najat Maalla M'jid, specifically focused on promoting the argument that preventing and combating the sexual exploitation of children in travel and tourism is not detrimental to the tourism industry. She also pushed, with the Committee on the Rights of the Child, for the adoption by States of extraterritorial legislation and the abolition of the double criminality requirement.<sup>37</sup> Another fundamental point for the Special Rapporteur was the advocacy for effective international cooperation, in particular between law enforcement agencies, in order to prevent registered sex offenders from taking advantage of information loopholes.<sup>38</sup>

Intrinsically linked to the sexual exploitation of children in travel and tourism is their exploitation in the context of major sporting events such as the FIFA World Cup and the Olympic Games. With the growth of global tourism and constant increase of visitors coming to witness major sporting events, the Special Rapporteur identified the greater risk for children. The involvement of the private sector and sport bodies are of the essence. Ms Maalla M'jid organised a side event on this subject in March 2014, with the collaboration of key partners such as the Government of Brazil, ECPAT and Terre des Hommes International, before the Football World Cup held in Brazil.<sup>39</sup>

## F. Protection of children from sale and sexual exploitation following humanitarian crises due to natural disasters

With the increase in natural disasters due to climate change and the severe humanitarian crises caused by armed conflicts, the fourth Special Rapporteur, Ms Najat Maalla M'jid, focused her attention on the vulnerability of children to sale and sexual exploitation in such scenarios. An initial pinpointed problem was the absence of a comprehensive framework for the coordination and allocation of roles and responsibilities of multiple international and local responders, which frequently leads to confusion, unnecessary duplication

## LACK OF REGISTRATION INCREASES THE RISK OF CHILDREN BEING SOLD OR EXPLOITED IN TIMES OF EMERGENCY.

of efforts and substantial protection gaps.<sup>40</sup>

The lack of experience of first and second responders is also of particular worry, and the Special Rapporteur called for the creation of child protection officers within humanitarian response teams. All the relevant staff should receive comprehensive training on child protection in a natural disaster.<sup>41</sup> From these general concerns, the Special Rapporteur additionally detailed all the aspects of the response to a humanitarian crisis which needed to be addressed.

Firstly, she underlined that the lack of registration of children, prior to and following a disaster, increases the risk of them being sold, exploited or illegally removed from their families and communities. The Special Rapporteur further emphasised the importance of creating safe spaces for children in temporary shelters or camps with the availability of child-friendly reporting/complaint mechanisms. Thirdly, she noted the need for appropriate care and treatment, which should be family- or community-based when feasible. A final point made by the Special Rapporteur was that national or international adoption should not be permitted until comprehensive analyses were made of the suitability of the children for adoption. International adoptions should only be a last resort and be in compliance with the 1993 Hague Convention on Inter-Country Adoption.<sup>42</sup>

### Exploitation during natural disasters

The earthquake that hit Nepal in 2015 has left numerous children orphaned or separated from their relatives. There is a very high risk that these children in vulnerable situations will be targeted by human traffickers. In Haiti, following the 2010 earthquake, more than 2,500 irregular voyages by children were recorded at border crossings, of which 460 were cases of trafficking.<sup>43</sup>

<sup>37</sup> Double criminality applies to extradition matters and signifies that the offence under which the alleged perpetrator is indicted must be a crime under the laws of both countries: where he is to be judged and where the offence was committed.

<sup>38</sup> [A/HRC/22/54](#), p.20

<sup>39</sup> See [www.ohchr.org/EN/Issues/Children/Pages/SideEventHRC25.aspx](http://www.ohchr.org/EN/Issues/Children/Pages/SideEventHRC25.aspx)

<sup>40</sup> [A/HRC/19/63](#), p.18.

<sup>41</sup> Ibid, p.19.

<sup>42</sup> Ibid, pp.20-22.

<sup>43</sup> [A/HRC/19/63](#), p.11.

# PART 4

## ACHIEVEMENTS OF THE LAST 25 YEARS

### A. Development of a holistic approach

The often transnational nature of the crimes covered by the mandate of the Special Rapporteur has required the development of a holistic approach. The experience gathered in the last 25 years enabled the fourth Special Rapporteur, Ms Najat Maalla M'jid, to clearly detail the content of a comprehensive child rights strategy.

She advocated for States to adopt effective child protection systems, which need to include:

- Comprehensive legal frameworks to prevent, prohibit and protect children from all forms of sale and sexual exploitation;
- Child-sensitive justice systems;
- Strong institutions and mechanisms, including community-based mechanisms, equipped with well-trained staff, providing care, recovery, reintegration and follow-up of children;
- Sustainable preventive measures that take into account all the underlying factors, including demand;
- Awareness-raising about the sale and sexual exploitation;
- Social protection policies and family strengthening programmes;

- Strong corporate social responsibility among the private sector, in particular from Internet service providers, telecommunications, tourism, travel, media and financial institutions;
- Societies in which children and young people are involved in designing solutions and contributing to assessments;
- Reliable and updated information;
- Regular assessment and accountability mechanisms.

Furthermore, she advocated for child rights-centred and operative transnational cooperation, which consists of:

- The establishment of a comprehensive and global legal framework to prevent, prohibit and protect children from all forms of sale and sexual exploitation;
- The sharing and updating of information related to child victims and offenders through strong cooperation among law enforcement agencies and justice systems;
- The harmonisation of practices and procedures to prevent and respond to the sale and sexual exploitation of children;
- The sharing of expertise and scaling up of good practices;

#### Concrete action following a mission

“In response to specific cases of child rights violations, a country visit was undertaken in France in 2002. The mission focused on the existence of paedophile rings and organised crime related to sexual abuse and trafficking. The mandate underlined some gaps in the legal framework and loopholes in the protection services for children. The visit had a big impact on public opinion. As a result, laws related to the reporting obligation of professionals in cases of sexual offenses were updated and new policies were set in place.”

*Mr Juan Miguel Petit, former Special Rapporteur*

- The provision of sustainable support to the development and strengthening of child protection systems, especially in low-income countries;
- The increase of cooperation and harmonisation in the work of the United Nations system.<sup>44</sup>

Child protection systems and transnational cooperation constitute an all rounded approach to the fight against the sale and sexual exploitation of children.

## B. Issuing practical recommendations

In all their reports, it has been the utmost priority of the Special Rapporteurs to provide concrete and hands-on recommendations. For instance, the fourth Special Rapporteur, Ms Najat Maalla M'jid, insisted on the "importance of providing pragmatic, realistic and action-oriented recommendations to be shared with all relevant stakeholders, particularly in the framework of country visits, in order to ensure enhanced ownership of the recommendations and the actions to be undertaken."<sup>45</sup>

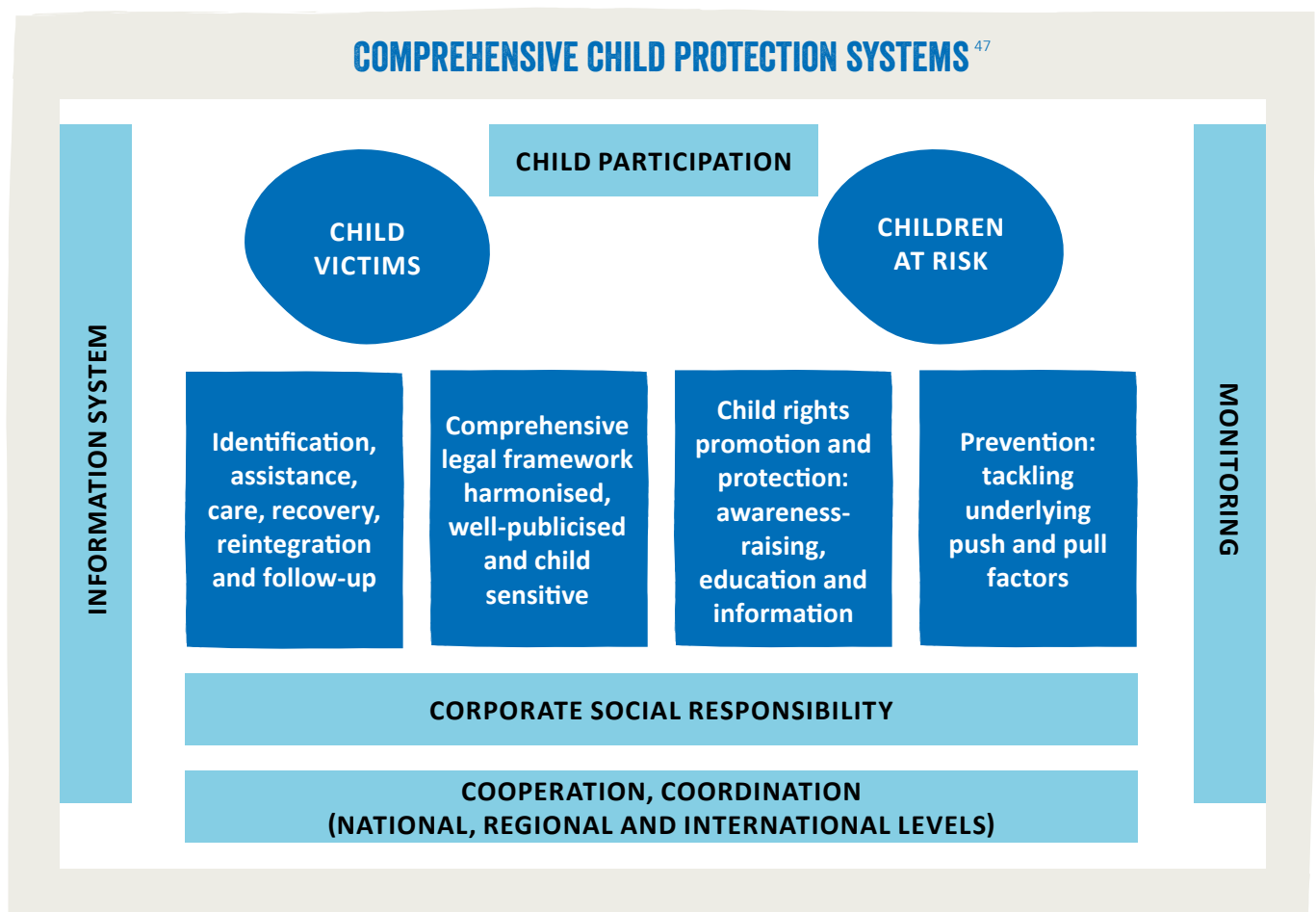
Following a country visit, the Special Rapporteur would

call for the creation of an ombudsperson for children or to ensure that the existing ombudsperson is accessible to children. In a different context, the mandate holder would recommend that the authorities decriminalise the involvement of children in prostitution in order to ensure that they are considered as victims. Another example of concrete recommendations would concern the effective implementation of a national action plan or its resourcing.

Moreover, Ms Najat Maalla M'jid included in several of her reports clear diagrams summarising the structure required for a holistic child strategy.<sup>46</sup>

## C. Raising awareness and creating effective networks

One of the fundamental missions of the Special Rapporteur has been to serve as a link between Member States of the United Nations, other United Nations mechanisms, regional organisations, non-governmental organisations, experts and practitioners in the field. The successive mandate holders have endeavoured to,



<sup>44</sup> [A/HRC/25/48](#), pp.22-23.

<sup>45</sup> [A/HRC/25/48](#), pp.23-24.

<sup>46</sup> [A/HRC/22/54/Add.1](#); [A/HRC/22/54/Add.2](#); [A/HRC/25/48/Add.2](#); [A/HRC/25/48/Add.3](#).

<sup>47</sup> [A/66/228](#), p.6.



Special Rapporteur, Ms Maud de Boer-Buquicchio, meeting with girls victim of sexual exploitation, during her country visit to Japan in 2015.

when relevant, involve various actors in their activities through their four working methods. A common and united voice through joint communications or public statements on key matters relating to child rights has proven to have a stronger impact and echo.

Child marriage, which may amount to the sale of children, is for instance another subject that successive mandate holders have advocated against, in particular through joint communications, conferences and reports.

Additionally, the Special Rapporteurs have given strong attention to children in street situations and have contributed to ensure that their plight is not overlooked. These children are a particularly vulnerable group and are often victims of sexual exploitation. The consecutive mandate holders have thus participated in numerous events on children in street situations and have systematically focused on them during country visits.

During the sessions of the Human Rights Council, the mandate has organised events to highlight a specific subject generally linked to the theme of the report being presented at the Council or to a thematic priority for the mandate.<sup>48</sup> These meetings have been an invaluable occasion for the Special Rapporteur to bring together expert partners, facilitate constructive exchanges, and promote follow-up on issues such as the sexual exploitation of children in travel and tourism as well as

in major sports events.

Furthermore, various Special Rapporteurs have consistently insisted, together with other mechanisms such as the Committee on the Rights of the Child, on the need for Member States to ratify the Optional Protocols to the Convention on the Rights of the Child. Their awareness-raising, in particular during country visits, has led to additional ratifications of the three Protocols to the Convention on the Rights of the Child.

### Collaboration with civil society

Collaboration with civil society has been crucial in the work of the Special Rapporteur. Organisations such as Plan International, Defence for Children International, ECPAT International, and Terre des Hommes International, among others, provide an important link between the United Nations, the Special Rapporteur, and children, families and communities all over the world. The support of these organisations to the mandate includes meeting with the Special Rapporteur during country visits, coordinating civil society organisations to input into the Special Rapporteur's thematic reports, and providing evidence from its own experience on the ground, especially from participatory research conducted with children themselves.

<sup>48</sup> See Issues in focus section <http://www.ohchr.org/EN/Issues/Children/Pages/ChildrenIndex.aspx>

## Need for strong public policies

“As a general conclusion, during the period of 2001-2007, the mandate emphasised the need for a new set of public policies for children, capable of combatting the new challenges of trafficking, sexual exploitation and abuse. Prevention, community education, human rights sensitisation, the involvement of civil society and an active role of all social actors, from Parliament to the business sector, were stated during the country visits.”

*Mr Juan Miguel Petit, former Special Rapporteur*

## D. Sharing of good practices

The emphasis placed on good practices has been at the core of the work of the mandate. Initial reports by the Special Rapporteurs had a section on national developments, which combined updates on existing child rights violations and the adoption of positive measures by States. During the last three tenures, mandate holders have compiled positive processes linked to the subject of their thematic reports.

The sharing of successful measures and the technical assistance provided by Special Rapporteurs have led to reforms at both the national and international levels. For example, the fourth mandate holder promoted the model law for child protection developed by The Protection Project at Johns Hopkins University and the International Centre for Missing and Exploited Children, among Member States. This model law is built on best legal practices from countries around the world.<sup>49</sup>

Throughout their work, the Special Rapporteurs have also shared existing policies in respect to child-sensitive justice. The wealth of resources on this subject is substantial but underused, and the mandate holders have endeavoured to have these documents implemented. Some essential good practices can be found in the General Comment 10 of the Committee on the Rights of the Child on Children’s rights in juvenile justice and the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.<sup>50</sup>

## E. Child-sensitive counselling, complaint and reporting mechanisms

A common gap at the national level has been the lack of appropriate child-sensitive reporting mechanisms. In 2010, the Human Rights Council invited the Special Rapporteur and the Special Representative of the Secretary-General on Violence against Children to study

existing systems and to provide recommendations.<sup>51</sup>

The comprehensive report stands as a useful compendium of child-sensitive counselling, complaint and reporting mechanisms. The incomplete data that exists on the extent of the sale and sexual exploitation of children is due, in part, to the difficulty for children to report the abuse they suffer. As is indicated by the data of INTERPOL, the majority of abusers are persons known to the child, such as parents, relatives, neighbours or childcare professionals, which further impedes the reporting of the crime.<sup>52</sup>

The guiding principles contained in the report have been at the heart of the advocacy efforts of the Special Rapporteur. All-encompassing child-sensitive counselling, reporting and complaint mechanisms are fundamental to empower children.<sup>53</sup>

## F. Calling for action in cases of child rights violations

Press releases and communications have enabled mandate holders to bring attention to individual or systematic violations of the rights of the child. The former have covered a wide range of cases, such as the abduction of the school girls of Chibok by Boko Haram in 2014, the plight of unaccompanied children in Haiti following the earthquake in 2010, and the attempted abduction of children from Chad by the Arche de Zoé/Children Rescue in 2007.<sup>54</sup>

Through the 174 communications that have been sent, as of April 2016, successive mandate holders have been able to call for action on an extensive array of situations. These have been partially highlighted in the above illustrations of cases. Communications from the Special Rapporteurs have given human faces to the millions of child victims of sale and sexual exploitation and brought individuals to the consciousness of Governments.

<sup>49</sup> [A/HRC/25/48](#), p.14.

<sup>50</sup> [CRC/C/GC/10; E/RES/2005/20](#).

<sup>51</sup> [A/HRC/RES/13/20](#).

<sup>52</sup> See <http://www.interpol.int/Crime-areas/Crimes-against-children/Victim-identification>, last accessed on 16 September 2015.

<sup>53</sup> [A/HRC/16/56](#), p.21.

<sup>54</sup> See <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15832&LangID=E>, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=9799&LangID=E>, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=4502&LangID=E>, last accessed on 16 September 2015.





Brothers Marcel (left) and Michel (right) were trafficked from their home country of Benin to Togo by their father. (Names were changed to protect their identity.)

# PART 5

## THE REMAINING CHALLENGES

### A. Empowering children and enhancing their meaningful participation

An unrelenting obstacle for Special Rapporteurs has been the meaningful engagement of children at the international level. Though successive mandate holders have consistently met with children during their country visits, it has been a major challenge to ensure the participation of children in the rest of their activities.

Child participation is generally deficient at the national level and it is harder for children to be able to reach international institutions. The Committee on the Rights of the Child underlined in its Working Methods on child participation that, in order to be effective and meaningful at the international level, it must be understood as a process and not as a single event.<sup>55</sup> Moreover, intermediaries and those who are facilitating children's participation should ensure that the interests and priorities that are represented are those of the children themselves and not of the adults or organisations they work with.<sup>56</sup>

The fourth Special Rapporteur, Ms Najat Maalla M'jid, dedicated one of her reports to child participation, and emphasised how it had to be considered as a core component of comprehensive and rights-based child protection systems.<sup>57</sup> Authorities thus have the responsibility to institutionalise child participation; for example, through the creation of children's parliaments.

**"CHILDREN AND YOUTH MUST BE ACTIVELY INVOLVED AND PARTICIPATE IN THE DESIGN AND MONITORING OF CHILD PROTECTION STRATEGIES TO ENSURE THAT THEIR VIEWS AND NEEDS ARE TAKEN INTO ACCOUNT. CHILDREN CAN AND SHOULD TAKE PART IN FINDING SOLUTIONS TO A PHENOMENON THAT DIRECTLY AFFECTS THEIR RIGHTS."**

*- Ms Najat Maalla M'jid, former Special Rapporteur*

### B. Combatting impunity of perpetrators

The ongoing deficiencies in national child protection systems have fostered the impunity of perpetrators. Large gaps remain in national legal frameworks. To date, 173 States have ratified the Optional Protocol on the sale of children, child prostitution and child pornography, and 24 States still need to ratify it.<sup>58</sup> Many States that have ratified the Protocol have not properly implemented it or still apply the double criminality requirement regarding offences committed by nationals or against nationals abroad. In addition, the sale of children and certain aspects of sexual exploitation are not systematically outlawed in national legislation. For example, child marriage is still legal in numerous States even though it can be regarded in many cases to amount to the sale of children.

Moreover, weak law enforcement and the absence of

<sup>55</sup> [CRC/C/66/2](#), p.2.

<sup>56</sup> Ibid.

<sup>57</sup> [A/67/291](#), p.22.

<sup>58</sup> See [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-c&chapter=4&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-c&chapter=4&lang=en), last accessed on 2 May 2016.



Special Rapporteur, Ms Najat Maalla M'jid, with members of a youth association in Nosy Be, during her country visit to Madagascar in 2013.

child-sensitive interlocutors and reporting mechanisms often lead to the under-reporting of violations and the impunity of the perpetrators. Comprehensive overhauls of law enforcement systems are required in many countries in order to restore due diligence, good governance and transparency.

Lastly, international cooperation still necessitates strengthening, in particular between law enforcement agencies. Despite the efforts of INTERPOL, several registered sexual offenders are still able to perpetrate further crimes abroad.

### C. Tackling social tolerance

The impunity of perpetrators is intrinsically linked to a social tolerance for these crimes as victims and witnesses both lose the will to report abuse. In addition, certain beliefs and cultural practices foster the sale and sexual exploitation of children such as child marriage and racial as well as caste based discrimination.<sup>59</sup>

Gender-based discrimination is a further major source of social tolerance for these phenomena. The sexual exploitation of girls is often rooted in patriarchal structures that promote male sexual domination and do not condemn the commercialisation of girls and women.

They are often depicted, through gender stereotypes, in a subservient position in relation to men and boys, thus negating the ability of women and girls to make decisions regarding their own sexual and reproductive life.<sup>60</sup> Men and boys consequently need to be at the centre of efforts to change mind-sets.

### D. Engagement of the business sector

Since the inception of the mandate, successive mandate holders have called for the private sector to act responsibly and get involved in the fight against the sale and sexual exploitation of children. There has been progress, as has been shown in the sections on sexual exploitation of children in travel and tourism and on the use of new technologies to commit these crimes. Nonetheless, many other sectors still have to engage actively in the development and implementation of prevention measures. For instance, developers of virtual currencies and systems operating on peer-to-peer networks should prevent and fight the use of their products and services in the context of the sale and sexual exploitation of children.

The Guiding Principles on Business and Human Rights from 2011 are an essential benchmark that should

<sup>59</sup> [A/70/222](#), p.9.

<sup>60</sup> *Ibid*, pp.9-10.



Special Rapporteur, Ms Maud de Boer-Buquicchio, speaks with a health worker in the health clinic of the Dalori IDP camp near Maiduguri, during a joint country visit with the Special Rapporteurs on the right to health and contemporary forms of slavery to Nigeria in 2016.

be at the heart of any corporate social responsibility scheme.<sup>61</sup>

### E. Emerging risk factors

Families have been increasingly affected in their ability to care for children because of socio-economic factors or humanitarian crises. The world financial crisis increased inequalities within and among societies, and the ongoing conflicts, which have led to the highest number of displaced persons since the Second World War, have contributed to the weakening of the family.

The displacement crisis linked to these conflicts has also severely impacted children. Over half of the 19.5 million refugees worldwide are children.<sup>62</sup> These vulnerable children are particularly at risk of being sold e.g. for adoption and/or sexually exploited. Migration has also significantly amplified with numerous unaccompanied minors constituting easy targets for exploiters.

In addition, the globalisation of Internet access as well as financial transactions have increased the number of potential child victims of sale and sexual exploitation. The rise of the Internet has specifically impacted children's social norms. The easy availability of pornography can indeed affect the sexual behaviour of children and their

tolerance for certain practices.<sup>63</sup>

### F. Data collection

The illicit nature of the sale and sexual exploitation of children has made the collection of precise data particularly difficult. It is thus still impossible to have a detailed picture of the extent of these phenomena. However, certain stumbling blocks for the development of comprehensive statistics are due to the social factors outlined above. The social tolerance, shame felt by the victims and denial by the authorities all contribute to the incomplete recording of these crimes. Consequently, it is crucial to change mind-sets and encourage child victims to report their suffering with the assurance that their complaints will be filed.

<sup>61</sup> [A/HRC/17/31](#).

<sup>62</sup> See <http://www.unhcr.org/558193896.html>, last accessed on 2 May 2016.

<sup>63</sup> [A/HRC/25/48](#), pp.11-12.

# PART 6

## CONCLUDING REMARKS

This publication on the 25 years of the United Nations mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography has enabled to expose how successive mandate holders have delved into a vast number of issues bringing much needed attention to the abhorrent crimes of sale and sexual exploitation of children. Regardless of the form they take, the sale and sexual exploitation of children not only violate numerous rights of children but also devastate their lives and shatter their confidence in other human beings. Ending this scourge is consequently a collective responsibility and has to be our upmost priority.

For the first time, the international community has set itself clear targets to end all forms of violence against children through the adoption of the Agenda for Sustainable Development. The required measurement for these Sustainable Developments Goals should lead to an improved assessment of progress, namely through the adoption of comprehensive legislation, effective prevention through quality education that empowers children, enhanced law enforcement, child-friendly reporting mechanisms, and all-encompassing victim support programmes.

However, the eradication of all forms of abuse, violence and exploitation of children will depend on how the underpinning causes of the demand for the sale and sexual exploitation of children are being addressed by every single society across the world. The social, cultural, gender and institutional constructs that foster the conditions in which the sexual exploitation of children is ignored, tolerated or even accepted must be tackled as a matter of priority in the long run.

Without these profound human rights-based and child-centred reforms, we will be unable to provide a brighter future to our children and youth.

### “ADULTS SHOULD LISTEN TO US WHEN WE SPEAK UP”

- *Teenage girl in Armenia*

### “ABUSERS WALK UNDER THE SUN WHILE VICTIMS LIVE IN THE SHADOW”

- *Care provider in Japan*

### “WE ARE THE FORCE THAT CAN CHANGE THINGS”

- *Young care-leaver in Georgia*

# BIOGRAPHIES OF THE MANDATE HOLDERS



## **Ms Maud de Boer-Buquicchio, United Nations Special Rapporteur on the sale of children, child prostitution and child pornography (2014-present)**

Maud de Boer-Buquicchio (the Netherlands) was appointed Special Rapporteur on the sale of children, child prostitution and child pornography on 8 May 2014. Ms de Boer-Buquicchio studied French language and literature, and law at Leiden University, the Netherlands.

She joined the Council of Europe in 1969 and worked in different capacities in the human rights protection mechanism set up under the European Convention on Human Rights. In 1998, she was elected Deputy Registrar of the European Court of Human Rights. Between 2002 and 2012, she served as Deputy Secretary General of the Council of Europe, the first woman elected for this post. Throughout her mandates, she has focused her work on the fight against discrimination and violence, and the promotion of the rights of the most vulnerable groups, especially children. She has spearheaded the development and adoption of key Council of Europe Conventions, such as the Convention on action against trafficking in human beings and the Convention on the protection of children from sexual exploitation and sexual abuse.

She is President of the European Federation for Missing and Exploited Children, and continues to dedicate herself to ending abuse and neglect of children.

## **Ms Najat Maalla M'jid, United Nations Special Rapporteur on the sale of children, child prostitution and child pornography (2008-2014)**

Dr Najat Maalla M'jid (Morocco) served as UN Special Rapporteur on the sale of children, child prostitution and child pornography between May 2008 and June 2014.

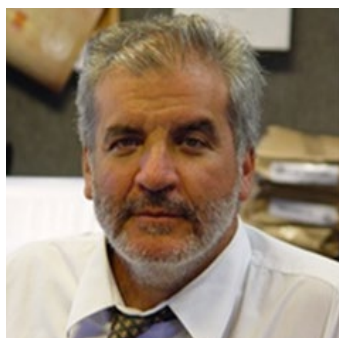
As Chair of the high-level task force to end child sexual exploitation in travel and tourism initiated by ECPAT, she provided key support to the Global Study on Sexual Exploitation of Children in Travel and Tourism: Offenders on the Move, which will be launched in May 2016.

Dr Najat Maalla M'jid is a medical doctor in paediatrics, and for the past three decades she has been engaged in the protection of vulnerable children. She has trained social workers and law enforcement in various countries, and has been involved in the drafting of studies on child victims of sexual violence, abuse and exploitation, children living and/or working on the street, and children placed in institutions, among others.

Dr Najat Maalla M'jid is an Expert-Consultant in the development and monitoring of national policies on the protection of the child in Africa, Asia, Europe, Latin America and the MENA region. She lectures in Moroccan and international universities on child rights protection, promotion, programming and monitoring, as well as social and development policies.



Dr Najat Maalla M'jid is a member of the Moroccan National Council on Human Rights, and the founder and an active member of the non-governmental organisation BAYTI, the pioneer programme addressing the situation of children living and/or working on the street in Morocco. She is a member of several regional and international child rights organisations, platforms and networks, and has authored numerous articles and reports on child rights protection.



### **Mr Juan Miguel Petit, United Nations Special Rapporteur on the sale of children, child prostitution and child pornography (2001-2008)**

Juan Miguel Petit (Uruguay) is a Doctor in Law and Social Sciences. He has been involved in social policies and journalism, specialising in penitentiary reform, preventive social policies, and the combat against the trafficking in persons and sexual exploitation.

He has been the Director of the National Children Institute of Uruguay (1985-1990), Technical Coordinator of the National Rehabilitation Centre of Uruguay for Young Offenders (2001-2005), and Human Rights Advisor of the United Nations Resident Coordinator Office in Uruguay. In his actual post, he is involved in penitentiary reform matters and follow-up of the international human rights system.

He has also been a journalist, editor of local magazines and radio producer and conductor.

### **Ms Ofelia Calcetas-Santos, United Nations Special Rapporteur on the sale of children, child prostitution and child pornography (1994-2001)**

Ofelia Calcetas-Santos (the Philippines) studied law at the University of the Philippines and practiced as a lawyer. She was also a lecturer on family law and the role of the judiciary.

She was the president of the Foundation for the Advancement of the Interests and Rights of the Child, a Philippine non-governmental organisation that focuses on the protection of children in the justice system.

Following her work as a Special Rapporteur she continued with her profession as a lawyer.

She passed away in January 2011.



### **Mr Vitit Muntarbhorn, United Nations Special Rapporteur on the sale of children, child prostitution and child pornography (1991-1994)**

Vitit Muntarbhorn (Thailand) is an International Law Professor. He was educated in the United Kingdom obtaining his law degree from Oxford University. He also holds a degree on European Law from the Free University of Brussels. He is currently Professor of Law at the Chulalongkorn University in Bangkok, teaching international law, human rights, migration and refugee law, child rights, and international humanitarian law. He was awarded the UNESCO Human Rights Education Prize in 2004.

Prof. Muntarbhorn has served on many United Nations bodies and was formally the United Nations Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, the Chair of the International Commission of Inquiry on the Ivory Coast in 2011 and, since September 2012, a Commissioner on the Independent International Commission of Inquiry on the Syrian Arab Republic.

Prof. Muntarbhorn has performed a substantial amount of work with non-governmental organisations in the field of human rights as well as with the Red Cross and Red Crescent. Prof. Muntarbhorn is the author of many publications on human rights issues, including women, children and human development.

## ANNEX 2

## LIST OF COUNTRY VISITS

Mission to Georgia (11-18 April 2016) (Yet to be published)	Mission to Greece (November 2005) ( <a href="#">E/CN.4/2006/67/Add.3</a> )
Joint mission to Nigeria (18-22 January 2016) (Yet to be published)	Mission to Albania (October 2005) ( <a href="#">E/CN.4/2006/67/Add.2</a> )
Mission to Japan (19-26 October 2015) ( <a href="#">A/HRC/31/58/Add.1</a> )	Mission to Romania (1-10 September 2004) ( <a href="#">E/CN.4/2005/78/Add.2</a> )
Mission to Armenia (12-18 May 2015) ( <a href="#">A/HRC/31/58/Add.2</a> )	Mission to Paraguay (February 2004) ( <a href="#">E/CN.4/2005/78/Add.1</a> )
Follow-up mission to Honduras (21-25 April 2014) ( <a href="#">A/HRC/28/56/Add.1</a> )	Mission to Brazil (November 2003) ( <a href="#">E/CN.4/2004/9/Add.2</a> )
Mission to Benin (28 October-8 November 2013) ( <a href="#">A/HRC/25/48/Add.3</a> )	Mission to France (November 2002) ( <a href="#">E/CN.4/2004/9/Add.1</a> )
Mission to Madagascar (15-26 July 2013) ( <a href="#">A/HRC/25/48/Add.2</a> )	Mission to South Africa (September 2002) ( <a href="#">E/CN.4/2003/79/Add.1</a> )
Mission to Kyrgyzstan (15-26 April 2013) ( <a href="#">A/HRC/25/48/Add.1</a> )	Mission to the Kingdom of Morocco (28 February-3 March 2000) ( <a href="#">E/CN.4/2001/78/Add.1</a> )
Mission to Honduras (30 August-7 September 2012) ( <a href="#">A/HRC/22/54/Add.2</a> )	Mission to the Russian Federation (October 2000) ( <a href="#">E/CN.4/2001/78/Add.2</a> )
Mission to Guatemala (20-29 August 2012) ( <a href="#">A/HRC/22/54/Add.1</a> )	Mission to Belgium and the Netherlands (December 1998) ( <a href="#">E/CN.4/2000/73/Add.1</a> )
Mission to France (21 November-2 December 2011) ( <a href="#">A/HRC/19/63/Add.2</a> )	Mission to Guatemala (July 1999) ( <a href="#">E/CN.4/2000/73/Add.2</a> )
Mission to Mauritius (1-11 May 2011) ( <a href="#">A/HRC/19/63/Add.1</a> )	Mission to Fiji (October 1999) ( <a href="#">E/CN.4/2000/73/Add.3</a> )
Mission to the United States of America (12-27 October 2010) ( <a href="#">A/HRC/16/57/Add.5</a> )	Mission to the Lao People's Democratic Republic (September 1998) ( <a href="#">E/CN.4/2000/73/Add.3</a> )
Mission to El Salvador (23-31 August 2010) ( <a href="#">A/HRC/16/57/Add.4</a> )	Mission to Kenya (August 1997) ( <a href="#">E/CN.4/1998/101/Add.1</a> )
Mission to Senegal (21-30 October 2009) ( <a href="#">A/HRC/16/57/Add.3</a> )	Mission to Mexico (November 1997) ( <a href="#">E/CN.4/1998/101/Add.2</a> )
Mission to the United Arab Emirates (12-18 October 2009) ( <a href="#">A/HRC/16/57/Add.2</a> )	Visit to the Czech Republic (May 1996) ( <a href="#">E/CN.4/1997/95/Add.1</a> )
Mission to Estonia (20-24 October 2008) ( <a href="#">A/HRC/12/23/Add.2</a> )	Mission to the United States of America (December 1996) ( <a href="#">E/CN.4/1997/95/Add.2</a> )
Mission to Latvia (25-31 October 2008) ( <a href="#">A/HRC/12/23/Add.1</a> )	Mission to Nepal (June 1993) ( <a href="#">E/CN.4/1994/84/Add.1</a> )
Mission to Mexico (May 2007) ( <a href="#">A/HRC/7/8/Add.2</a> )	Mission to Australia (October 1992) ( <a href="#">E/CN.4/1993/67/Add.1</a> )
Mission to Ukraine (October 2006) ( <a href="#">A/HRC/4/Add.2</a> )	Visit to Brazil (January 1992) ( <a href="#">E/CN.4/1992/55/Add.1</a> )



## ANNEX 3

## LIST OF THEMATIC REPORTS

**REPORTS TO THE UN GENERAL ASSEMBLY (GA) AND  
HUMAN RIGHTS COUNCIL (HRC) / COMMISSION ON HUMAN RIGHTS (CHR)**

SESSION	REPORT TITLE	SYMBOL
2016 31 <sup>st</sup> HRC session	Tackling the demand for the sexual exploitation of children	<a href="#">A/HRC/31/58</a>
2015 70 <sup>th</sup> GA Session	Comprehensive, rights-based and child-centred care, recovery and reintegration programmes	<a href="#">A/70/222</a>
2015 28 <sup>th</sup> HRC session	Information and Communication Technologies and the sale and sexual exploitation of children	<a href="#">A/HRC/28/56</a>
2014 69 <sup>th</sup> GA Session	Report of the Special Rapporteur on the sale of children, child prostitution and child pornography on approach, vision and work methods	<a href="#">A/69/262</a>
2014 25 <sup>th</sup> HRC session	Reflection on a 6-year tenure as Special Rapporteur on the sale of children, child prostitution and child pornography	<a href="#">A/HRC/25/48</a>
2013 68 <sup>th</sup> GA Session	Effective prevention strategies in combating the sale and sexual exploitation of children	<a href="#">A/68/275</a>
2013 22 <sup>nd</sup> HRC session	Sexual exploitation of children in travel and tourism	<a href="#">A/HRC/22/54</a>
2012 67 <sup>th</sup> GA Session	Child participation	<a href="#">A/67/291</a>
2012 19 <sup>th</sup> HRC session	Protection of children from sale and sexual exploitation following humanitarian crisis due to natural disasters	<a href="#">A/HRC/19/63</a>
2011 66 <sup>th</sup> GA Session	Building rights-based and comprehensive national child protection systems to prevent and combat the sale of children, child prostitution and child pornography	<a href="#">A/66/228</a>
2011 16 <sup>th</sup> HRC session	Report of activities	<a href="#">A/HRC/16/57</a>
2011 16 <sup>th</sup> HRC session	Joint report with the Special Representative of the Secretary-General on Violence against Children on child-sensitive counselling, complaint and reporting mechanisms	<a href="#">A/HRC/16/56</a>
2010 65 <sup>th</sup> GA Session	Effective implementation of the Optional Protocol on the sale of children, child prostitution and child pornography	<a href="#">A/65/221</a>
2009 12 <sup>th</sup> HRC session	Child pornography on the Internet	<a href="#">A/HRC/12/23</a>
2008 9 <sup>th</sup> HRC session	First Annual Report outlining vision and methods of work	<a href="#">A/HRC/9/21</a>
2008 7 <sup>th</sup> HRC session	Assistance and rehabilitation programmes for child victims of trafficking and sexual commercial exploitation	<a href="#">A/HRC/7/8</a>
2008 7 <sup>th</sup> HRC session	Communications sent to Governments and replies received	<a href="#">A/HRC/7/8/Add.1</a>
2007 4 <sup>th</sup> HRC session	Sale of children's organs and Rapid-Response Programs for Abducted or Disappeared Children	<a href="#">A/HRC/4/31</a>

# ANNEX 3

2007 4 <sup>th</sup> HRC session	Communications sent to Governments and replies received	<a href="#">A/HRC/4/31/Add.1</a>
2006 62 <sup>nd</sup> CHR session	Demand for sexual services deriving from exploitation	<a href="#">E/CN.4/2006/67</a>
2006 62 <sup>nd</sup> CHR session	Communications sent to Governments and replies received	<a href="#">E/CN.4/2006/67/Add.1</a>
2005 61 <sup>st</sup> CHR session	Child pornography on the Internet	<a href="#">E/CN.4/2005/78</a>
2005 61 <sup>st</sup> CHR session	Communications sent to Governments and replies received	<a href="#">E/CN.4/2005/78/Add.3</a>
2004 60 <sup>th</sup> CHR session	Prevention of child sexual exploitation	<a href="#">E/CN.4/2004/9</a>
2003 59 <sup>th</sup> CHR session	Legal consequences of the sale of children, child prostitution and child pornography, and particularly on the criminalization of child victims and recent national policy and legislative developments to address these concerns	<a href="#">E/CN.4/2003/79</a>
2002 58 <sup>th</sup> CHR session	HIV/AIDS and sexual exploitation of children	<a href="#">E/CN.4/2002/88</a>
2001 57 <sup>th</sup> CHR session	The business sector and child exploitation	<a href="#">E/CN.4/2001/78</a>
2000 55 <sup>th</sup> GA Session	National and international developments as well as domestic violence	<a href="#">A/55/297</a>
2000 56 <sup>th</sup> CHR session	Domestic violence	<a href="#">E/CN.4/2000/73</a>
1999 54 <sup>th</sup> GA Session	National and international developments	<a href="#">A/54/411</a>
1999 55 <sup>th</sup> CHR session	Sale and trafficking of children	<a href="#">E/CN.4/1999/71</a>
1998 53 <sup>rd</sup> GA Session	National and international developments	<a href="#">A/53/311</a>
1998 54 <sup>th</sup> CHR session	The media and education	<a href="#">E/CN.4/1998/101</a>
1997 52 <sup>nd</sup> GA Session	The role of the media and education in preventing and contributing to the commercial sexual exploitation of children	<a href="#">A/52/482</a>
1997 53 <sup>rd</sup> CHR session	National and international initiatives to combat the sale and commercial sexual exploitation of children	<a href="#">E/CN.4/1997/95</a>
1996 51 <sup>st</sup> GA Session	Commercial sexual exploitation of children and the role of the justice system in preventing sale and sexual exploitation	<a href="#">A/51/456</a>
1996 52 <sup>nd</sup> CHR session	National and international developments	<a href="#">E/CN.4/1996/100</a>
1995 50 <sup>th</sup> GA Session	General considerations and scope of the mandate	<a href="#">A/50/456</a>
1995 51 <sup>st</sup> CHR session	Developments and recommendations since the inception of the mandate	<a href="#">E/CN.4/1995/94</a>
1994 49 <sup>th</sup> GA Session	Developments and recommendations since the inception of the mandate	<a href="#">A/49/478</a>
1994 50 <sup>th</sup> CHR session	Emerging concerns affecting the lives of children	<a href="#">E/CN.4/1994/84</a>
1993 49 <sup>th</sup> CHR session	Emerging concerns affecting the lives of children	<a href="#">E/CN.4/1993/67</a>
1992 48 <sup>th</sup> CHR session	Global nature of the sale of children, child prostitution and child pornography	<a href="#">E/CN.4/1992/55</a>
1991 47 <sup>th</sup> CHR session	Key problems and prospects of the mandate	<a href="#">E/CN.4/1991/51</a>

# IMAGE CREDITS

**Cover page:** "Jafur walks with his friend along the train tracks." 16 October 2011. Plan International.

**Page iv:** "Kabita (17) worked as a kamalari from age 10 to 12." 21 August 2014. Meeri Koutaniemi.

**Page vi:** "Special Rapporteur, Ms Maud de Boer-Buquicchio, meeting with care leavers and members of the Youth Council of the Georgian Child and Youth Coalition, in Tbilisi, during her country visit to Georgia in 2016." OHCHR Photo.

**Page 3:** "The Minister of Human Rights, Nilmário Miranda (left), speaks with the UN Special Rapporteur, Juan Miguel Petit." 3 November 2003. Roberto Barroso/Agência Brasil. Licensed under a Creative Commons Attribution 3.0. Accessed on 29 April 2016. <http://memoria.ebc.com.br/agenciabrasil/galeria/2003-11-03/3-de-novembro-de-2003>.

**Page 7:** "Special Rapporteur, Ms Najat Maalla M'jid, speaks with members of the press during her country visit to Guatemala in 2012." OHCHR Photo.

**Page 11:** "Young mother with her baby in Nicaragua." 12 May 2015. Plan International.

**Page 16:** "Special Rapporteur, Ms Maud de Boer-Buquicchio, meeting with girls victim of sexual exploitation, during her country visit to Japan in 2015." OHCHR Photo.

**Page 18:** "Brothers Marcel (left) and Michel (right) were trafficked from their home country of Benin to Togo by their father." 14 February 2015. Titus Simoens/Plan International.

**Page 20:** "Special Rapporteur, Ms Najat Maalla M'jid, with members of a youth association in Nosy Be, during her country visit to Madagascar in 2013." OHCHR Photo.

**Page 21:** "Special Rapporteur, Ms Maud de Boer-Buquicchio, speaks with a health worker in the health clinic of the Dalori IDP camp near Maiduguri, during a joint country visit with the Special Rapporteurs on the right to health and contemporary forms of slavery to Nigeria in 2016." OHCHR Photo.

## **Page 23:**

1. "Ms Maud de Boer-Buquicchio." OHCHR Photo.
2. "Ms Najat Maalla M'jid." OHCHR Photo.

## **Page 24:**

1. "Mr Juan Miguel Petit." OHCHR. Accessed 2 May 2016. <http://www.ohchr.org/SiteCollectionImages/Issues/children/JuanMiguelPetit.png>.
2. "Ms Ofelia Calcetas-Santos." Accessed 2 May 2016. <http://cpcabrisbane.org/Kasama/1998/V12n4/Ofelia.htm>.
3. "Vitit Muntarbhorn, Member of Commission during the press conference after the presentation of the report in the situation in Syrian Arab Republic during the 29th regular Session of the Human Rights Council." 23 June 2015. UN Photo/Jean-Marc Ferré. Licensed under a Creative Commons Attribution 4.0. Accessed 2 May 2016. <https://flic.kr/p/uN7Rn4>.





## Handbook by the Special Rapporteur on the sale of children, child prostitution and child pornography

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