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**Promotion and protection of all human rights, civil,
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including the right to development**

A practical approach to addressing the sale and sexual exploitation of children

**Report of the Special Rapporteur on the sale and sexual exploitation of
children, including child prostitution, child pornography and other
child sexual abuse material, Mama Fatima Singhateh**

Summary

In the present report, the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Mama Fatima Singhateh, presents a practical approach to addressing the sale and sexual exploitation of children by providing a set of concrete measures and good practices, collected from across the world, to tackle the sale of children for the purpose of child marriage and the sexual exploitation of children in prostitution, in the context of travel and tourism, and online. The report refers to prevention, protection and rehabilitation services, and there is a checklist on the Special Rapporteur's web page for States and other stakeholders to use as a concrete and user-friendly tool in their work to prevent these forms of sale and sexual exploitation, to protect children and provide adequate services to child victims and survivors.

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I. Introduction

1. The present report, submitted pursuant to Human Rights Council resolutions 7/13 and 43/22, presents a practical approach to addressing the sale and sexual exploitation of children by providing a set of concrete measures and good practices, collected from across the world, to tackle the sale of children for the purpose of child marriage and the sexual exploitation of children in prostitution, in the context of travel and tourism, and online. The report refers to prevention, protection and rehabilitation measures and there is a checklist on the Special Rapporteur's web page for States and other stakeholders to use as a concrete and user-friendly tool in their work to prevent these forms of sale and sexual exploitation, protect children and provide adequate services to child victims and survivors.¹
2. The report also contains information on the activities undertaken by the Special Rapporteur since her previous report.²

II. Activities undertaken by the Special Rapporteur

A. Country visits

3. The Special Rapporteur undertook a visit to Montenegro from 8 to 16 September 2021. Her report on the visit is presented as an addendum to the present report.³ The Special Rapporteur thanks the Government of Montenegro for its cooperation before, during and after her visit.
4. The Special Rapporteur sent country visit requests to Ghana, Liberia, the Philippines and the United Republic of Tanzania. She has received and expresses appreciation for the positive responses for country visits on dates to be agreed from the Governments of Botswana, Kenya and the Philippines.

B. Other activities

Conferences and engagement with stakeholders

5. Activities undertaken by the Special Rapporteur from January to June 2021, are outlined in her most recent report to the General Assembly.⁴
6. On 1 July 2021, the Special Rapporteur presented the thematic issues related to her mandate at the Frontiers of Children's Rights online summer school, hosted by the University of Leiden in the Netherlands.
7. On 24 September 2021, the Special Rapporteur issued a statement ahead of World Tourism Day on 27 September, emphasizing that as tourism picks up after the coronavirus disease (COVID-19) pandemic, Governments must make sure that more travel does not result in more sexual exploitation of children.
8. On 7 October 2021, the Special Rapporteur introduced her report to the General Assembly focused on the gender dimensions of the sexual exploitation of children and the importance of integrating a child-centered, gender-inclusive and non-binary approach to combating and eradicating it.⁵
9. From 11 to 12 October 2021, on the occasion of the International Day of the Girl Child, the Special Rapporteur participated in a regional forum on girls in West Africa in Ouagadougou. She was invited by the African Child Policy Forum to share her reflections on improving the performance of Governments in realizing girls' rights.

¹ See <https://www.ohchr.org/EN/Issues/Children/Pages/APracticalApproach.aspx>.

² [A/HRC/46/31](#).

³ [A/HRC/49/51/Add.1](#).

⁴ [A/76/144](#).

⁵ *Ibid.*

10. On 27 October 2021, the Special Rapporteur delivered the keynote remarks in a virtual event on the abuse of boys and children with diverse gender identities and expressions in sport. The event, organized by the Centre for Sport and Human Rights and the Global Partnership to End Violence Against Children, followed the presentation of the Special Rapporteur's annual thematic report to the General Assembly.

Communications

11. The Special Rapporteur has transmitted 79 communications jointly with other special procedure mandate holders regarding children who were reportedly victims of sale and/or sexual exploitation.

III. A practical approach to addressing the sale and sexual exploitation of children

A. Objectives, scope and methodology

12. As highlighted in the handbook of the previous Special Rapporteur entitled "25 years of fighting the sale and sexual exploitation of children: addressing new challenges", despite witnessing a momentous rise in the knowledge of and attention given to child victims of sale and sexual exploitation over the past years, many existing initiatives remain at the legislative or policy level.⁶ Concerned by the limited implementation in practice, which represents perhaps the most significant challenge of all to tackling these issues, the Special Rapporteur decided to dedicate the present report to the urgent need for an effective implementation of prevention, protection and rehabilitation measures for children who are, or may become, victims of sale and sexual exploitation.

13. By focusing on a more practical approach to addressing the sale and sexual exploitation of children, the Special Rapporteur aims to support more decisive steps by States towards effectively implementing their obligations.

14. To inform the preparation of her report and in addition to the literature review, the Special Rapporteur issued a call for contributions from States, national human rights institutions, civil society organizations, United Nations agencies, academia and individuals on concrete examples of best practices related to the scope of the study.⁷ The Special Rapporteur wishes to thank all the stakeholders who responded to her call for inputs for their valuable contributions, which helped to enrich the present report.

B. International legal framework

15. Across the world today, a wealth of international and regional laws and strategies have been adopted, with the aim of protecting children from violence, including their sale and sexual exploitation. In spite of all the efforts made to tackle the sale and sexual exploitation of children, incidences continue to increase at the national level and many victims still do not receive adequate support. A decisive step towards an effective implementation of existing laws and policies is needed more than ever.

16. The Convention on the Rights of the Child stipulates that States parties must prevent the sale of children for any purpose and in any form (art. 35) and protect the child from all forms of sexual exploitation and sexual abuse (art. 34). It focuses on acts committed by a third person, the perpetrator, by referring to the "inducement or coercion" of a child in unlawful sexual activity, and the "exploitative use" of children in prostitution and pornography. Article 19 also prohibits all forms of violence against children, including sexual abuse.

⁶ Available from <https://www.ohchr.org/Documents/Issues/Children/SR/25YearsMandate.pdf>.

⁷ See <https://www.ohchr.org/EN/Issues/Children/Pages/APracticalApproach.aspx>.

17. With the adoption of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography in 2000, the international legal framework was significantly strengthened with respect to the protection of children from sexual exploitation. Article 3 of the Protocol imposes an obligation on States parties to criminalize certain specific offences, and article 4 requires that States parties take all necessary measures to prosecute such offences.

18. In 2019, the Committee on the Rights of the Child adopted a set of guidelines for the implementation of the Optional Protocol with the explicit objective of enhancing the understanding of the Protocol by States parties and enabling a more effective implementation of it.⁸

19. In 2019, the World Tourism Organization adopted the Framework Convention on Tourism Ethics, of which article 5.3 explicitly refers to the protection of children from sexual exploitation.

20. The African Charter on the Rights and Welfare of the Child sets forth in articles 16 and 27 that States must protect children from sexual abuse and sexual exploitation by taking specific legislative, administrative, social and educational measures. In particular, States must take measures to prevent the use of children in sexual activities.

21. The Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse, like the Optional Protocol, is dedicated specifically to the issue of sexual violence against children and lays out a broad array of obligations on its States parties to prevent such actions, protect children and ensure adequate support and access to justice for child victims.

22. From the Convention on the Rights of the Child to the Optional Protocol on the sale of children, child prostitution and child pornography, the general comments and guidelines of the Committee on the Rights of the Child and the regional legal instruments mentioned above, an arsenal of legal provisions and guidance have been developed for States to use in preventing the sale and sexual exploitation of children, protecting children and providing the victims and survivors of such crimes with justice and rehabilitation services. Many of the obligations focus on putting in place the necessary national legal and policy tools to be able to take concrete action against the sale and sexual exploitation of children.

23. It is not only important for States to have in place a robust legal and policy framework but that framework must be effectively implemented. As pointed out by the Special Rapporteur, significant gaps remain in the implementation of legal standards and in the sharing of information, leading to inadequate responses to these types of crimes against children.⁹ Whether it is a gap in the actual formulation of laws and policies or in their implementation, the result is that children continue to fall through the safety nets that do exist and become victims of sale and sexual exploitation. It is therefore imperative that States and other relevant stakeholders gain more clarity as to what exactly they need to do in order to effectively prevent and tackle these problems.

C. Practical measures to address the sale and sexual exploitation of children

1. Defining the problem

24. The present chapter briefly explains the thematic issues covered in the report.

(a) Sale of children for the purpose of child marriage

25. Every year approximately 14 million girls are married as children all over the world. Child marriage is rooted in gender inequality and in the relatively low value accorded to girls, and is exacerbated by poverty, insecurity and conflict.¹⁰ This harmful practice restricts the

⁸ [CRC/C/156](#).

⁹ [A/HRC/31/58](#), para. 78.

¹⁰ See Girls Not Brides, "Theory of change on child marriage", 9 July 2014.

rights of girls and deprives them of the opportunity to participate in any decision-making that affects their lives and develop to their full potential. It increases the risk of early and unplanned pregnancy, which in turn increases the risks of maternal and neonatal morbidity and mortality, and exposes the child to intimate partner violence, with far-reaching effects both at the individual and at community levels.¹¹ Girls who are married are not only robbed of their childhood, they are often socially isolated and barred from attending school or finding a job, which negatively impacts societies for generations.¹²

26. Although progress had been made over the past years to end child marriage, the COVID-19 pandemic and ensuing restriction measures have jeopardized the progress made.¹³ Organizations such as the United Nations Children’s Fund (UNICEF) have estimated that millions more girls are at risk of child marriage in the coming years, as communities tackle new waves of economic hardship and scarcity. This shows how fragile the progress actually was and how young girls are still among the first to pay the price when a disaster of any kind strikes.

27. In many cases, child marriage amounts to a form of sale of children, as covered by the Optional Protocol, namely “any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration” (art. 2 (a)). The Committee on the Rights of the Child has listed the sale of children for sexual purposes and forced marriage as a manifestation of child sexual abuse and exploitation.¹⁴

28. In communities where child marriage is practised, the union is often marked by a transfer of money, gifts or property through the payment of a dowry or bride price.¹⁵ Such customs can result in the practice being perceived by families through an economic lens and impoverished families in particular perceiving child marriage as a coping mechanism to alleviate financial hardship.¹⁶

29. Despite laws establishing the minimum age for marriage, age limits are often set below the age of majority and are often lower for girls. Even where the minimum age for marriage matches the age of majority, a large number of countries still allow exceptions, for instance by allowing marriage with parental consent or a court authorization. In other places, customary or religious laws that set lower minimum ages of marriage take precedence over national law.¹⁷

30. In some States, legal provisions still exist which may enable, justify or lead to child marriage, including provisions that enable perpetrators of rape and other sexual offences to escape prosecution and punishment by marrying their victims.¹⁸ In addition, children in some countries have been increasingly sold or trafficked into what could be seen as a mix of child marriage and sexual exploitation, through different forms of so-called “temporary marriages”.¹⁹

31. Given the high number of child marriages that take place every year, providing adequate services to child victims is a daunting task and the societal costs of child marriage are extremely high. While preventing child marriage altogether should be the main long-term objective at the societal level, local communities in impoverished or disaster-struck areas are still struggling to see alternatives to child marriage, which is often a matter of covering basic

¹¹ See UNICEF, “Battling the perfect storm: adapting programmes to end child marriage during COVID-19 and beyond” (March 2021).

¹² See UNICEF, “Covid-19: a threat to progress against child marriage” (March 2021).

¹³ See [A/HRC/46/31](#).

¹⁴ General comment No. 13 (2011), para. 25 (d).

¹⁵ See ECPAT International, “Child, early and forced marriages as a form of, or pathway to sexual exploitation of children” (November 2020).

¹⁶ See joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014).

¹⁷ See <https://www.girlsnotbrides.org/about-child-marriage/law-and-child-marriage/>.

¹⁸ United Nations Population Fund, *My Body Is My Own: Claiming the Right to Autonomy and Self-determination* (2021), pp. 48–49.

¹⁹ See ECPAT International, “Child, early and forced marriages as a form of, or pathway to sexual exploitation of children”.

survival needs. Child victims in such areas are unlikely to access any services beyond what is available for the general population.

(b) Sexual exploitation of children in prostitution

32. The sexual exploitation of children in prostitution continues to be an issue of utmost concern and the Special Rapporteur notes that children continue to be sold and trafficked for exploitation in prostitution, despite the numerous laws that criminalize such practices in most countries. To effectively fight this form of exploitation, efforts must be stepped up to tackle trafficking networks and dismantle the many organized criminal groups that profit from the exploitation of children in the sex industry. The most common providers of children for sexual exploitation are facilitators, ranging from procurers to traffickers and intermediaries, including financial actors.²⁰ Such individuals are not always part of criminal networks; a significant number of families also push their children into sexual exploitation to provide the family with supplementary income.

33. Human trafficking is a worldwide phenomenon and about one third of human trafficking victims are estimated to be children.²¹ One of the most frequent purposes of child trafficking is sexual exploitation. Among the underlying causes is poverty and children living in disadvantaged conditions are more vulnerable to this form of crime.²² Children are often lured or manipulated into sexual servitude, whether by threats or violence, or by promises of a better life, work and economic opportunities.

34. Tackling the sexual exploitation of children in prostitution implies addressing the sale and trafficking of children, since these practices are often interlinked. While there is considerable overlap between trafficking and sale, they are not identical and the Special Rapporteur is concerned by situations in which child victims may not be warranted protection and access to justice because of gaps in the existing legal frameworks of many States.²³

(c) Sexual exploitation of children in travel and tourism

35. The sexual exploitation of children in the context of travel and tourism is related to the issues of trafficking and sale of children for the purposes of sexual exploitation and child marriage mentioned above. It includes a broad range of exploitation of children, be it in prostitution or for the production of child sexual abuse material. Voluntourism, orphanage tourism and major sporting events are all examples of situations where travelling offenders can easily access and exploit children.

36. A few decades ago, the prevailing assumption was that travelling child sex offenders came almost exclusively from western countries and went to poor, developing countries. The 2016 global study on sexual exploitation of children in travel and tourism has however shown that the lines between destination, transit and source countries are blurred and that the profile of offenders is very diverse.²⁴ Travelling child sex offenders can be domestic or regional travellers, as well as tourists, business travellers, volunteers or expatriates.

37. As restrictions related to the COVID-19 pandemic start to ease, travel and tourism are likely to resume and even increase, meaning that States and other stakeholders need to pay more attention than ever to the issue of the sexual exploitation of children in the context of travel and tourism.

(d) Online child sexual exploitation

38. As the digital environment becomes ever more omnipresent and online connectivity rates are on the rise across the globe, sexual violence against children is increasingly

²⁰ A/HRC/31/58, para. 35.

²¹ United Nations Office on Drugs and Crime (UNODC), *Global Report on Trafficking in Persons* (2020).

²² *Ibid.*

²³ See CRC/C/156, para. 15, and ECPAT International, *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse* (2016).

²⁴ See ECPAT, *Offenders on the Move. Global Study on Sexual Exploitation of Children in Travel and Tourism* (2016).

committed through or facilitated by new information and communication technologies. Online child sexual exploitation is putting a strain on legal, political and law enforcement efforts to protect children and has called into question the adequacy of existing tools.

39. Online child sexual exploitation offences are, and must be seen as, new manifestations of already existing crimes and should be addressed under existing legal frameworks, even if these were adopted before the enormous rise in Internet-related criminality. As recently highlighted by the Committee on the Rights of the Child, while the provisions in the Convention on the Rights of the Child and the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography require an interpretation adapted to today's realities, both instruments are fully relevant and applicable also in the digital environment.²⁵

40. Online child sexual exploitation can be said to have replaced other sexual offences against children to a certain extent. For instance, the COVID-19 pandemic and the resulting travel restrictions prevented many travelling sexual offenders from moving around and that led them to commit crimes through live online streaming and similar technological tools. Pandemic-related restrictions, including lockdowns, school closures and home office obligations, also led to a considerable increase in screen time for a large number of children and adults, which in turn led to increased risks of being exposed to harmful material or behaviour, and of experiencing online violence, including online child sexual exploitation.²⁶

2. Preventing the sale and sexual exploitation of children

41. For the effective prevention of the sale and sexual exploitation of children, it is essential to work through a multidisciplinary approach at all levels of society. A strong national legal and policy framework with a clear coordination mechanism should guide the work and set the broader objectives, but to reach those objectives in practice, they must trickle down to the local and community levels, to health and social services, schools and educational institutions, sport and leisure associations, and even to the family and individual levels.

42. The examples of prevention measures and good practices that the Special Rapporteur has repeatedly received show how important often seemingly small but concrete steps are to making a real difference in children's lives and reaching a level of awareness and sensitization that can ensure prevention. Moreover, strong community level engagement is indispensable to generate sustainable change.

Prevention measures and good practices

43. **Legal framework.** To avoid the risk of eroding years of efforts aimed to guarantee children's rights and preventing and prohibiting their sale and sexual exploitation, States need to make sure their laws are robust and that they are effectively enforced. From an international legal perspective, the obligation to prohibit and criminalize the sale and sexual exploitation of children, as imposed by the Optional Protocol, has not been effectively complied with by some States. Child marriage in various forms, for instance, is still legal in many States, even though it can be regarded in many cases as constituting the sale of children.²⁷ The Special Rapporteur urges all States not only to repeal any law that allows for the marriage of a child in any form, by raising the age of marriage to 18 years of age for both girls and boys without exception, but also to take steps to change the discriminatory attitudes that fuel child marriages. A step in the right direction was taken when in 2017, several countries in the Middle East repealed laws that had allowed sexual offenders to escape prosecution by marrying their victims.²⁸

²⁵ CRC/C/156, para. 1.

²⁶ See A/HRC/46/31.

²⁷ See "25 years of fighting the sale and sexual exploitation of children: addressing new challenges", p. 19.

²⁸ See "UN human rights chief welcomes rape law reform in Lebanon, Tunisia, Jordan", 22 August 2017.

44. As repeated on several occasions by the Committee on the Rights of the Child, the fact of prohibiting the trafficking of children, albeit important, is not equivalent to prohibiting the sale of children and States parties to the Optional Protocol need to explicitly criminalize the sale of children, at least for the purposes outlined in article 3 (1) (a) of the Protocol. For example, Luxembourg amended its Penal Code in 2014 to include a specific provision criminalizing the sale of children for any purpose.²⁹

45. It is crucial to have laws that cover all forms of exploitation, including when committed in the context of travel and tourism or online, and to make sure that there are no loopholes which could allow for impunity. In Norway, the Penal Code is interpreted in a technologically neutral way, meaning that it does not differentiate between sexual acts that are committed online and offline. For instance, the definition of rape is considered applicable if an offender has made a child victim perform a sexual act on him or herself online, as long as there is a causal link between the offender's behaviour and the sexual act. This interpretation was established by the Norwegian parliamentary Committee of Justice and incorporated into the preparatory works of the new Penal Code, which entered into force in 2015.³⁰

46. With regard to preventing the sexual exploitation of children in travel and tourism, some countries have passed laws to enable travel restrictions to prevent reoffending. For example, in 2017, the Government of Australia introduced a new provision into the Criminal Code which makes it an offence for a person convicted of a sexual offence against a child to travel overseas without permission from a competent authority.³¹

47. **Policy frameworks.** In addition to the legal framework, preventing the sale and sexual exploitation of children also requires a solid and regularly updated policy framework that specifically addresses this issue and ensures the necessary coordination of actions, such as education, awareness-raising, and public-private sector cooperation. Chile, for instance, is currently in the process of implementing its fourth framework for action against the sexual exploitation of children. Given the dynamic nature of the phenomenon, the framework is regularly updated to keep it relevant.³²

48. **Law enforcement.** To enable the effective prevention of sexual offences against children, specialized investigation units are indispensable for the effective implementation of laws and follow-up on reports about sale and sexual exploitation in any form. Law enforcement must be invested with sufficient resources to carry out their mandates effectively, including as crimes are increasingly facilitated or committed online. For example, the Child Online Protection Bureau in Israel is a multisectoral national programme for the prevention of violence and crime against children and teenagers online, including through awareness-raising and advocacy, reporting through a free hotline and investigation through a specialized police unit.³³

49. **Education.** Preventing child marriage is not only a matter of banning child marriage and prosecuting offenders, but even more importantly providing valid alternatives to children and families, such as universal education for all children. Compulsory and free education may be one of the best means of combating child marriage and States must put in the necessary resources to guarantee children's right to education. In its very first general comment, on the aims of education, the Committee on the Rights of the Child considered that "resource constraints cannot provide a justification for a State party's failure to take any, or enough, of the measures that are required" by the Convention.³⁴ In Kenya, a national operation, "Come to School", is being implemented in the counties with the highest school dropout rates to bring 250,000 out-of-school children back to school.³⁵ Through school authorities, States can also design curricula that include information on preventing various

²⁹ Article 382-1 (4).

³⁰ See ECPAT Norway, *Online Child Sexual Exploitation and Abuse: a Review of Norwegian Case Law* (March 2021).

³¹ See <https://www.afp.gov.au/what-we-do/crime-types/child-protection/travelling-child-sex-offenders>.

³² See contribution of Chile.

³³ See contribution of Israel.

³⁴ General comment No. 1 (2001), para. 28.

³⁵ See contribution of Kenya.

manifestations of the sale and sexual exploitation of children, such as child marriage and the sexual exploitation of children in prostitution, in the context of travel and tourism, and online. That way, children can learn to understand the issues and report them if they occur, even at an early age. Colombia has established, by law a national system of harmonized education and training for the exercise of human rights and sexual education.³⁶

50. **Building resilience.** Many prevention measures that have been shared with the Special Rapporteur focus on building resilience, enhancing digital education, awareness-raising and addressing social norms³⁷ and online behaviour.³⁸ Prevention is essential for tackling online child sexual exploitation offences, which often take place while they are playing online computer games or interacting with friends on social media in their own homes. The earlier children learn what is acceptable online (and offline) behaviour and what is not, and the more they have opportunities to speak up and discuss uncomfortable or taboo issues in safe spaces, the more they will be able to participate in their own protection and develop resilience to the risks of exploitation. Children need to be better aware of sexual exploitation and of their rights in general, and be empowered with the social skills to claim them, in particular online.³⁹ To ensure sustainable educational measures, Greece has made its “Skills Labs” programme a permanent part of the national educational curriculum. The programme includes raising awareness concerning sexual self-determination, protection from sexual abuse and fostering social skills that can empower and alert children to potential infringements of their personal safety and dignity.⁴⁰

51. **Peer support.** With the right information and education to hand, children can also play a vital role as peers, helping others find support and a way out of harmful situations. Recent research shows how important the role of peers and other private members of the community is as the first and most trusted points of contact in situations of sexual exploitation. In Kenya, among the children surveyed those who had been subjected to online child sexual exploitation and told someone about it had confided mainly in their friends.⁴¹ Singapore has included cyberwellness lessons for students in the “character and citizenship education” curriculum of the Ministry of Education, to equip children with the necessary skills to navigate the online space and know the risks and how to seek help if needed.⁴²

52. **Community awareness-raising.** With regard to child marriage, the need to raise awareness among communities where it is widely practised represents, along with school attendance for children, one of many crucial prevention measures.⁴³ A real change will come when families and communities understand the negative impact that child marriage has on the whole of society in the long run and when there is community rejection of the practice and support for the families who refrain from it. Targeted awareness-raising campaigns organized in and with local communities in which the practice is widespread can be effective.⁴⁴ Another good example is the Girls Not Brides toolkit for working with religious leaders on ending child marriage.⁴⁵

53. **Positive parenting.** Another prevention practice shared by contributors was that of promoting non-violent upbringing approaches and positive parenting.⁴⁶ In Egypt, for instance, a multimedia campaign on positive parenting reached millions of parents and caregivers through television and radio announcements, text and social media messages, and the printed press.⁴⁷ By raising awareness and promoting positive parenting based on trust and

³⁶ See contribution of Colombia.

³⁷ See contribution of the Global Partnership to End Violence Against Children.

³⁸ See contribution of Egypt.

³⁹ See contribution of Greece.

⁴⁰ Ibid.

⁴¹ See contribution of ECPAT International. See also ECPAT, INTERPOL and UNICEF, *Disrupting Harm in Kenya: Evidence on Online Child Sexual Exploitation and Abuse* (October, 2021).

⁴² See contribution of Singapore.

⁴³ See contribution of Kenya.

⁴⁴ See contributions of Egypt and Montenegro.

⁴⁵ See Girls Not Brides “Working with religious leaders to address child marriage” (April 2019).

⁴⁶ See contribution of Poland.

⁴⁷ See contribution of Egypt.

open communication, the chances of reducing and detecting violence against children increase.

54. **Gender equality.** Preventing sexual violence against children should also be part of broader, holistic efforts to build gender-equal societies. In Namibia, the prevention of the sale and sexual exploitation of children is seen through the lens of preventing gender-based violence. A national plan of action on gender-based violence has been adopted and children receive obligatory life skills education in primary and secondary school, which includes sexual education and information on, inter alia, gender-based violence, sexual harassment and abuse.⁴⁸

55. **Private sector involvement.** That the private sector should join the fight against the sale and sexual exploitation of children and get more involved in prevention efforts is something successive Special Rapporteurs have called for since the very beginning of the mandate.⁴⁹ For instance, the technology sector should invest more in educational messages about risks to its users, including in child-friendly language, contribute actively to the promotion of hotlines and make sure that children are not using their services earlier than is appropriate. Furthermore, developers of virtual currencies and systems operating on peer-to-peer networks should prevent and combat the use of their products and services for illegal purposes. Australia has adopted voluntary principles to counter online child sexual exploitation, which private companies are being lobbied to endorse.⁵⁰ In Peru, the country's largest Internet service provider has developed a virtual course on child online safety, which by the end of 2020 had been completed by more than 28,000 users and which had over 250,000 website visitors; a new "safe online application" will be added by default to all that company's mobile phones.⁵¹

56. Many offenders take advantage of hotels and other tourism facilities and services to commit crimes. Working with the travel and tourism industry is therefore an important aspect of preventing the sexual exploitation of children in the context of travel and tourism. The private sector has become increasingly involved in preventing such exploitation and many hotel chains, airlines and travel companies now raise awareness among their clients and train their staff to identify cases of it and know how to react to and report suspicious cases. This has led to several instances in which a child has been rescued thanks to the action of a staff member who had been adequately trained. The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism is one of the major tools supporting the private sector in implementing child protection policies and training programmes, and an online risk analysis template was developed in 2021 to support the travel, tourism and Internet and communication technologies industries, understand the risks and learn what actions they can take to protect children.⁵² In Montenegro, more than 200 tourism actors have signed the Code of Conduct.⁵³ In Latvia, the Government, safe shelters, airline companies and airports are developing a memorandum of joint action against trafficking in human beings through aviation.⁵⁴

57. The Special Rapporteur believes that the prevention measures mentioned above should be an explicit and mandatory part of the policies of all actors in the travel and tourism sector. She draws attention to the fact that travellers now increasingly use more informal arrangements, for instance by renting apartments through peer-to-peer platforms. Such platforms have also been known to become tools for child sexual exploitation and prostitution rings; to ensure that the informal travel sector does not become a vehicle for child sexual exploitation such actors must also take action.⁵⁵

⁴⁸ See contribution of Namibia.

⁴⁹ See "25 years of fighting the sale and sexual exploitation of children: addressing new challenges", p. 20.

⁵⁰ See contribution of Australia.

⁵¹ See contribution of the Global Partnership to End Violence Against Children.

⁵² See <http://thecode.org/assess-your-child-protection-risk/>.

⁵³ See contribution of Montenegro.

⁵⁴ See contribution of Latvia.

⁵⁵ See ECPAT, *Offenders on the Move. Global Study on Sexual Exploitation of Children in Travel and Tourism*.

3. Protecting children from sale and sexual exploitation

58. For the effective protection of children from sale and sexual exploitation, it is important to look at the good practices that exist to protect children at risk and child victims, enable child participation and facilitate reporting, professional training and victim identification. As with prevention measures, in order to be effective in practice, protection measures need to reach all children in all segments of society.

Protection measures and good practices

59. **Treating children as victims.** One of the most crucial aspects of child protection is to ensure that children involved in any kind of sale or exploitation are treated as victims rather than blamed or held criminally liable. Whether in law or in policy, an approach which puts the child at the centre and avoids stigmatization or victim blaming is needed. For example the United Kingdom of Great Britain and Northern Ireland amended the Serious Crime Act 2015 by replacing the terms “involvement in child prostitution and pornography” and “becoming a prostitute” with the terms “sexual exploitation” and “sexually exploited” respectively.⁵⁶ In 2020, Hungary adopted a law to ensure that persons below 18 years of age cannot be punished in infringement proceedings for soliciting for sexual services and the internal regulations of the police were modified accordingly.⁵⁷

60. **Closing the gap between prosecution and conviction.** A fundamental precondition for laws to have an impact on demand, is the effective implementation of provisions and penalties.⁵⁸ Data on human trafficking shows that while the victims are many, prosecutions are rare and convictions even more so.⁵⁹ This underlines the significant gap between the extent of the crimes and the perpetrators involved and the law enforcement response worldwide.

61. **International cooperation.** Strengthening international cooperation on child protection matters is another crucial component in tackling these issues. No country is immune to the sexual exploitation of children and there are children everywhere in sufficiently vulnerable situations to make them easy targets for offenders. The political will and the financial resources put into tackling the trafficking of children for sexual purposes need to be as strong as for the fight against the drugs and arms trades. As with the sale and trafficking of children for sexual exploitation in prostitution, the sexual exploitation of children in travel and tourism requires strong international cooperation frameworks to enable the identification and tracking of traveling sexual offenders, as well as the investigation and sharing of evidence which may enable prosecutions to be brought and convictions obtained. Cooperation is necessary not only at government and law enforcement level, but also between public and private stakeholders, such as the travel and tourism sector. Accommodation providers, travel agencies, tour operators, transportation companies, airlines, bars and restaurants often become, inadvertently or not, intermediaries in the commission of such offences and should play a proactive role in combating the sexual exploitation of children.⁶⁰

62. **Data collection.** One way of enhancing the efficacy and accuracy of protection mechanisms is to collect and disaggregate national data on the phenomena of the sale and sexual exploitation of children. For instance, Spain has created a central register of information on violence against children and adolescents, to which all public administrations and security forces must send information.⁶¹

63. **Child participation.** Child participation is an essential element of child protection as it, inter alia, empowers children to be agents of their own lives and provide them with the means to protect themselves and their peers. As pointed out by the Special Rapporteur previously, child participation is generally deficient at the national level and it is hard for

⁵⁶ See <https://www.legislation.gov.uk/ukpga/2015/9/section/68/enacted>.

⁵⁷ See contribution of Hungary.

⁵⁸ A/HRC/31/58, para. 61.

⁵⁹ See UNODC, *Global Report on Trafficking in Persons*.

⁶⁰ CRC/C/156, para. 36 (b).

⁶¹ See contribution of Spain.

children to reach international mechanisms.⁶² Ensuring the active involvement of children and adolescents in the design and implementation of protection strategies to address child marriage and the sexual exploitation of children, whether in prostitution, in the context of travel and tourism or online, can increase the relevance and sustainability of such strategies. Although there were some mentions of child participation in the contributions from States and other stakeholders, the Special Rapporteur notes with concern that concrete examples of real and meaningful child participation are still rare. Uruguay, for example, has a child and adolescent participation programme that promotes the right to participation of a heterogeneous population of children and adolescents at local and national levels and develops methodological and conceptual aspects for the promotion of child and adolescent participation, including through audiovisual creation and national youth surveys. It is based on the idea that it is the responsibility of the State to ensure the existence of mechanisms and instances where children and adolescents can express themselves and have their opinions considered in decision-making.⁶³

64. **Community participation.** Besides involving children directly, community participation is also crucial to ending child marriage and child sexual exploitation. That participation involves girls and women, elders and religious and community leaders, but must also actively engage boys and men. No group exists in a vacuum and to be effective the entire community must be involved in the process of change, to create an enabling environment in which community members are working together in support of the same goal.⁶⁴ When the harmful and negative impact of these practices are understood and felt at the broader community level, and not only among the direct victims, practices can start to change for real. One such example is the “Yes I Do” project led by PLAN Netherlands, which involved youth and community engagement as one of its key components. Among the activities of the project were training and awareness-raising for community and religious leaders, training of professionals in key positions such as health-care facilities, and training activities for boys and girls to learn about sexual and reproductive health and rights and become actors of change by taking ownership of the cause and advocating among their peers.⁶⁵

65. **Socioeconomic opportunities.** To accompany a change of mindset and put an end to child marriage, viable alternatives must be created. As mentioned previously, education for all is a key prevention measure, but to adequately protect children and adolescents there must also be support mechanisms for economic alternatives and employment opportunities. The Special Rapporteur highlights the example of the Uganda Youth Development Link, which works in a holistic manner to identify cases and provide care and psychosocial support, but also economic empowerment through life skills and vocational skills training.⁶⁶ Girls and women should also be allowed to participate in public life and political activities. The Council of Europe has published a toolkit for the participation of young women and girls from disadvantaged groups in politics and public decision-making processes at local level.⁶⁷

66. **Child protection policies.** While protection measures may vary somewhat according to the national context, they should always include the adoption of a child protection policy and the training of staff to identify situations of the trafficking and sale of children for sexual exploitation. With regard to the private sector, including the travel and tourism sector and technology companies, child protection policies and procedures, including the training of staff members throughout the value chain and a zero-tolerance approach to any inappropriate behaviour towards or treatment of a child, should be mandatory for all operators, just as for professionals working with and for children in other sectors. The industry must take responsibility for enforcing such specific corporate policies to make sure that suspected cases do not go unattended. A large number of child protection policies exist, which can be looked

⁶² See “25 years of fighting sale and the sexual exploitation of children”, p. 19.

⁶³ See contribution of Uruguay.

⁶⁴ See GreeneWorks and Promundo, “Engaging men and boys to end the practice of child marriage” (2015).

⁶⁵ See <https://www.kit.nl/project/yes-i-do/>.

⁶⁶ See contribution of the Uganda Youth Development Link.

⁶⁷ See <https://rm.coe.int/participation-young-women-en/1680a01873>.

to for inspiration for different sectors, including sports organizations and schools.⁶⁸ The Guiding Principles on Business and Human Rights are also an important tool for implementation of the human rights-based “protect, respect and remedy” framework for the private sector.

67. **Training of professionals and increasing the knowledge base.** Among the difficulties of protecting children from sexual exploitation in prostitution is the lack of sufficient knowledge among the public in general and among professionals working for and with children in particular. A number of States and other stakeholders that provided input to the Special Rapporteur’s call for contributions mentioned as best practices the training of members of different professions, including teachers and social workers, frontline service providers, legal professionals such as lawyers, prosecutors and judges, and in particular law enforcement agents.⁶⁹

68. The Special Rapporteur welcomes the importance attributed to professional training by many States, but emphasizes that States need to take this even further and scale up training opportunities to make sure that every professional coming into contact with a child has basic knowledge about children’s rights, child protection and, in particular, knows where to look for assistance in case a suspicion exists that a child may be a victim of sexual exploitation. This includes persons working within an institution who may come into contact with child victims, such as law clerks working within the court system, teachers, nurses and other medical staff, sports coaches and cultural and religious leaders. Such training should be added as permanent modules within the mandatory curricula of professional certification courses for the relevant professional groups.

69. **Monitoring.** In order to protect all children, including those who reside in alternative care facilities, independent monitoring, including through regular and unannounced visits to examine their treatment in such facilities is another important tool.⁷⁰

70. **Reporting.** For cases of the sale and sexual exploitation of children to be detected and in order to make interventions possible, a key aspect is to report suspicions through easily accessible reporting mechanisms. Mechanisms such as helplines and hotlines should exist and be available 24 hours a day, seven days a week, to both children and adults, and cover situations occurring both offline and online, support children in need and serve to report child sexual abuse material that is circulating online and causing further harm to child victims. Reports should be screened by trained professionals to ensure adequate and timely follow-up responses. Emergency situations should be detected and handled without undue delay to avoid putting a child in unnecessary peril. Toll-free helplines should be available 24 hours a day, seven days a week, from all over the country.⁷¹

71. **Notice and takedown.** Only a small number of existing hotlines for child sexual abuse material are allowed to proactively search the Internet for illegal content. One such hotline is the Internet Watch Foundation, which through an authorization to proactively search for content was able to increase removal of such material by 147 per cent.⁷² The Special Rapporteur considers that if more hotlines were able to proactively search for and request the removal of content by flagging them to Internet companies, much more of the currently circulating child sexual abuse material could potentially be taken down. Hotlines should therefore be given a clear explicit legal mandate to make the most of their knowledge and expertise. States that do not have facilities for hotlines are strongly encouraged to partner

⁶⁸ See, for example, NSPCC Learning, “Writing safeguarding policies and procedures”, 23 Sept. 2021, available from <https://learning.nspcc.org.uk/safeguarding-child-protection/writing-a-safeguarding-policy-statement>; <https://www.fifa.com/social-impact/fifa-guardians>; and <https://www.icmec.org/wp-content/uploads/2019/04/Child-Protection-Policy-Planning-Worksheet.pdf>.

⁶⁹ See contributions of Austria, Chile, Egypt, Greece, Hungary, Israel, Latvia, Mexico, Montenegro, Namibia, Singapore, Spain and Turkey.

⁷⁰ See, for example, contributions of the Commissioner for Human Rights of Azerbaijan, the Ombudsman of Romania and the Public Defender of Georgia, who refer to national preventive mechanisms under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

⁷¹ See contributions of Israel and the Azerbaijan Child Helpline Service.

⁷² See contribution of the Internet Watch Foundation.

with existing hotlines to create a national reporting hotline where citizens can report suspected child sexual abuse material in their own language. The Communications Authority of Kenya has mandated Internet service providers and mobile network operators to protect children from online abuse, including takedown of material and raising awareness of risks on their platforms. That includes partnering with other stakeholders in raising awareness, as well as on takedown of abusive materials on their platforms. As a result, Safaricom and Airtel Kenya have joined the campaign on violence against children led by the Government and UNICEF Kenya, “Spot it. Stop it”.⁷³

72. **Victim identification.** Among the many millions of children depicted in child sexual abuse material, only a small fraction are ever identified and rescued. Victim identification represents one of the biggest challenges for international law enforcement organizations and represents an immense problem from a child protection perspective.⁷⁴ To grant effective protection to child victims of online child sexual exploitation, advanced technological tools and online operational processes, as well as global law enforcement cooperation, are needed. The Special Rapporteur encourages States and technology companies to enable the tracing of, and victim identification solutions to, child sexual abuse material in a balanced manner that does not undermine the right to privacy, for instance through partnerships with specifically mandated hotlines, as mentioned above, which can act as trusted actors authorized to search for and request the removal of illegal material.

4. Providing services to children who are victims of sale and sexual exploitation

73. There are two essential aspects related to concrete and appropriate services for child victims: access to justice and rehabilitation measures. The fundamental principle for all States and relevant stakeholders providing services to child victims should be that every child, independent of where they come from and what has happened to them, is entitled to access and benefit from existing services.

(a) Measures and good practices for access to justice for child victims

74. **Access to justice.** Making justice mechanisms freely accessible to all child victims of sale and sexual exploitation constitutes a first real step towards providing adequate rehabilitation to child victims. In Ukraine, the law on free legal aid stipulates children’s right to free primary and secondary legal aid services, including protection, representation of their interests in court and before other public authorities, and preparation of procedural documents.⁷⁵

75. **Child-friendly justice.** Child victims of sale and sexual exploitation not only need to access justice mechanisms, but be able to effectively seek justice for the harm that they have suffered. An indispensable part of this is to inform children about their rights in a language adapted to their age and level of maturity, and to actively listen to the child’s voice. The child has a right, but not a duty, to participate in judicial proceedings and should have a representative who understands the specific situation of the child and defends their rights. The child also has a right to be accompanied by a trusted person of their own choice. A child should not be forced to face their offender and should not be brought into the court room unless it is considered in their best interests. Other means to guarantee a fair trial for the defendant should be used, such as child-friendly pretrial hearings that can serve as evidence in court. Where a child participates in the criminal justice process, the secondary traumatization of that child should be avoided at all costs. For instance, in 2021 Spain adopted a law on the protection of children from violence which makes pre-constituted evidence compulsory in cases involving children under 14 years of age. The law provides that the child testifies only once, during the investigation phase, any contact between the alleged offender and the child is prevented and the minor is always accompanied by someone they trust.⁷⁶

76. **The child at the centre of the justice process.** When a criminal investigation and prosecution is ongoing, one specialized entity should coordinate and manage the child’s part

⁷³ See contribution of the Global Partnership to End Violence Against Children.

⁷⁴ See <https://www.interpol.int/en/Crimes/Crimes-against-children/Victim-identification>.

⁷⁵ See contribution of Ukraine.

⁷⁶ See contribution of Spain.

in the criminal justice process. Child-friendly investigations, in which interviews and hearings are conducted in a safe space with specially trained professionals, help produce admissible evidence of high evidential value for the case, while allowing the child not to appear in court. The procedural safeguards of both the alleged victim and perpetrator are therefore protected. In their contributions, several States provided examples of good practices on multi-stakeholder cooperation and specialized training for professionals conducting forensic interviews with child victims. In Singapore, for example, assisting child victims of sexual exploitation involves minimizing the trauma of having to recount the incidents of abuse to various parties. Different stakeholders, including the police, the public authorities and hospitals, work together through a one-stop centre for multidisciplinary interviews, which centralizes forensic interviewing and forensic medical examination of victims in a single facility.⁷⁷

77. **Statutes of limitations.** One of the most challenging issues related to child victims of sexual exploitation is the underreporting of such crimes and the fact that victims often wait many years in silence before daring to speak up about what happened to them. Once they do (if they do), it is often too late to access justice due to statutes of limitations. The Special Rapporteur encourages States to remove or extend statutes of limitations for sexual offences against children and commends States that have already done so. In 2021, Spain extended the statute of limitations for sexual offences against children, allowing time to start running after the victim reaches the age of 35.⁷⁸ Also in 2021, Ukraine removed statutes of limitations for sexual offences against children altogether.⁷⁹

78. **Compensation.** In addition to the necessary range of services provided to child victims of sexual exploitation, from medical and social services to psychological support and assistance in justice proceedings, the Optional Protocol also places emphasis on the need for adequate procedures to seek compensation for damages from those legally responsible. The Committee on the Rights of the Child has called on States to take all measures necessary to implement the right to reparation,⁸⁰ and the Special Rapporteur is concerned that concrete examples of reparations for child victims are still rare.⁸¹ Nevertheless, in Norway courts have not only prosecuted Norwegian offenders of child sexual exploitation abroad, but also made efforts to identify and locate the victims abroad and provide them with compensation just as they would have done for Norwegian child victims.⁸²

79. **International cooperation.** An added challenge in providing services to child victims, including access to justice and reparations, is that the sexual offender and the victims may live in different countries or regions. While not all cases of child sexual exploitation have a transnational character, many do and in terms of jurisdiction, investigation and prosecution can be complicated. As mentioned above in paragraph 61, having international cooperation agreements in place and effectively implementing them becomes essential, both to assist child victims and to gather evidence for criminal cases. International cooperation should not be limited to specific criminal cases. All States have something to gain in tackling child sexual exploitation and sharing resources, such as knowledge, experience and skills, is also a fundamental part in the fight against such crimes. The Special Rapporteur applauds initiatives, such as the work of the International Centre for Missing & Exploited Children, which has trained law enforcement professionals across 120 countries and shares resources such as model legislation and protection policies,⁸³ and she strongly encourages States and organizations with sufficient resources to help others in similar ways.

⁷⁷ See contribution of Singapore.

⁷⁸ See contribution of Spain.

⁷⁹ See contribution of Ukraine.

⁸⁰ See, for example, [CRC/C/156](#).

⁸¹ See, for example, the initial findings of ECPAT, INTERPOL and UNICEF, *Disrupting Harm in Kenya: Evidence on Online Child Sexual Exploitation and Abuse*.

⁸² See ECPAT Norway, *Online Child Sexual Exploitation and Abuse: a Review of Norwegian Case Law*.

⁸³ See contribution of the International Centre for Missing & Exploited Children.

(b) Measures and good practices for the rehabilitation of child victims

80. **Free and unconditional support services.** One of the key aspects of providing support and rehabilitation services to child victims is that such services should be freely available, accessible and not conditional on participation in law enforcement investigations or criminal proceedings. In Australia, victims of trafficking and forced marriage identified by the Australian authorities receive between 45 and 200 days of intensive support, irrespective of their willingness to assist law enforcement authorities with a human trafficking investigation or prosecution.⁸⁴

81. **Safe shelters.** Many child victims require safe spaces where they can receive comprehensive care away from the place where they were victimized. Some States have set up safe shelters for child victims, in which they can receive not only medical care or psychological and emotional support, but also safe housing, food and other basic survival needs, as well as education and preparation for reintegration into society.⁸⁵ Israel has launched the “Heart 24/7” programme to support children involved in prostitution with basic services and mentoring on education or employment alternatives.⁸⁶ The Government of Kenya has established child protection units, safe shelters and rescue and therapy centres, which provide shelter, rehabilitation and counselling services to child victims of all forms of abuse, including sale and sexual exploitation.⁸⁷ Importantly, such support mechanisms for child victims of crime should also provide them with information and assistance to access justice mechanisms if they so require. In Latvia, organizations that provide social rehabilitation services to victims of human trafficking cooperate and exchange information with law enforcement authorities and other institutions.⁸⁸

82. **Child-friendly services.** All child victims should have access to child-friendly and child-sensitive services that factor in their age, sex, gender, level of maturity and the nature of the trauma they have suffered. A child victim of sexual exploitation is often deeply traumatized and may have difficulty processing what happened. For instance, feelings of self-blame, guilt and shame may be exacerbated by the involvement of some form of remuneration, even when such remuneration did not go to the child but to the exploiters. Trauma-informed services are therefore just as important as child-friendly and child-sensitive ones.⁸⁹

83. **Child victims from abroad.** Children who are sexually exploited are often also victims of human trafficking or of the sale of children and may or may not have been moved to an unfamiliar location, sometimes even in another country, which makes the provision of adequate services, especially in a language they can understand, even more of a challenge. In Austria, the Vienna Child and Youth Welfare Service is running a specialized facility to support unaccompanied minors and child victims of trafficking. The Service provides comprehensive protection and cooperates with the authorities in the countries of origin of child victims, including embassies, to clarify whether repatriation is possible without risking revictimization.⁹⁰

84. **Children’s houses.** Among the best practices, one that stands out in terms of providing safe and sensitive services to child victims is the Barnahus, or children’s house, which is a child-friendly centre, under one roof, where specially trained law enforcement, criminal justice, child protective services and medical and mental health professionals cooperate and assess together the situation of a child in a safe space and decide upon the follow-up. While the concrete implementation of a Barnahus may vary slightly, depending on national context and legislation, the main principle is that child victims and witnesses of violence receive support and assistance through timely, evidence-based and multidisciplinary

⁸⁴ See contribution of Australia.

⁸⁵ See contribution of Egypt.

⁸⁶ See contribution of Israel.

⁸⁷ See contribution of Kenya.

⁸⁸ See contribution of Latvia.

⁸⁹ See No More Stolen Childhoods, “Position paper on trauma informed care for child victims of sexual abuse” (2019).

⁹⁰ See contribution of Austria.

interventions in a safe environment.⁹¹ In Hungary, the first Barnahus opened in 2016 and the establishment of more Barnahus centres is currently being prepared in order to ensure national coverage.⁹²

85. **Impact on very young victims.** Online child sexual exploitation, in particular for the production of child sexual abuse material, is increasingly committed on very young children and the negative and long-term impact on the child victim in these cases can sometimes go unnoticed.⁹³ This may be because the child is not yet able to express in words what has happened or the negative impact will show only later, as the child develops. Long-term follow-up is therefore necessary, in order to detect the impacts of trauma that may only reveal themselves later in the child's life and to provide adequate support to the child when it is most needed, independent of the time that has elapsed since the initial offence. Concretely, this means that services to child victims should never expire or be time-limited.

86. **Life skills.** Lastly, a key element in the rehabilitation and reintegration of child victims of sale and sexual exploitation is to provide them with life prospects to avoid further victimization, including by allowing them to access education and vocational skills training, which may enable them to access employment and gain independence. The Government of Kenya, for example, is implementing a re-entry policy of encouraging girls to come back to school after child marriage to complete their education and prevent further sexual exploitation.⁹⁴

IV. Conclusions and recommendations

A. Conclusions

87. **The key objective of the present report has been to showcase concrete examples received from States and other stakeholders of measures and good practices for the different aspects involved in preventing the sale and sexual exploitation of children, protecting children and providing justice and rehabilitation services to child victims. The examples provided are not in any way exhaustive but serve to illustrate the importance of concrete actions and encourage States to consider, inspire and support one another in better implementing existing legal and policy principles for the protection of children from sale and sexual exploitation.**

88. **To assist States further in moving towards more effective implementation, the Special Rapporteur has placed a checklist on her web page. States and other relevant stakeholders are encouraged to use the checklist as a concrete tool in their work to tackle the sale and sexual exploitation of children. The checklist aims to assist States in identifying gaps and providing guidance at the national level to ensure that all children can live a life free from sale and sexual exploitation.**

89. **In terms of preventing the sale and sexual exploitation of children, besides having an adequate legal and policy framework in place, education and awareness-raising are the most frequent measures mentioned by States and other stakeholders as good practices. Nevertheless, what is often still lacking is a systemic and comprehensive approach to such prevention measures and the lack of nationwide coverage. Preventing the sale and sexual exploitation of children requires a strong and sustained national commitment, coupled with meaningful community involvement and programmes to establish viable alternatives for children and families at risk.**

90. **With regard to the protection of children from sale and sexual exploitation, the Special Rapporteur received numerous examples of good practices, with the training of professionals being among the most prominent. Focus was also placed on the**

⁹¹ See <https://www.barnahus.eu/en/>.

⁹² See contribution of Hungary.

⁹³ See contribution of the International Centre for Missing & Exploited Children on a model framework for the creation of a specialized online child sexual exploitation unit.

⁹⁴ See contribution of Kenya.

importance of closing the gap between the number of offences, of prosecutions undertaken and of convictions handed down for sexual offences against children, as well as treating children as victims, never as culprits. Other protection measures reported consisted of international cooperation, in particular when sale, trafficking or sexual exploitation of children take on a transnational character, but also to promote the sharing of resources and knowledge across countries. In addition, data collection and monitoring of places where children live and spend time form part of an adequate protection system, as does the existence and availability of effective reporting mechanisms, both for children and adults. The Special Rapporteur notes with concern that concrete examples of meaningful child participation are still rare and emphasizes the importance of taking children's voices, including child victims of sale and sexual exploitation, seriously in order to make sure that protection measures respond to their needs.

91. Lastly, in terms of rehabilitation measures, the Special Rapporteur notes how too many child victims remain unable to access justice mechanisms and effectively claim their rights. Among those children who attempt to seek justice, many suffer secondary victimization, as systems and services are not yet sufficiently child-friendly and trauma-informed, despite many existing examples of good practice moving in that direction. Resources for holistic and sustained support mechanisms for child victims, including not only psychosocial support but also effective reintegration measures, are still too scarce and need to be firmly anchored in State budgets. In order to provide effective and meaningful justice, support and rehabilitation to child victims of sale and sexual exploitation, services should be freely available and accessible for all children, independent of their socioeconomic situation and of where in the country they live.

B. Recommendations

92. Regarding prevention, the Special Rapporteur recommends that States and other stakeholders:

(a) Work together to scale up prevention measures and guarantee that those measures reach even the most remote regions and have a positive impact on the lives of all children, including the most disadvantaged;

(b) Encourage strong community involvement in processes to develop viable alternatives for affected children and families, in order to ensure long-term solutions that directly involve girls and women, boys and men in moving towards sustainable change, including by enhancing knowledge of the real societal costs of child marriage and the sale and trafficking of children for sexual exploitation, and on the lasting benefits of education and life-skills training;

(c) Include comprehensive and compulsory sexual education and online safety education in national education curricula, not only in formal school education but also in informal education initiatives, to make sure that every child develops knowledge about such issues and builds resilience;

(d) Use new technologies to reach children with targeted, age-appropriate key messages, enabling them to readily seek support and assistance and to increase the existence and availability of helplines and hotlines, which can help detect cases and refer them to the right services or authorities.

93. On protection, the Special Rapporteur recommends that States and other stakeholders:

(a) Promote and support the adoption of a child protection policy in all public and private sectors and entities working with, for, or in contact with children, to ensure that every staff member is informed and aware of how children should be treated, what their rights are and what to do in case of a suspected case of inappropriate sexual conduct. That should include the travel and tourism sector and the technology industry;

(b) **Make further efforts to guarantee that all adults who work with and for children, or who come into contact with children through their work, are adequately and regularly trained to protect children and detect suspected cases of sale, trafficking and sexual exploitation, including in rural areas, where there is often more limited knowledge about child protection issues;**

(c) **Focus development aid and international support on sustainable solutions, including for instance train-the-trainer initiatives, rather than targeted training of a limited number of professionals or projects focusing on supporting community engagement and local initiatives, and rather than top-down, fixed-term interventions that risk leaving significant gaps as soon as they are finished;**

(d) **Promote and support meaningful child participation at all levels and take children's voices into account in decision-making processes that concern them, including with regard to services for child victims of sale and sexual exploitation, in order to make sure that the measures and strategies adopted respond to their needs and serve their best interests.**

94. **On rehabilitation, the Special Rapporteur recommends that States and other stakeholders:**

(a) **Take a more sustainable perspective in regard to justice and rehabilitation services by allocating resources for child victims as part of the yearly budget of States, in order to ensure that no child is left behind and that concrete and practical measures and services not only exist but are freely available and accessible to all children, independent of their socioeconomic situation and of where in the country they live;**

(b) **Avoid the secondary victimization of children within the very system that should be there to help them, by guaranteeing a child-friendly and trauma-informed lens in regard to justice, support and rehabilitation of child victims of sale and sexual exploitation;**

(c) **Consider children as agents of change and focus rehabilitation services for child victims not only on psychosocial support but also invest in empowering them with adequate education, life skills and vocational skills so that they can reintegrate into society and contribute to building their own futures, sustain themselves and share information and knowledge in their own communities.**
