Sixty-seventh session
Item 66 (a) of the provisional agenda*
Promotion and protection of the rights of children

Child participation as a key element in preventing and combating the sale and sexual exploitation of children

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M’jid, in accordance with Assembly resolution 66/141.

* A/67/150.
Summary

The present report is submitted pursuant to General Assembly resolution 66/141. The Special Rapporteur describes her activities in relation to the discharge of her mandate since her previous report to the Assembly.

She also analyses the role of child participation in preventing and combating the sale and sexual exploitation of children and provides practical guidance on the lessons learned in working with children as partners. She makes specific recommendations on how to establish and strengthen child participation within a rights-based comprehensive child protection system.

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I. Working methods and activities

A. Working methods

1. In its resolution 66/141, the General Assembly requested the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate. The present report contains information on the activities undertaken from August 2011 to August 2012 and provides the Special Rapporteur’s analysis of child participation as a key element in preventing and combating the sale and sexual exploitation of children.

B. Activities

1. Human Rights Council

2. In her annual report, submitted to the Human Rights Council at its nineteenth session (A/HRC/19/63 and Corr.1), the Special Rapporteur focused on the protection of children from sale and sexual exploitation following humanitarian crises caused by natural disasters. There were two addenda to her report: the first dealing with her visit to Mauritius (1-11 May 2011) and the second her visit to France (21 November-2 December 2011).

2. Country visits

3. The Special Rapporteur will undertake official visits to Guatemala, from 20 to 29 August 2012, and Honduras, from 30 August to 7 September. Her country visit to India, initially scheduled to take place from 16 to 27 April, was postponed at the request of the Government.

3. Conferences, seminars and engagement with civil society

4. The Special Rapporteur participated in numerous conferences and seminars during the period under review. In September 2011, she took part in a training session on child rights for security forces, organized by the International Bureau for Child Rights and held in Dakar. On 29 September, she delivered a speech in the framework of an event relating to the “Stop sex trafficking of children and young people” campaign organized by ECPAT International in Geneva. In October, she delivered a keynote speech at the Council of Europe Parliamentary Assembly in the framework of a debate on child pornography and child sex tourism. In November, she participated in an expert meeting convened in the framework of a study by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on street children. From 8 to 10 November, she participated in the fifth ECPAT International Assembly, held in Paris.

Consortium for Street Children and held in London. On 10 and 11 May, she attended a conference on strengthening family and alternative care for children in Africa, held in Dakar and organized by Save the Children. On 29 and 30 May, she participated in the fifth International Policy Conference on the African Child, on the theme of inter-country adoption, organized by the African Child Policy Forum and held in Addis Ababa. In June, she attended an expert workshop aimed at elaborating guiding principles on international solidarity, organized by OHCHR and held in Geneva. On 6 and 7 August, she attended a workshop on human rights and technology at Stanford University, United States of America. From 9 to 11 August, she participated as a lecturer in a summer course on child rights organized by the University of Moncton, Canada.

II. Child participation as a key element in preventing and combating the sale and sexual exploitation of children

A. Introduction

1. Background

6. In her previous report to the General Assembly (A/66/228), the Special Rapporteur stressed the need to establish comprehensive and rights-based child protection systems in order to effectively protect all children, without discrimination, from being sold and sexually exploited. She provided a detailed outline and practical guidance aimed at assisting all stakeholders in establishing such systems.

7. Child participation is a key component of effective child protection systems. Children’s perspectives and experiences support efforts to consolidate these systems and uphold a culture of respect for children’s rights. Children’s views and recommendations enrich the design of policies and the enactment of legislation. Child participation helps to broaden the reach of advocacy and awareness-raising initiatives and empowers children to gain confidence and trust and engage in peer education.

8. Child participation is about each child having the opportunity to express his or her views and to have those views taken into consideration in all matters that directly or indirectly concern him or her, with the objective of influencing decision-making and achieving change. It requires the informed and willing participation of all children, including the most marginalized and those of various ages and abilities. Child participation is an essential principle that cuts across all programmes and policies and must be implemented in all arenas — from homes to Governments and from the local to the international levels.

9. Child participation is closely connected with the right of the child to be heard, as provided for in the Convention on the Rights of the Child. Giving full effect to that right is recognized as challenging owing to the difficulty that many adults have in accepting the capacity of children to understand, communicate and make informed choices during important decision-making processes.

10. Notwithstanding the many challenges involved, including those of a sociocultural and practical nature, the positive impact of child participation has been significant. Evidence has shown the considerable benefits brought about both by
providing the mechanisms for child participation and by empowering children to become active participants in the protection and fulfilment of their rights. Child participation strengthens both programming and advocacy work and makes adults more accountable to children as rights holders.

11. It is essential to involve child victims/survivors of sale and sexual exploitation in prevention and protection efforts because this ensures that strategies and programmes take into account the experience, knowledge and unique concerns of children who have been directly affected. Through their meaningful and safe participation, these children can also enhance their self-confidence, skills, resilience and feeling of empowerment, all of which may contribute to their recovery and reintegration. The empowerment of all at-risk children through high-quality participation must be a pillar of a comprehensive prevention strategy. Ultimately, empowered children will be best placed to guarantee their own protection.

2. Objectives and methodology

12. The present report was developed with the objectives of providing an overview of available child participation practices, mechanisms and guidelines; offering practical guidance on the lessons learned in working with children as partners; and making specific recommendations on how to establish and strengthen child participation within a rights-based comprehensive child protection system.

13. The present report is based on work carried out by the current Special Rapporteur and previous mandate holders, including through country visits, and on reports and studies of United Nations human rights mechanisms and agencies and other national, regional and international organizations.

B. Child participation framework

1. Conceptual and normative framework

14. While the Convention on the Rights of the Child does not explicitly include a right to participation, it contains a cluster of articles considered to be "participation articles". The term "participation" has been adopted by the Committee on the Rights of the Child and the wider child rights community to describe the realization of the rights enshrined in those articles. Article 12 of the Convention states that every child capable of forming views has the right to express those views freely in all matters affecting him or her and that those views must be given due weight in accordance with the child’s age and maturity. This is not only a fundamental right, but also a guiding principle of the Convention.1 Article 5 points out that, when providing direction and guidance in the exercise by children of their rights, parents and other guardians must take into consideration the evolving capacities of children. Articles 13 to 17 further address the child’s right to freedom of expression, thought, conscience, religion, association, peaceful assembly, protection of privacy and access to information and material.

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1 See also general comment No. 12, on the right of the child to be heard, of the Committee on the Rights of the Child (CRC/C/GC/12); and Gerison Lansdown, Every Child’s Right to be Heard: A Resource Guide on the UN Committee on the Rights of the Child General Comment No. 12 (London, Save the Children, 2011).
15. The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography states, in article 8 (1) (c), that the views, needs and concerns of child victims should be represented and considered in proceedings where their personal interests are affected and, in article 9 (2), that the participation of the community and, in particular, children and child victims, should be encouraged in education and training programmes.

16. The Worst Forms of Child Labour Recommendation, 1999 (No. 190), under the auspices of the International Labour Organization, also states that the programmes of action referred to in the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182) should be designed and implemented in consultation with, and taking into consideration the views of, children directly affected by the worst forms of child labour (para. 2). The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, requires States to provide assistance to enable the views and concerns of victims of trafficking to be presented and considered at appropriate stages of criminal proceedings against offenders (art. 6 (2) (b)).

17. The Stockholm Declaration and Agenda for Action against Commercial Sexual Exploitation of Children, adopted at the first World Congress against Commercial Sexual Exploitation of Children, held in Stockholm from 27 to 31 August 1996, included a significant commitment to the participation of children and young people. While this commitment was reaffirmed at the second World Congress, held in Yokohama, Japan, from 17 to 20 December 2001, the third World Congress, held in Rio de Janeiro, Brazil, from 25 to 28 November 2008, promoted an even broader agenda on children’s civil rights and children’s active role as citizens. Child participation was also an essential component of the report of the independent expert for the United Nations study on violence against children (A/61/299) and constitutes one of its overarching recommendations.

18. In addition, numerous regional instruments encourage the participation of children in the development and implementation of State policies, programmes and other initiatives and in the protection of, and provision of support to, child victims/survivors.

2. Key guiding principles and standards

19. Various guiding principles and standards have been developed by United Nations agencies and other international organizations, such as the Practice Standards in Children’s Participation produced by Save the Children in 2005 and the Minimum Standards for Consulting with Children developed by the Inter-Agency Working Group on Children’s Participation (comprising ECPAT International, Knowing Children, Plan, Save the Children, the United Nations Children’s Fund (UNICEF) Regional Office for East Asia and the Pacific, and World Vision Asia Pacific) in 2007. The latter were developed to improve the quality of consultations, maintain consistency and minimize potential abuse and exploitation during participation. They were designed to be applicable in various contexts and to describe the minimum expectations of behaviour by adults and children at consultation events.
20. Child participation mechanisms must operate in compliance with these international human rights principles and standards and ensure:

(a) Institutionalization of permanent and sustainable mechanisms for the participation of children in decision-making processes relating to all matters of their concern;

(b) Allocation of adequate budgets and resources to support meaningful and sustainable child participation;

(c) Presence of effective, professionally trained, qualified and confident adult staff and support personnel;

(d) Establishment of, and adherence to, ethical standards and child rights principles that include transparency and accountability;

(e) Availability of, and access to, well-publicized, gender-sensitive and appropriate information that is suitable for all children (including very young children, children with disabilities, indigenous children and children from ethnic and linguistic minorities and other marginalized groups);

(f) Establishment and maintenance of a safe and child-friendly environment that ensures the protection and safety of children and the enhanced recovery and skill development of any child victim/survivor participating;

(g) Equality of opportunity and guaranteed participation of children from vulnerable, marginalized and at-risk groups, including children with disabilities, children in street situations and children living in extreme poverty, in rural and remote areas or within alternative care settings, making sure to avoid the participation and representation of children from only privileged backgrounds;

(h) Voluntary and informed participation of child representatives;

(i) Empowerment of child-led organizations and peer initiatives to enable children to develop and carry out their activities;

(j) Regular and independent monitoring and evaluation of the quality, sustainability and accountability of mechanisms and practices;

(k) Systematization of children’s participation in all monitoring and evaluation activities.

21. In addition, children must be provided with child-friendly and accessible feedback on their participation through immediate and clear statements on the impact and value of their contributions, the decisions that they have taken and the next steps. This enables children to understand the outcome and use of their contributions.

C. Child participation practices

22. Numerous initiatives have been launched by stakeholders throughout the world to secure child participation in preventing and combating the sale and sexual exploitation of children. In the present section, the Special Rapporteur provides a brief overview of practices that have led to specific changes in ways of working with children as partners. Preference was given to documented practices relating specifically to the subject of the present report, bearing in mind geographical
representation. Although these examples are not exhaustive and may need to be adapted to suit particular contexts, many are worth replicating.

1. **Child-sensitive and appropriate information**

23. In accordance with article 17 of the Convention on the Rights of the Child, a child has the right to gain access to appropriate information and material. Gaining access to information is often the first step in the participation process, given that it allows an informed child to voice his or her opinion. In the context of the sale and sexual exploitation of children, this information is often delicate and must therefore take into consideration, and sometimes challenge, cultural and context-specific sensitivities. It is equally important, targeting the children who are most at risk and hard to reach, to ensure the broad geographical and linguistic reach of information tools and mechanisms. Consideration must also be given to the particular communication needs of children with disabilities.

2. **School programmes and helplines**

24. Education programmes have been developed in schools and represent a wide-reaching and potentially sustainable method of informing children. From 2008 to 2011, Barnardo’s, a charity founded in the United Kingdom of Great Britain and Northern Ireland in 1866 to care for vulnerable children and young people, delivered a preventative education programme on child sexual exploitation intended to improve awareness and understanding of and response to sexual exploitation and to strengthen the confidence and ability of children and young people to resist unwanted sexual experiences. The programme, which included training and awareness-raising sessions, targeted local safeguarding children boards, schools and residential units from 25 London boroughs. In total, it involved 4,723 young people and 820 professionals. According to the final evaluation, published in 2011, half of the children involved demonstrated progress in identifying risk factors and safety strategies.

25. Children at the Nzeve Deaf Children’s Centre in Mutare, Zimbabwe, found that an existing manual on sexual and reproductive health education was not particularly user-friendly for hearing-impaired children and did not deal with some of their specific vulnerabilities. Accordingly, the centre worked in collaboration with the children to adapt the manual specifically to their use. After incorporating the changes suggested by the children, the centre took the revised materials back to the children for further feedback. This step was important because the children could see that their suggestions had been incorporated, giving them a sense of ownership of the document and encouraging them to provide further ideas and recommendations. Meanwhile, the process of reviewing the document multiple times helped the children to absorb and retain important information on sexual and reproductive health education.2

26. Helplines have been set up as a safety net for children in many countries and should be an essential component of any information-sharing and reporting strategy on violence against and abuse and exploitation of children. These toll-free numbers provide children with information and immediate confidential support and link them with appropriate services. According to data provided by Child Helpline

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International, more than 14.5 million children (or adults on behalf of children) contacted helplines around the world in 2008. With the continuously expanding use of information and communications technology, including mobile telephony, text messaging, instant messaging and the Internet, some barriers preventing children from making use of existing helplines are being overcome.

3. **Creative arts involving children**

27. Another popular, inexpensive and accessible medium to raise awareness and share information is theatre. In Ukraine, a programme for young people known as the “Gender Interactive Theatre”, which was developed by the School of Equal Opportunities, uses interactive theatre methods to raise awareness of social issues such as trafficking, HIV/AIDS, drug abuse and violence prevention. Based on peer education through creative arts, it encourages the participation of diverse groups of children as actors and audience. Interactive theatre has become extremely popular with young people in Ukraine and the model has been replicated in Belarus.³

28. In Guatemala, peer educators at the Education Programme for Working Children and Adolescents, an institution of some 1,800 students providing education to working children, created a mural to raise awareness. The aim of this microproject was to ensure that young people and adolescents were aware of the dangers of commercial sexual exploitation of children. It provided a fun and interactive way to discuss the sensitive issues of commercial sexual exploitation of children, trafficking of children and HIV/AIDS with the most at-risk young people.⁴

29. At the fourth Arab Civil Society Forum for Children, organized by the Arab Council for Childhood and Development and Save the Children International and held in July 2012 in Beirut, children from Lebanon, Yemen and the West Bank highlighted the importance of children’s participation in prevention and protection from child sexual abuse. Child presenters, aged from 14 to 15 years, spoke about their experiences with peer learning and demonstrated with puppets, theatre, animations, songs and skits the tools that they had learned to express themselves.

4. **Child-friendly media**

30. Print and broadcast information are shared with children in many forms, including leaflets, cards, booklets, posters and television and radio broadcasts. These can form part of specific time-bound campaigns or continuing initiatives to raise awareness of and promote existing services such as helplines. They are produced using age-appropriate language, images, cartoons and attractive designs. In the context of its “ONE in FIVE” campaign to stop sexual violence against children, the Council of Europe created a character named Kiko, who appears in books, television spots and other materials, helping children, parents and carers to prevent, identify and appropriately respond to the sexual abuse of children.⁵

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⁵ See www.coe.int/t/dg3/children/1in5/default_en.asp.
31. Animated short films are an effective and attractive medium to convey difficult messages. One such example is *Two Little Girls*, which was made by the Poppy Project in the United Kingdom in consultation with a group of young Albanian women who were trafficked into the country. It is part of a trafficking prevention and public awareness-raising campaign, aimed at girls and young women in 13 countries in Eastern Europe who are at risk of being trafficked for sexual exploitation. It warns them of the dangers of being persuaded to travel abroad with false promises of employment, only to find themselves sold into commercial sexual exploitation. Other good examples have been produced using the “Animate it” method promoted by Save the Children Sweden, which allows children to design and produce animated films about issues that concern them.

32. In 2005, Al Jazeera launched a pan-Arab children’s channel directed at children between the ages of 7 and 15 years. It shows thematic documentaries on educational topics and debates that allow Arab children to express their views and ideas. Its bilingual and interactive website (www.jcctv.net) also provides a wide range of multimedia and digital content and tools that enable children to upload images and videos and discuss issues of concern with others. In January 2010, a video-on-demand service (www.taalam.tv) was launched by the channel as an educational device to allow students to learn in a more stimulating and interactive way. The service has already reached more than 100,000 students in 178 schools. It contains specific sections on children’s rights, including rights against domestic abuse.

5. **Child-friendly spaces and forums**

33. Children can make their voices heard in various contexts and at various levels, including at the individual level, where they require empowerment to participate in everyday decisions affecting them. Participation can be formal or informal, initiated by children themselves, by adults or by both jointly. It can be permanent or temporary. Examples include children’s clubs, youth groups, associations, student councils, youth forums, children’s parliaments and blogs.

34. In Mexico, the Mechita Club provides activities for children who are living and working in La Merced market, Mexico City, and are at high risk of exploitation. Through the club, children create and perform in plays, act as spokespersons to raise awareness in their communities and engage in other educational activities. Children aged between 7 and 13 years also produce a monthly bulletin that provides information to the community about their activities and raises awareness of issues related to child rights and the risks of sexual exploitation.\(^6\)

35. The third Mekong Youth Forum on Human Trafficking and Migration was held in Bangkok in October 2010, organized with the support of the Government of Thailand, Save the Children UK, World Vision International, the International Labour Organization and the United Nations Inter-Agency Project on Human Trafficking. It included children from Cambodia, China, the Lao People’s Democratic Republic, Thailand and Viet Nam, some of whom were survivors of commercial sexual exploitation. Under the auspices of the Forum, the children participated in national and regional consultations organized to evaluate existing activities focused on combating human trafficking and made recommendations for

policy improvements, including in relation to the participation of young people and accountability of policymakers. The recommendations of the Forum were presented at an international meeting to review the progress of the third World Congress against Commercial Sexual Exploitation of Children and Adolescents, organized by ECPAT International and held in Bangkok in October 2010.

36. The “Be-free” programme works under the umbrella of the Bahrain Women Association for Human Development and has since 2009 developed an environment that encourages the participation of children and young people in identifying issues and areas that might lead to risks of abuse and exploitation for them or their peers. It also helps children and teenagers to find practical and effective solutions to and ways to protect themselves from abuse and exploitation.

37. At the international level, UNICEF has a recently modernized blog entitled “Voices of Youth” (http://voicesofyouth.org), which enables young people to learn more about and share their thoughts and opinions on issues affecting their world. Online discussions encompass such social issues as education, environment, violence and conflict, HIV/AIDS, health and human rights.

6. Children’s participation in project design and implementation

38. Children have been involved in the development and execution of projects to prevent and combat the sale and sexual exploitation of children around the world.

39. In the Czech Republic, for example, the Ecumenical Network for Youth Action is a partnership of churches, related associations and networks that runs a programme to tackle trafficking, forced prostitution and sexual abuse of children and young people in Eastern and Central Europe. It includes interactive training seminars, prevention programmes and strategies for the establishment of independent homes for young people that are co-managed with children living on the street. The network has also developed specialized peer leadership programmes to promote the full inclusion of young people in efforts to combat commercial sexual exploitation of children. These have been successful in providing an opportunity for young people to become involved, take responsibility and seek alternative lifestyles and opportunities to improve their lives. 7

40. The youth section of the All-Ukrainian Network against Commercial Sexual Exploitation of Children consists of 25 children and young people. As part of a campaign launched by the Body Shop to stop sex trafficking of children and young people, the section gathered more than 55,000 signatures (half of which were from children) on a petition to change those Ukrainian laws that were not fully compliant with the provisions of the Optional Protocol. Consequently, a comprehensive bill to prohibit commercial sexual exploitation of children was registered in the parliament and presented to the Ombudsman for Children under the President of Ukraine. 8

41. The “What works for us” project in the United Kingdom is a joint initiative by ECPAT UK, the National Working Group for Sexually Exploited Children and Young People and Barnardo’s that was launched in January 2010. It brings together young people from around the country to participate in national consultations involving leading organizations, such as the Child Exploitation and Online

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7 Ibid., p. 26.
8 ECPAT Youth Journal, Empowering Child Survivors and At-Risk Youth against Commercial Sexual Exploitation, pp. 17-19.
Protection Centre (a national law enforcement agency that focuses on tackling the sexual abuse of children), to assess and discuss programmes, policies and services regarding the prevention of and protection of children from sexual exploitation and to help to inform the development of relevant practice and policy. The young people involved have become recognized as a high-level advisory group and have participated actively in the development of relevant practice and policy. They attended a meeting in Parliament in June 2011 to highlight gaps in response to sexual exploitation and presented research findings to the Children’s Commissioner for England in September 2011.

42. The Child Protection Alliance in the Gambia has institutionalized the participation of children and young people in its work. They are involved in programme design and implementation, including advocacy and prevention work in relation to commercial sexual exploitation of children. A children’s advocacy group, Voice of the Young, is consulted and involved in all decision-making processes within the organization. It is active in mobilizing and building the capacity of children and young people, including through training in child rights and protection issues. It hosts talk shows on issues related to child protection, including commercial sexual exploitation of children, on national radio and television stations. It also organizes a quarterly meeting of young people from diverse groups around the country to discuss issues of concern to children. The final declaration of that meeting is transmitted to the Government. It has also set up 24 clubs in rural schools.

43. The Global Youth Partnership Project against Commercial Sexual Exploitation of Children is aimed at improving the lives of affected children by empowering survivors and those at risk to advocate their own right to be protected. Through leadership training sessions led by young people, peer support programmes, microprojects led by young people and improvements in shelter care services, children learn how to better protect themselves and others while actively lobbying Governments to uphold their commitments to combating the commercial sexual exploitation of children. The psychosocial impact of the initiative is manifested in the participating children’s increased resilience, confidence, creativity, self-esteem and social and life skills.\(^9\)

44. In 2009, the International Catholic Child Bureau brought together three of its partners from South and South-East Asia (Reaching the Unreached Trust in India, Aawaaj in Nepal and Community Child Based Organization in Cambodia) to reflect on and learn from their work and experiences in relation to efforts to combat child sexual exploitation. The group met annually and, in 2012, produced a manual drawing on the testimony and experience of children and adult survivors of sexual abuse, along with that of the non-governmental organizations that had supported them. The involvement of children in the project highlighted the best ways to approach survivors of sexual abuse, given that the non-governmental organizations could see which factors had genuinely helped their recovery. The group discovered that relationships of trust, respect and ensuring the dignity of each child were absolutely necessary to improve resilience in survivors of sexual abuse. The

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9  See www.ecpat.net/ypp_global/index.php.
participation of children made it possible to understand the best way for that to be achieved.\textsuperscript{10}

7. Child participation and online safety

45. The rapid development of the Internet and new technology has provided new channels through which to raise children’s awareness of the subject of sale and sexual exploitation of children. These channels may, however, also be abused and increase the risks of exploitation for children using them.\textsuperscript{11} In a study on safe habits in the use of smartphones by Spanish children and adolescents carried out by Orange and the National Institute of Communication Technologies in 2011, it was found that 3.8 per cent of children questioned had received telephone calls or text messages from unknown adults wanting to meet them (indicating possible grooming). Of concern was the fact that children were over seven times more worried about excessive expenditure on telephone bills than about being contacted by a stranger.

46. In Kenya, the Africa representative of the ECPAT International Child and Youth Advisory Committee, in collaboration with other young people, coordinated a campaign entitled “Make-IT-safe”, intended to protect children from pornography. The campaign, aimed at raising awareness about violence in cyberspace, involved a petition-signing day that included online signing and distribution of T-shirts and stickers. This stimulated public interest in learning more about the issue and in setting up systems encouraging cybercafe owners to monitor content accessed by children and to ban the viewing of pornography on their premises. The campaign also attracted the attention of police and Government representatives. Following this initial success, young people brought the campaign to other parts of the country, working with cybercafe owners to set up monitoring systems and raising awareness of safe use of the Internet in schools and universities.\textsuperscript{12}

47. The “Safer Internet centres” initiative, part of a European Commission programme, works in partnership with panels of young people (children aged from 14 to 17 years) on campaigns, awareness-raising materials and Internet safety.\textsuperscript{13} In the Netherlands, for example, Digiraad (http://dedigiraad.nl) is an advisory committee comprising young people who advise the Ministry of Economic Affairs about issues pertaining to Internet safety. They also test information materials to ensure that, as the main target group for these materials, their opinion is taken into account. They post their advice on their website, where other young people can also comment through an online forum.

48. As part of the “Thinkuknow” education initiative by the Child Exploitation and Online Protection Centre in the United Kingdom, a website was created to provide children with age-appropriate information, including games and videos (www.thinkuknow.co.uk). As part of the “Fighting against child exploitation” initiative, young people who were aware of the dangers of grooming and sexual exploitation of children made it possible to understand the best way for that to be achieved.\textsuperscript{10}


\textsuperscript{12} ECPAT International, \textit{Ensuring Meaningful Child and Youth Participation}, p. 17.

exploitation and were willing to help others came together to create a website that uses fun quizzes, games and stories to convey information (www.faceup2it.org).

49. In Australia, the objective of the Youth Advisory Group on Cybersafety, established under the country’s cybersafety plan, is to provide the Government with the perspective of young people on cybersafety issues. Membership of the Group in 2012 is expected to expand to some 3,000 individuals aged between 8 and 17 years, from up to 400 schools nationwide. Among other things, the Group’s members cooperate with the police to provide updates on online developments affecting children (such as trends and language) and organize awareness-raising activities in schools. Their advice has resulted in the creation of resources, such as the Cybersafety Help Button, launched in 2010, which is intended to give Internet users, in particular children and young people, easy online access to counselling, reporting and information resources on cybersafety issues. An easy guide to socializing online has also been published, providing cybersafety tips for 26 social media sites, search engines and online games, along with general safety tips for Internet usage.

50. The International Youth Advisory Congress, held in London in 2008, brought together more than 140 children aged between 14 and 17 years from 19 countries to develop action-oriented recommendations to Governments, the media, law enforcement agencies, the education sector and the private sector. The participants produced the Children and Young Persons’ Global Online Charter, which listed recommendations aimed at making their virtual environments safe.15

8. Child participation in judicial proceedings

51. Actions have been taken to guarantee effective child participation in judicial proceedings, including the production of manuals and guidelines (under the auspices of, for example, the United Nations and the Council of Europe),16 the provision of training and technical advice to facilitate the implementation of such guidelines, the development of child-friendly environments guaranteeing children’s safety, protection and confidentiality (including through child-friendly spaces in court), videotape recording to guarantee safety and confidentiality, and child-sensitive reporting mechanisms.

52. The Children’s House in Iceland is a specialized institution, operating under the auspices of the Government Agency for Child Protection, which offers a comprehensive set of services in response to actual or potential cases of child sexual abuse, including facilities for child-friendly interviews of children involved in criminal justice processes. It offers multidisciplinary services provided through an integrated approach that prevents repeated interviews and ensures prompt and comprehensive referral of child victims to all relevant services. This has led to an increase in the number of complaints, prosecutions and convictions for acts of sexual violence against children. The Children’s House served more than 2,000

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15 See www.iyac.net/children/index.htm.
16 These include UNICEF guidelines on the protection of child victims of trafficking; the model law and related commentary on justice in matters involving child victims and witnesses of crime, published by the United Nations Office on Drugs and Crime and UNICEF; and guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice and their explanatory memorandum.
children within its first 10 years of operation and its success has led to children’s houses being set up in Denmark, Norway and Sweden.17

53. In Ethiopia, the Forum for Sustainable Child Empowerment (www.fsc-e.org) runs a rehabilitation and reintegration programme for abused and exploited children. Interventions have included the establishment of child protection units and rescue centres for victims of sexual abuse and exploitation and trafficking, training of police officers, prosecutors and judges, the establishment of child-friendly courts (including setting up closed-circuit television systems for child victims) and the start-up of a coalition of non-governmental organizations and Government departments intended to function as a referral mechanism.

54. Child advocacy centres18 funded by the Government of Canada provide a coordinated approach to meeting the needs of child victims of or witnesses to crimes. Such centres are intended to minimize system-induced trauma by providing a single, child-friendly setting for children and their families. A child advocacy centre is a community-based programme, with a multidisciplinary team providing comprehensive and child-rights-focused support to victims, including forensic interviewing (a fact-finding mission, performed by someone who is specially trained in the many dynamics of child abuse, to determine whether a child has been abused and to find out the child’s reality about what happened to them, using non-leading and age-appropriate questions).

9. **Children’s participation in public policy development and monitoring**

(a) **National level**

55. Children have been participating in the development of legislation, policies and national action plans. National children’s parliaments, established in many parts of the world, have also made it possible for children and young people to engage in political systems and processes and to influence debates related to children’s issues in a formal way.

56. In El Salvador, a five-year comprehensive national children and youth policy centred on child rights was developed through dialogue with young people in 262 municipalities and adopted in August 2010. The example set through consultations with children and young people is positive because the process was supported by the involvement of children in the elaboration and planning of policies (see A/HRC/16/57/Add.4).

57. In Yemen, the Children’s Parliament has democratically elected representatives from all governorates and includes orphans, children with disabilities and young people belonging to marginalized groups. It regularly meets Government departments and non-governmental organizations. In 2008, it produced a public report on the situation of children in Yemen. In 2010, it carried out a national campaign to illustrate the impact of early marriage on the lives and health of young girls, which has led to a review of Yemeni legislation.19

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58. In Bangladesh, as part of the “Listen to children’s voices” project launched by Save the Children Australia, a national children’s task force was formed in all districts to monitor child rights issues nationwide. In addition, the Child Parliament is a platform that allows young people to bring issues to the attention of the Government, non-governmental organizations, donor agencies and civil society. It provides a forum to formulate child-friendly policies based on research.

(b) Regional and international levels

59. Regional consultations with children were integral to the preparatory work for the report of the independent expert for the United Nations study on violence against children (A/61/299). The input of hundreds of children, from 133 countries, was used in the recommendations made in the study. One of the most successful consultations was the Mekong Children’s Forum on Human Trafficking, held in October 2004, which was brought about in partnership with the “Voices of children” initiative. All the children involved came from areas in which they were at risk of trafficking, which meant that they had a unique view as to what would be successful and should be done with regard to combating violence. Recommendations such as closing karaoke bars linked to sex services, holding an anti-trafficking day and prohibiting border agents from abusing drugs and alcohol were ideas that adults might not have thought of but were important to the children, who knew the situation on the ground.\(^{20}\)

60. For the third World Congress against Commercial Sexual Exploitation of Children and Adolescents and its supporting regional preparatory processes, special efforts were made to ensure the participation of children, culminating in the attendance of 282 young people from 96 countries. This included the proactive mobilization of child victims of commercial sexual exploitation and their participation in the core organizing committee and the committee drafting the final outcome document. Similarly, children and young people also participated in the international meeting to review the progress of the third World Congress.

61. In July 2011, an alternative report on the implementation by Nepal of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was prepared by 11 civil society organizations and supported by Save the Children International, Plan Nepal and World Vision International. Focus group discussions and consultations were held with children’s organizations with experience in the field, children and victims to gather primary data. A total of 87 children were consulted.

(c) Children involved in research and data collection

62. Child-led research not only provides valuable opportunities for the empowerment of child participants themselves, but also strengthens the research process. Children may have unique access to particular locations, be in a privileged position to judge the accuracy of information and be able to determine the appropriateness of the methodology used, create links with their peers and make the children whom they consult feel at ease.\(^ {21}\)


63. Kafa, a local non-governmental organization working on violence and exploitation in Lebanon, carried out research in the aftermath of the July 2006 conflict to assess the prevalence of child sexual abuse, explore knowledge and attitudes and identify barriers to seeking help. More than 1,000 children aged from 9 to 12 years from camps for displaced persons and summer camps participated in the study. In addition, some 250 schoolchildren were involved in five sessions to raise awareness of sexual abuse. Through the Ministry of Social Affairs, the Government indicated its willingness to adopt a national strategy on child sexual abuse — a clear and positive outcome of the project.22

64. ECPAT Netherlands has mobilized young people to conduct peer research to investigate the trafficking of children. The young people who conducted the research were also survivors who had an understanding of and access to other young victims of sexual exploitation. The outcome was first-hand information comprising varied experiences and stories that provided significant insight into the nature and extent of the problem. The researchers offered suggestions to improve the services to victims and made specific recommendations on setting up effective prevention and protection systems against trafficking.23

65. In 2010, Maiti Nepal, Aparajeyo-Bangladesh and Sanlaap (India), supported by ECPAT International, carried out research led by young people that was specifically focused on children living in vulnerable areas. The purpose of the research was to provide evidence-based data to be used in advocacy to bring about changes in national and local laws, policies and practices. The organizations helped to hold stakeholder consultations, led by young people, where recommendations identified were shared and discussed with policymakers and decision makers.

66. From 2009 to 2012, a project by Save the Children on a civil society for child rights in the Middle East and North Africa aimed to help children and young people to understand child-led data collection and to improve general understanding of the realities facing children. A key outcome of the project was the production of a manual on child-led data collection that was piloted with groups of young people throughout the region.24

67. From 2008 to 2010, a regional project to study the mobility of children and young people in West and Central Africa was led by a platform of eight regional child protection agencies, with the assistance of governmental and non-governmental structures gathered within national steering committees. The aim was to document contemporary practices of mobility of children and to develop and promote strategies for child protection on the basis of lessons learned from research and from experience. Children and young people (victims, witnesses, vulnerable children and peers) participated actively in the research and in capitalizing on practices.

10. Child-led organizations and peer initiatives

68. Child-led organizations and associations and peer initiatives provide opportunities for children to develop their skills, receive support from peers and join forces to campaign for their rights.

22 Lansdown, Every Child’s Right to be Heard, p. 114.
69. Child Assistance for Mobilization and Participation is a Cambodian organization led by young people that works to promote children’s rights and improve opportunities for marginalized children through participation. It mobilizes children and young people by forming clubs and village networks, carrying out advocacy with local and national governments and working closely with communities to raise awareness of the need to prevent and address commercial sexual exploitation of children and trafficking of young people. Members have been elected as East Asia and Pacific youth representatives to the ECPAT International Child and Youth Advisory Committee, enabling the organization to bring its grassroots experiences in the field of children’s participation in efforts to combat commercial sexual exploitation of children to the regional and international levels.25

70. The African Movement of Working Children and Youth is a movement led and managed by children, present in 25 African countries, with a membership of almost 450,000 working children and young people organized into 2,411 grass-roots groups. Through this movement, activities are carried out at the local, national and regional levels, such as counselling, campaigns and partnerships with other organizations and groups. The primary aim is to build, promote and protect the rights of children. In September 2010, for example, a forum on violence against children was held in Accra, at which participants discussed such issues as physical, psychological and sexual violence. They exchanged experiences and used lessons learned to inspire them to continue to fight their cause. A regional anti-trafficking campaign led by young people was also recently initiated.26

71. In South Asia, a peer support programme, part of the Youth Partnership Programme, is run entirely by youth motivators and peer supporters and is self-sustaining. The main objective is to promote awareness of the dangers of commercial sexual exploitation of children and to use direct motivational support to build life and social skills for children most at risk or survivors of sexual exploitation. Peer supporters need to have a positive and empathetic attitude, skills that can benefit the programme and consistent school attendance. Their training and activities include providing direct support to the survivors of sexual abuse and exploitation by building children’s confidence, motivation, creativity and life skills to overcome trauma. Educational support on topics such as commercial sexual exploitation of children, trafficking and early marriage is also provided. It is an innovative programme that has proven to be powerful and life-changing, both for the peer supporters themselves and for the children to whom they provide support.27

72. In the United Kingdom, a prevention programme on sexual exploitation, administered by Nia (an organization that works towards the prevention of violence against children and the protection of victims of gender-based violence) in partnership with the Children’s Society, developed and ran a train-the-trainers programme in which young people were trained to deliver training to professionals and other young people. The aim was to equip young people with information on sexual exploitation and to develop creative ways to engage participants in the learning process. The young people co-facilitated training sessions for professionals,

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27 ECPAT Youth Journal, Empowering Child Survivors and At-Risk Youth against Commercial Sexual Exploitation, pp. 34-36.
in addition to giving presentations and workshops at various conferences and youth centres. The response from the trainers was unanimously positive; all felt that the experience had boosted their self-esteem, increased their own awareness of sexual exploitation and given them presentation skills. While the young people reportedly experienced rudeness and haughty behaviour from some professionals, they found the majority open and genuinely interested in hearing their viewpoint. The project benefited both the participants and the professionals by showing them another perspective and the unique knowledge of young people.28

D. Key lessons learned and challenges

73. Many actions have been taken and mechanisms put in place at various levels to enable children to be appropriately informed, listened to/heard and to express their views and opinions meaningfully. Public and policy decisions informed by such views have been proven to lead to better strategies, services and a more appropriate allocation of resources. Children and young people have shown that, as informed and voluntary participants, they can contribute as active advocates for change and bring innovative ideas to legislation, analysis, research, the drafting of laws, programmes and petitions, among other things. When child participation takes place in accordance with standards and child-rights principles, the active involvement of children has been proven to improve their ownership of the information and to help them to strengthen their resilience and overcome their emotional and physical scars. The examples given above confirm the numerous benefits that derive from giving children a leading role in the development of research, including the ability of children to gain access to particular locations without creating suspicion or fear on the part of the child respondents. The accuracy of the information collected also enhances the quality of specific suggestions and recommendations for improving prevention and protection services. Child-led organizations and peer initiatives empower children to fight for their own protection and that of their peers. The encouraging results notwithstanding, many challenges remain to be overcome, which the Special Rapporteur discusses below.

1. Sustainable and effective child participation mechanisms in compliance with ethical standards and child-rights principles

74. Most initiatives still seem to be time-bound, without processes in place to guarantee their sustainability. The involvement of children in the production and delivery of information needs to be institutionalized to enable them to influence and bring about change in the long term, in line with the evolving technology.

75. The lack of permanent resources to secure the quality and continuity of child participation initiatives is a major concern. Consequently, the processes and structures in place are not fully operational because there are insufficient resources and capacity among adults and children.

76. The need to train all adults involved in ensuring and supporting child participation is a top priority. In addition, professionals require specific skills and

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additional training to develop a comprehensive local understanding of the issue of the sale and sexual exploitation of children and suitable responses thereto.

77. There remains a need to systematize ethical child participation in all projects targeting children victims/survivors, child witnesses or children at risk of sale and/or sexual exploitation, in compliance with international child rights principles and standards.

2. Availability of and access to child-sensitive information, and safe and child-friendly environments

78. Age-appropriate and gender-sensitive information is still not widely available, well publicized and accessible to all children in a State, without discrimination of any kind. Special protection should be provided to at-risk children.

79. In many communities, children are expected to be silent in the presence of adults; they are not encouraged to express their views at home, in school or in community gatherings. In many instances, no space is given to children in public affairs.

80. Child-friendly environments in settings such as homes, schools, places of worship, workplaces and institutions for children in alternative care encourage and support children to speak out and have their views taken seriously. There are not enough of these environments.

3. Effectiveness of child safety online

81. Children and young people are often more familiar with and exposed to evolving technology than adults, yet they continue to play a relatively modest role in the development and implementation of strategies to prevent and combat child pornography online.

82. There remain significant disparities between countries regarding the involvement of children and young people in online safety programmes.

4. Equality of opportunity

83. Most child parliaments are led by adults and often involve young people on an ad hoc or token basis. In some cases, they are composed only of children from privileged backgrounds.

84. In structures representing children and young people, such as parliaments, committees and forums, there is a need to guarantee access to and representation of child victims/survivors, in particular from marginalized and at-risk groups, including children with disabilities, children in street situations and those living in extreme poverty, in rural and remote areas or in alternative care settings.

5. Effectiveness of child-friendly participation in judicial proceedings

85. Disparities remain among countries regarding the establishment of a justice system that is sensitive to the specific needs of child victims and witnesses of sexual exploitation and does not result in retraumatization and stigmatization: some domestic legislation continues to place legal liability on children under the age of 18 years if they are engaged in prostitution, violating international standards.
86. There is a need to strengthen child-sensitive hearing/listening environments, in which the child can express himself or herself and in which well-trained professionals, whose skills are regularly updated, can hear/listen to the child and guarantee his or her best interest.

6. Empowerment of child-led and peer initiatives
87. Most research continues to be initiated and led by adults, involving children as providers of information but only rarely as researchers owing to a range of practical and ethical issues.
88. The recommendations and results of child-led research are not systematically taken into consideration and followed up on by the relevant institutions.
89. Child-led organizations and peer initiatives need to be strengthened through the provision of high-quality support and training to peer educators, not only to identify target groups and formulate research questions and methodologies but also to discuss and identify child protection risks related to the research.

7. Child participation in developing and monitoring child protection projects and policies
90. In many countries, children are not seen as social and political actors. Adults do not think that it is appropriate or beneficial to share information or power with children and to involve them in politics.
91. The involvement of children in projects and in the development of policies varies in terms of the stage at which they become involved and the nature of their input. Children need to be involved in projects as early as possible and during the entire process, from needs assessment to evaluation and monitoring.
92. The provision of accessible and child-friendly feedback to children on their participation is not institutionalized.

8. Monitoring of child participation
93. Child participation processes and mechanisms put in place are not subject to regular and independent monitoring and evaluation in order to ensure respect for international standards and enhance the effectiveness and positive impact of those mechanisms.29
94. Some examples mentioned above have benefited from evaluations or documented processes or projects. Efforts to measure and document the impact of child participation initiatives in the prevention and combating of the sale and sexual exploitation of children remain insufficient, however.

III. Conclusions and recommendations

A. Conclusions

95. Child participation is critical to the development of any national strategy based on child rights that is designed to prevent the sale and sexual exploitation of children and ensure their protection, recovery and reintegration. Child participation helps to widen the outreach of advocacy and awareness-raising initiatives and empowers children to gain confidence and trust and promote peer education about the harm caused by sale and sexual exploitation. Children’s perspectives and experiences contribute to consolidating effective child protection systems and upholding a culture of respect for children’s rights. Children’s views and recommendations enrich the design of policies and the enactment of legislation.

96. To prevent and combat the sale and sexual exploitation of children, child participation activities have increased, with children becoming involved in campaigns and lobbying, advocacy, research, peer-to-peer initiatives, child-led organizations, project design and management, policymaking, decisions, evaluations, information, awareness-raising, use of the media (including the Internet) and conference participation. In addition, several norms and recommendations have been adopted and many guidelines and tools developed to strengthen child participation.

97. Child participation continues, however, to be used for a wide range of activities (because of a lack of common definition) and is limited in scope (dominated by one-off processes). There is no clear set of commitments and actions for children’s rights so that children are properly informed and listened to/heard and can have their views taken into consideration. Consequently, child participation has not been translated into practical approaches that make genuine differences to the lives of many children (in particular younger and disadvantaged children), who remain excluded from public decision-making and disempowered. This in turn further exacerbates the risks of abuse, exploitation and marginalization in society.

98. In addition, child participation continues to face challenges such as cultural barriers and adult resistance, lack of resources and capacity (given that promoting children’s participation requires a wide range of skills and experience) and sustainable support.

99. To overcome these challenges, child participation has to be considered a core and cross-cutting component of comprehensive and rights-based child protection systems, so as to guarantee the effective protection of every child from sale and sexual exploitation. It requires:

   (a) A paradigm shift away from perceiving children as passive recipients towards acknowledging and supporting them as active rights holders and citizens who are entitled to be heard and to have their views taken seriously. This requires an attitudinal shift in adults and capacity-building for children themselves;
(b) More strategic initiatives on child participation with long-term goals, rather than ad hoc and short-term projects based on the involvement of children;

(c) Focus on children as citizens and on the building of resilience;

(d) A continuous child participation process, including informing, hearing/listening, consulting, taking into consideration views and opinions, empowering child-led and peer initiatives, and involving children in policymaking and decision-making, all in compliance with and showing commitment to international standards and guidelines.

B. Recommendations

100. Child participation must be institutionalized and included as a process. It must be a core and cross-cutting component of a comprehensive, context-specific, rights-based child protection system in compliance with international standards and norms (see A/65/221, para. 115).

National level

101. A mapping and assessment of child participation must be carried out, in accordance with the relevant principles and standards, with a view to identifying the remaining achievements and gaps. The mapping process must involve all the principal stakeholders in child protection (public and private sectors, national human rights institutions, non-governmental organizations), including children and communities, with a view to ensuring effective and sustainable child participation. If necessary, legislative changes should be introduced to protect and promote child participation rights in order:

(a) To establish a legal framework in compliance with international standards: legislation must ensure that children can express their views freely in all matters affecting them, in general terms and in particular settings, such as within the family, education, alternative care, health care, custody and in all judicial and administrative proceedings affecting them;

(b) To establish a justice system that is sensitive to the specific needs of child victims of and witnesses to sexual exploitation and does not result in retraumatization and stigmatization, guaranteeing that children are properly informed about issues such as the ways in which interviews are conducted, the existing support mechanisms in place for children submitting a complaint and/or participating in investigations and court proceedings, the specific places and times of hearings, the availability of protective measures and legal services, the possibility of receiving reparation and the provisions for appeal;

(c) To develop, implement and monitor child participation strategies and mechanisms (see A/66/228);

(d) To ensure the availability of and access to child-sensitive and appropriate information (in local languages and various formats) that is suitable for children with disabilities and children of diverse ages and at various stages of maturity, including the very young, and to involve children in producing and delivering such material;
(c) To establish and maintain a child-friendly and enabling environment that ensures protection and safety, and to design and implement awareness-raising programmes targeting adults (parents, caregivers, professionals and policymakers) with a view to changing social perceptions and promoting child participation in families, schools, institutions, communities and policymaking spaces;

(f) To provide active and sustainable support to children, including sufficient resources, qualified and confident staff and efficient training and support, so as to ensure their full participation and understanding;

(g) To ensure the enhanced recovery and skill development of victims who are part of the child participation process;

(h) To ensure that there are well-trained professionals, whose skills are regularly updated, who are willing and able to support and listen to children;

(i) To strengthen the involvement of children and young people in child safety online by providing child-sensitive information and peer-to-peer support with regard to reporting new or recurrent threats of exploitation through the Internet;

(j) To establish systemic mechanisms through which to influence public decisions at all levels, guaranteeing the participation of children without discrimination of any kind in parliaments, councils, forums and consultations;

(k) To ensure adherence to ethical standards and child rights, including transparency and accountability;

(l) To provide children with accessible feedback on their participation through immediate and clear statements on the impact and value of their contributions, the decisions that they have taken and steps forward;

(m) To provide appropriate and sustainable support to child-led organizations and peer initiatives;

(n) To ensure regular and independent monitoring of the quality, permanence, accountability and follow-up activities of child participation mechanisms, practices and activities: children’s participation must be systematized in all monitoring activities and children must have the opportunity to provide feedback on processes and make suggestions for possible improvements, thus ensuring that their views are taken into consideration.

Regional and international levels

102. While some States have demonstrated a strong commitment to improving child participation in preventing and combating the sale and sexual exploitation of children, their capacity to act is sometimes hampered by political instability and limited resources. In such cases, it is essential to provide sustainable support through strong and coordinated cooperation at the regional and international levels.

103. Because of the transnational and complex dimension of the sale and sexual exploitation of children, strong cooperation and coordination requires the full participation of all stakeholders, including children and young people, at the regional and international levels. This can be brought about by:
(a) Assessing child participation processes, mechanisms and practices and drawing on promising practices with a view to capitalizing on them and increasing their impact;

(b) Implementing the recommendation of the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents regarding the establishment by 2013 of a comprehensive framework to harmonize and facilitate coordination and cooperation at the national, regional and international levels among all relevant stakeholders, including child-led organizations, to enable and support specific actions to prevent and stop the sexual exploitation of children and adolescents;

(c) If necessary, extending technical assistance to States by United Nations agencies and human rights mechanisms, with a view to providing support for child participation as a key and cross-cutting component of comprehensive and rights-based child protection systems.