



Committee on the Rights of the Child

**Child exploitation with special
reference to trafficking in
children**



Committee on the Rights of the Child

- **History**
- **Mandate (CRC 43, 44, 45)**
- **Membership 10 – 18**
- **Meetings (Geneva) and support (OHCHR)**



The CRC :

- **Cooperation with SPs - Consideration of the States' Reports**
- **Cooperation with civil society**
- **Cooperation with independent institutions – Ombudsman, Commissions..**
- **General Comments**
- **General Discussion Days**
- **Child rights issues within the UN system**
- **Child rights issues in other universal and regional organizations**
- **Cooperation with academic and research institutions**



Consideration of the States' Reports – Cooperation with SPs

- **CRC total 327 received (193/109/25)**
- **OPSA**
- **35 initial reports 24 considered**
- **OPAC**
- **49 received 34 considered**
- **Last session (47th): 2+3+5**
- **Total considered 359**



The Convention on the Rights of the Child and exploitation

- **Specific provisions – articles 32-36 (35 on trafficking)**
- **Other related provisions of the CRC 20,21 CWPC**
- **Holistic approach**



Definition of the child

- **18 years standard**



General principles

- **The best interest of the child**
- **Child participation**
- **Life, survival and development**
- **No discrimination**



Other international instruments

- **Palermo Protocol, 2000**
- **Optional Protocol to the CRC on the Sale of Children, Child prostitution and child pornography, 2000**
- **Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201: 2007/.....)**
- **And many more...**



Child exploitation

- **Exploitation** shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practises similar to slavery, servitude or the removal of organs.
- ***Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention on Transnational Organised Crime (2000) (»Palermo protocol«)***



Forms of child exploitation

- **Sexual exploitation**
- **Labour exploitation**
- **Psychotropic substances and narcotics**
- **Recruitment of children for participation in armed conflicts (not typical)**
- **Use for criminal activities**
- **For purposes of adoption**
- **For medical or scientific purposes**
- **Social exploitation (not typical)**



Sale of children

- **Sale of children** means any act or transaction whereby the child is transferred by any person or group of persons to another for remuneration or any other consideration.
- ***Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)***



Child prostitution

- **Child prostitution** means the use of the child in sexual activities for remuneration or any other consideration.
- ***Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)***



Child pornography

- **Child pornography** means any representation, by whatever means, of the child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of the child, the dominant characteristic of which is depiction for a sexual purpose.
- ***Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)***



Trafficking

- **Trafficking in persons** shall mean recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or the use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation.
- ***UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementary document of the United Nations Convention on Transnational Organised Crime (2000) (»Palermo protocol«)***



Trafficking as a “method”

- **Need for a clear understanding**
- **Prevention**
- **Roles**



“Receivers”, “countries of origin” and “transit countries”

- **Receivers**
- **Countries of origin**
- **Transit countries**
- **Myths – rich and poor states
(Western and Eastern Europe,
Central Asia)**
- **Realities – melting pot**



CRC finds

- **Sources of problem**
 - **Economic - poverty**
 - **Social – exclusion, attitudes, stigmatization...**
 - **Political – lack of political will or action**
 - **psychological – personal and community inability to deal with risk and prevention**



CRC finds

- **Treatment of victims**
 - **Protection**
 - **Provision**
 - **participation**
- **Prevention**
 - **Essential for all successful policies**



CRC finds:

- **Law and implementation**

- **Most of national laws contain prohibitions and sanctions for perpetrators**
- **Improvements needed in legal provisions guaranteeing protection, rehabilitation and reintegration of child victims**
- **Implementation slow – difficult to process (impunity still high)**



The States' action

- **General measures of implementation**
 - **International standards applicable**
 - **CRC as part of national law**
 - **National plan of action**
 - **Coordination and monitoring**
 - **Independent monitoring – standards**
 - **State budget and allocation of funds**
 - **Classified data, on – going collection**
 - **Dissemination, Training and Raising awareness**
 - **International cooperation**
 - **NGOs and their activities**



Civil society organizations in prevention and protection of victims

- **NGOs in prevention**
- **Advocating, campaigning, lobbying**
- **Service providers**
- **Protection of victims**
- **Cooperation**
- **Legal and political position**
- **Committee on the Rights of the Child and NGOs**