

National and transnational protection of children from exploitation

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Expert meeting: Returns and Transfers in Practice

8 September 2014, Vilnius

UN Mandate Sale of Children, Child Prostitution and Child Pornography

1990 UN Commission on Human Rights:

- root causes,
- new patterns,
- best practices to combat
- comprehensive strategies to prevent,
- recommendations on the protection of child victims.



- **country visits,**
- **actions on individual cases,**
- **thematic studies,**
- **awareness raising activities,**
- **advice for technical cooperation.**

UN Mandate Sale of Children, Child Prostitution and Child Pornography

Baby Princesa



Sale and sexual exploitation of children

The sale of children for the purposes of sexual exploitation

Transfer of organs

Sexual slavery

Forced labour

Sexual exploitation of child domestic workers

Forced adoption

Child pornography

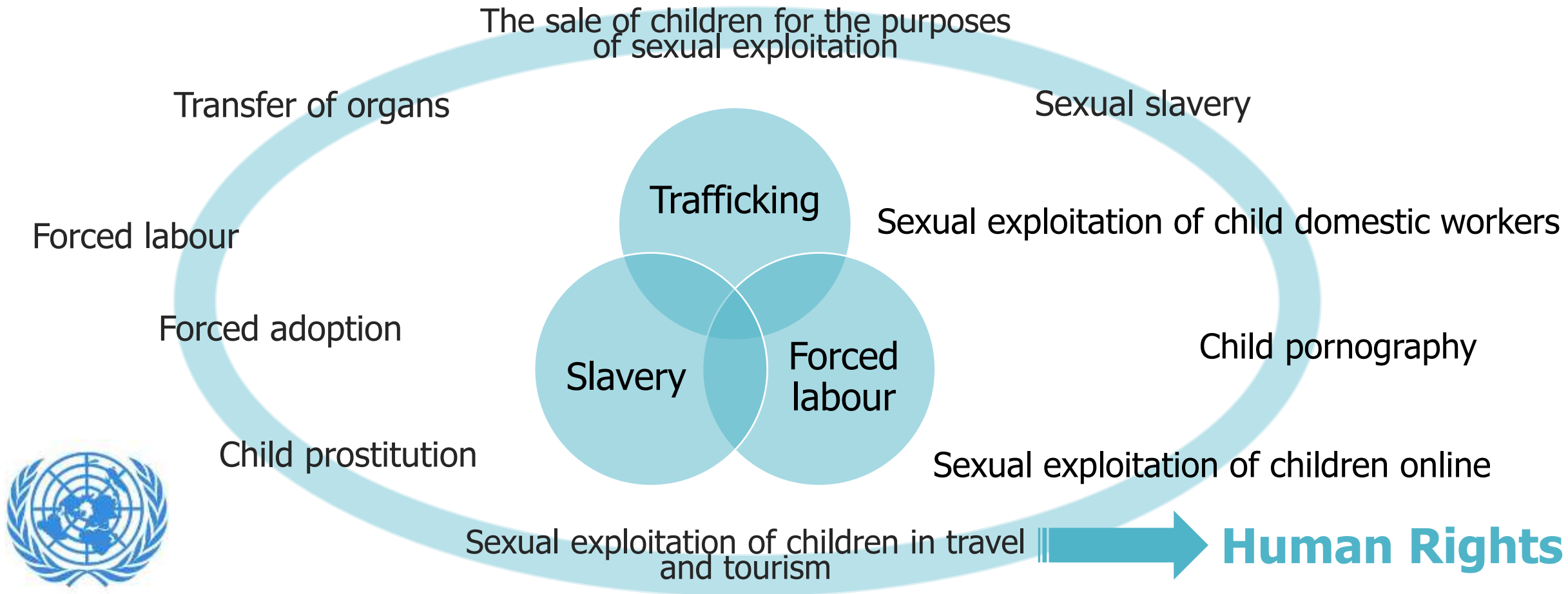
Child prostitution

Sexual exploitation of children online

Sexual exploitation of children in travel and tourism



Sale and sexual exploitation of children



Sale and sexual exploitation of children

UN Human Rights Council : ad hoc thematic mandates:

- mandate on contemporary forms of slavery,
- mandate on trafficking in persons, especially women and children,
- mandate on human rights of migrants.



- **UN special rapporteurs / independent experts**
- **Coordination for cross-cutting issues**



Sale and sexual exploitation of children

Sexual exploitation of children

- growing
- worldwide
- across borders.



- Constant shift in destinations for sex-tourism to countries with weak legislation & controls.

- Borderless availability of child pornography on line

- Grooming/sexting through social networks, internet, mobile phones & other technologies

Sale and sexual exploitation of children

Root causes & risks:

- complex,
- multidimensional,
- constantly evolving

Increased vulnerability:

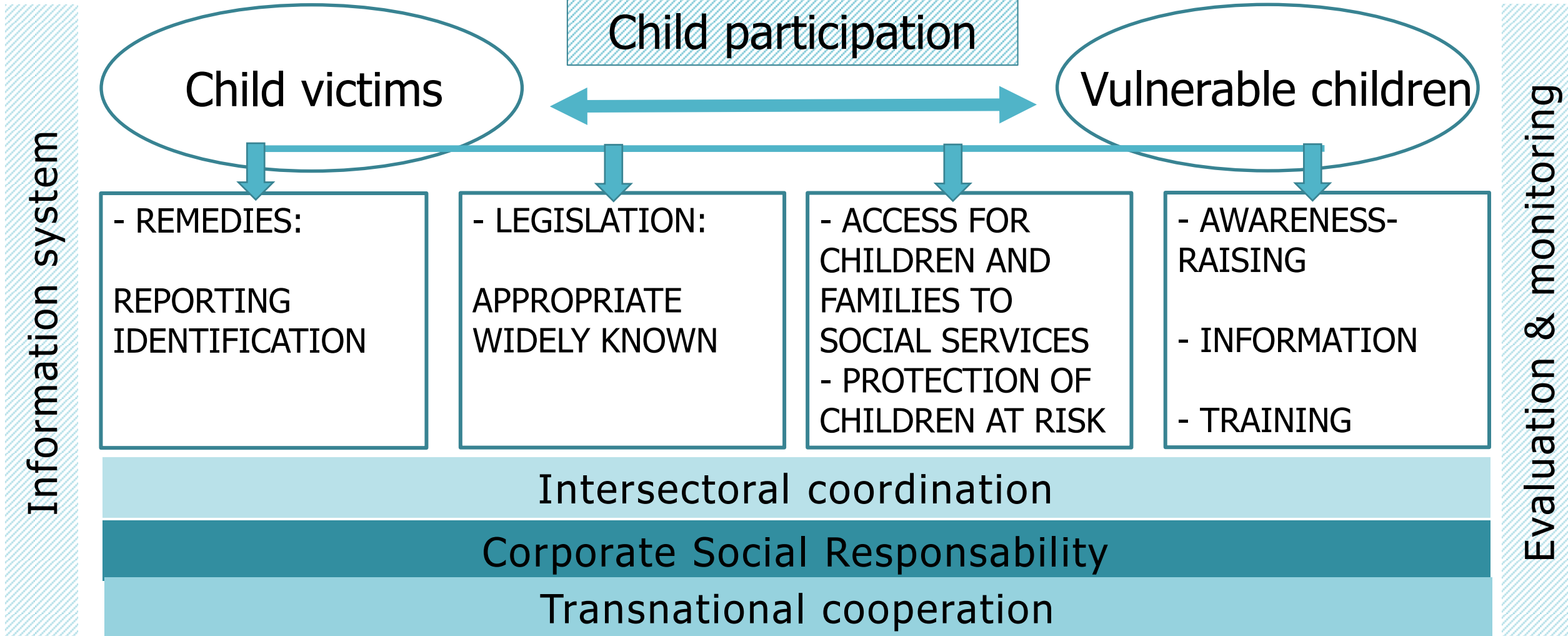
- poverty
- humanitarian crisis
- underdevelopment
- inequality
- social norms
- broken or dysfunctional families.

Increase in demand:

-> coupled with the transnational dimension of the phenomenon.

- > **Local**
- > **National**
- > **Regional**
- > **International**

Comprehensive strategic framework for child protection



Comprehensive child protection systems

Comprehensive, structured, resourced child protection systems:

- Targeted legislation,
- Multisectoral policies & programmes (actors / monitoring),
- National plans of action (decentralized and developed at the local level).

 - **Systemic approach**



Comprehensive child protection systems

Issues:

- Weak institutional capacity,
- Inadequate allocation of resources,
- Multiple sectoral action plans and insufficient coordination,
- Absence of monitoring and assessment mechanisms.



Effective cooperation at the national, regional and international level

International cooperation

Recent examples:

- International Child Sexual Exploitation image (Interpol)
- Virtual Global Taskforce

Global problem



Global responses:

- a global legal framework
- sustainable transnational cooperation



Transnational cooperation

Comprehensive & child rights-centered transnational cooperation:

- comprehensive and global legal framework to prevent, prohibit, and protect children from all forms of child sexual exploitation,
- sharing and updating information (child victims and offenders),
- harmonizing practices and procedures,
- sharing expertise and scaling up good practices,
- providing sustainable support to developing countries

Migrating children

Specific vulnerability / increased risk

↔ Absent from migration and child protection debates

Transnational dimension

↔ disparities in respect to laws, data processing, practices, procedures, approaches, information sharing, and cooperation modalities



Migrating children

Heterogenous group:

Accompanied, separated or alone, varied ages, boys, girls, irregular or regular migration ways, born in transit or destination countries, victims of trafficking/sale, asylum-seekers, refugees, children left voluntarily, children seeking family unit with migrant parents, documented or undocumented, with nationality or stateless



Migrating children

Almost universal ratification of the CRC & protocols

↔ Children in migration facing HR violations

Migration as a problem:

- Repressive & security approach
- Emergency situation / transnational crime

**Prevention & protection
as primary concern**



Migrating children

Comprehensive and child rights centered transnational cooperation aiming to protect, promote and fulfill the rights of migrant children, independantly of their immigration status



Migrating children

Legal gaps:

- **Determination of minority:**

- ➔ No access to legal representative/ guardianship and to justice, information, school, vocational training, healthcare and accommodation
- ➔ Deportation or detention
- ➔ Institutional mistreatment
- ➔ Missing from centres, meet up with traffickers, ...



Migrating children

Insufficient services of medical, psychological and social care

Weak long-term solutions in the country of origin

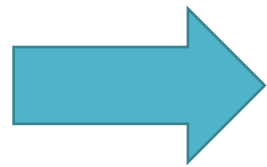
- Repatriation / determination of best interest of the child
- Dublin Regulation?



Child protection systems & Migrating children

Integrated national protection systems : equally relevant for children on the move

Art. 1 CRC: Every human being below the age of eighteen years



Protect their rights before labelling them



Child protection systems & Migrating children

- **Kyrgyzstan**
- **Madagascar**



Child protection systems & Migrating children

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**Missing
Children
Europe**

