

**INTERPOL Specialists Group on Crimes against Children
1st South East Asia Working Party Meeting
19 – 21 March 2013**

Bangkok, Thailand.

Opening ceremony

Ms. Najat MAALLA M'JID

**United Nations Special Rapporteur on the sale of children, child
prostitution and child pornography**

Pre recorded speech

Ladies and gentlemen, Dear colleagues,

First of all, I would like to warmly thank you for having invited me to participate in the opening ceremony of your meeting on “Crimes against children”. I was unfortunately not in a position to attend this event in person due to previous commitments but I am glad to still be able to share a few words with you on this very critical subject.

I would also like to seize this opportunity to commend your work in ensuring the protection of the rights of the child worldwide. In particular ASEAN’s commitment to tackle the issue of crimes against children, and the Australian AID for the commitment to the protection of children in the region and for the support to Project Childhood and to other programs.

As you know, crimes against children are a worldwide increasing phenomenon, crossing borders.

Crimes against children are a complex, multidimensional and evolving phenomenon.

Crimes against children can take several forms such as: sale, trafficking, various forms of child exploitation, cyber-bulling, child enrolment in crimes, in armed conflict etc.

Crimes against children gravely compromise the dignity, the health and development of children as well as the full enjoyment of their rights. Their destructive effects have a long-lasting impact on the victims.

As I am here today in my capacity of UN Special Rapporteur on the sale of children, child prostitution and child pornography, I would like to focus on 2 specific crimes against children related to my mandate: on-line child sexual exploitation and child sexual exploitation in travel and tourism, because of their increasing and transnational dimension. Two of my thematic reports were dedicated to these subjects, the report on child pornography on-line was presented to the Human Rights Council in 2009 and the other on child sexual exploitation in travel and tourism was presented to the Human Rights Council this month.

1. *Child sexual exploitation on line and child sexual exploitation in travel and tourism are increasing*

The practice of sexual exploitation of boys and girls of all ages, and from all backgrounds exists in all States and regions.

All actors agree on the persistent and alarming high level of sexual exploitation of children throughout the world.

Every year, millions of children under the age of 18 are victims or at risk of sexual exploitation around the world.

The availability of child abuse materials on-line is growing.

The children victims of on-line sexual exploitation are younger and younger and the images are more and more abject.

Regularly, on-line offenders and child sex tourists are arrested, criminal networks are dismantled.

2. *Why are they increasing?*

Because of

- An increasingly connected world

The ongoing development of new technologies which has not only greatly multiplied the possibilities of obtaining, distributing and selling this criminal material, but has also facilitated the easy access to children in all parts of the world and consequently promoting the growth of this phenomenon.

Indeed, the increasing interactivity of online content, social networking, video sharing and instant messaging has provided users with new opportunities but also new risks for children and youth.

Through social networks, the sexual solicitations of children (grooming) have also been increasing. Chats are among the primary means used by predators to target children.

- An expanding travel and tourism industry

With an expanding travel and tourism industry, child sex tourism is growing. While it has been recorded as a persistent problem in several locations around the world, it has also been identified as an emerging trend in numerous other destinations.

➤ An increasing child vulnerability

The vulnerability of children to sexual exploitation is increasing due to: the global financial crisis, increasing poverty, social disparities, gender discrimination, drug and alcohol abuse, environmental degradation, HIV/AIDS, displacement, armed conflict, natural disasters, and some persisting social norms.

➤ An increasing demand for sex with children and transnational criminality

The demand for sex with children is persistent and growing in all regions and States underpinned by an environment of social tolerance, complicity and impunity.

Transnational organized crime is escalating and more and more organized.

Moreover, the child sexual exploitation is a very lucrative industry, allegedly a source of billions of dollars of profit.

➤ The lack of a global legal framework

Significant disparities exist within countries regarding the prevention and prohibition of these crimes, thus facilitating perpetrators to reach their targets.

Indeed, as soon as prevention and protection efforts are intensified in a particular country, sexual predators seeking children seem to move on to another country.

3. *Actions undertaken to prevent, prohibit and protect children from sexual exploitation on line and child sexual exploitation in travel and tourism*

States and the whole international community unanimously condemn these crimes and have undertaken to combat this phenomenon, via the ratification of international and regional instruments, as for instance, the Convention on the rights of the child and its Optional Protocols, the Palermo Convention and its Optional Protocol, the ILO Convention 182, the Lanzarote Convention, the ASEAN Charter and many others.

During the three World Congresses against Sexual Exploitation of Children (Stockholm in 1996, Yokohama in 2001 and Rio in November 2008), global commitments were taken by the participating countries to prevent, prohibit and stop sexual exploitation of children and adolescents and to provide the necessary support to children who suffered from it.

The number of initiatives, from both the private and public sectors (often in cooperation), at the international, regional and national level, to prevent and combat sexual exploitation of children, has considerably increased. These include ratifications of conventions and protocols, legislative reforms, action plans, awareness activities and campaigns, child participation, child assistance and protection services, dismantling of criminal networks, involvement of the private sector within the context of corporate social responsibility, and regional and international cooperation.

Thanks to these efforts, significant achievements have been made. However, there are still gaps and disparities between and within countries and key challenges still remain:

1. The real scope

The real scope of child sexual exploitation is not really known due to various factors such as: the absence of a standardized system of data collection and treatment; the insufficiency of transnational information sharing; the low number of complaints due to the taboos related to this phenomenon, the fear of reprisals and the insufficiency of child sensitive complaints/reporting mechanisms.

2. Persisting legal gaps within and between countries

Some national legislation do not prohibit all forms of online child sexual exploitation, do not include mandatory reporting for ISPs, for travel/tourism sector and extraterritorial jurisdiction and do not foresee protection and compensation measures for child victims.

In some legislations which take into account the age of sexual consent or penal majority for instance (varying from 13 to 16 years old), the children are criminalized or punished.

The differences between national legislations still represent a considerable challenge in combating child sexual exploitation on line and in the travel/tourism industry.

3. Identification of victims

The identification of children victims remains difficult since it greatly depends on transnational information sharing, the level of collaboration of ISPs, travel/tourism sector and the information they make available.

The analysis of child abuse materials is a highly specialized and costly process.

One of the major challenges in ensuring the identification of victims is also the difficulty for children to access the police and justice as well as the lack or insufficient effective child sensitive counseling, complaint and reporting mechanisms ensuring protection, safety and privacy of child victims and witnesses.

4. The prosecution of offenders

The efficient prosecution of offenders also suffers from disparities between national legislations, practices and procedures, impunity as well as the lack of proper implementation of extraterritoriality and insufficient transnational information sharing.

5. Involvement of the private sector

Private sector engagement regarding the safety of children within the online environment is lacking in many countries. Internet service providers, mobile telephone companies and search engines, are not legally required to report any case of child sexual exploitation to the police, block access to offending websites and keep records, in accordance with established standards, for the purpose of investigation and prosecution. Similarly, financial institutions are not legally required to report, block and impede the functioning of financial mechanisms

that make children sexual exploitation on line possible. Furthermore, the obligation for the travel and tourism sector to report any case of child sex tourism is not systematic.

6. Transnational cooperation

Much remains to be done regarding reliable transnational information systems, harmonization of practices, exchange of expertise, and support to developing countries.

Ladies and gentlemen, Dear colleagues,

The child sexual exploitation on-line and in travel and tourism is a multidimensional and evolving phenomenon:

- Multidimensional, both national and transnational: if children victims live in a given country, predators often live in other countries;
- Evolving: the ICT sector is changing rapidly, requiring regular updating of knowledge and practices of all the actors combating this phenomenon. The increasing expansion of social networks allows an easier contact with children in all the parts of the world. Anonymity is also easily preserved. Web sites and criminal networks are constantly moving. CST destinations evolve quickly and frequently, as a result of the development of new tourism destinations and economic, social and political developments.

This multidimensional and evolving aspect makes detection and prosecution more and more difficult.

In order to effectively prevent and combat child sexual exploitation on line and in travel and tourism, it is necessary that:

- States ratify all relevant regional and international instruments and implement comprehensive child protection system, which is a coordinated set of laws, policies, social norms, regulations and services, capacities and monitoring as well as oversight activities across all the involved sectors to respond to child protection-related issues and risks, including child sexual exploitation.
- The ITC and the tourism/travel sector be more engaged and made more responsible, particularly in developing countries
- The international community establishes, expand and strengthen transnational cooperation mechanisms, as recommended by the Third World Congress against the sexual exploitation of children.

Indeed, because of the transnational dimension of these crimes, there is an urgent need to build a comprehensive and child rights centered transnational cooperation, by:

- establishing a comprehensive and global legal framework, preventing, prohibiting and protecting children from all the forms of child sexual exploitation;
- sharing and updating information related to child victims, to offenders;
- harmonizing practices and procedures;
- sharing expertise and scaling up good practices;
- And providing sustainable support to developing countries.

Ladies and gentlemen, Dear colleagues,

I would like, in conclusion, to reiterate that child sexual exploitation on line and child sexual exploitation in travel and tourism are a global crime and in view to prevent and combat effectively this plague, there is a need to establish a global response, through a global legal framework and a sustainable transnational cooperation.

This first South East Asia Working Party of the INTERPOL specialists Groups on crimes against children, organized with the support of Project Childhood is a commendable example of this international and intersectoral cooperation aiming at protecting children worldwide from crimes.

I finally take this opportunity to renew my support to your work and look forward to our further collaboration in protecting child rights.
