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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL, INCLUDING
THE RIGHT TO DEVELOPMENT**

**Report submitted by the Special Rapporteur on the sale of children,
child prostitution and child pornography, Juan Miguel Petit**

Summary

This report is submitted in accordance with Human Rights Council resolution 5/1. In its resolution 2005/44, the Commission on Human Rights called upon all States, inter alia, to take the necessary measures to eliminate the sale of children, child prostitution and child pornography by adopting a holistic approach and addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children.

As this report marks the end of the reporting cycle for the current mandate-holder, and, in view of the review and assessment of the mandate, the Special Rapporteur thought it relevant to recapitulate the different issues he has focused on since his nomination in 2002, in order to present the achievements and accomplishments of the mandate.

In the past, the Special Rapporteur had received requests for advice and was shown several examples of assistance and rehabilitation programmes designed for children victims of trafficking and sexual commercial exploitation. These rehabilitation programmes included sometimes a specific shelter and a full range of specialized facilities, in others ad hoc rehabilitation programmes, sometimes designed for children of domestic abuse and violence is the only assistance available. He therefore found it important to examine in his annual report different examples set up in some countries and to provide guidelines and options so as to better assist child victims of trafficking and sexual commercial exploitation, in the hope that these examples and guidelines will enable to provide better assistance and protection for children victims and enable them to recover their lives with the least traumatism possible.

The report is based on and reflects information received from Governments, international organizations, non-governmental organizations and individuals in response to a questionnaire sent by the Special Rapporteur.

This report does not pretend to give a comprehensive analysis of the issue discussed, but rather to highlight examples of national policies and strategies as well as to discuss positive examples of good practices developed by international organizations, NGOs and the civil society in assistance and rehabilitation programmes for children victims of commercial sexual exploitation and trafficking.

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I. ACTIVITIES OF THE SPECIAL RAPPORTEUR

1. The present report is submitted in accordance with Human Rights Council resolution 5/1.
2. During 2007, the Special Rapporteur carried out one field mission to Mexico. The aim of this mission was to study the phenomena of sexual commercial exploitation affecting children and as a follow-up of the visit undertaken by his predecessor in 1997 (E/CN.4/1998/101/Add.2) The report on the visit is submitted as an addendum to this report (A/HRC/7/8/Add.2).
3. Throughout the year 2007, the Special Rapporteur sent 12 communications to Governments in the form of letters of allegation and urgent appeals, which are compiled along with the responses received from concerned Governments as an addendum to this report (A/HRC/7/8/Add.1).
4. In 2004, the Special Rapporteur sent requests for invitations to the Governments of India and Thailand. In 2005, the Special Rapporteur sent a request for an invitation to Cambodia. This year, consultations with relevant partners of the mandate were held in Geneva to determine other countries that might possibly be visited in 2008. The Special Rapporteur in 2007 sent requests for invitations to visit Chile, Estonia and Latvia. The Special Rapporteur has received positive responses to his request to visit Estonia and Latvia, which will take place in the first half of 2008, and to visit Thailand jointly with the Special Rapporteur on trafficking in persons, especially women and children. Since his appointment, the Special Rapporteur has also visited South Africa, France, Brazil, Paraguay, Romania, Albania, Greece and Ukraine.
5. The Special Rapporteur addressed the Human Rights Council during its fourth session in March 2007 and presented his annual and mission reports at that time. An interactive dialogue among concerned and interested countries and NGOs followed.
6. The Special Rapporteur participated, during his visit to Geneva in March 2007, in several parallel events on the reinforcement of the children's rights protection at United Nations level organized by different NGOs and partners of the mandate. Some events aimed at discussing proposals for strengthening United Nations mechanisms for the protection of children's rights, in view of the follow-up to the Secretary-General's Study on violence against children (see A/61/299), in the context of the Human Rights Council's review of special mechanisms.
7. The Special Rapporteur was invited to join the Board of Advisors of the International Centre for Missing and Exploited Children (ICMEC), an NGO based in Washington, D.C., that is active in establishing awareness and rapid-response programmes for missing or abducted children. As such, he participated in October 2007 in a United States/Balkan forum on missing and exploited children, held in Athens. This forum, organized jointly with ICMEC and the Greek NGO "The Smile of the Child" addressed the problems of missing and exploited children in both regions and other current and emerging issues, such as trafficking of children and opportunities for collaboration among agencies across borders. This forum was attended by government, law enforcement and international organizations officials as well as representatives from civil society organizations.

II. MAIN DEVELOPMENTS IN RELATION TO THE MANDATE

A. Positive developments during the year

8. The Special Rapporteur is pleased that 12 more countries, namely Australia, Burundi, Comoros, Dominican Republic, Gabon, the Islamic Republic of Iran, Jordan, Mauritania, Moldova, Montenegro, Sweden and Vanuatu had ratified or acceded in 2007 to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography since his last report. The Special Rapporteur strongly encourages the States that have not yet done so to sign and ratify the two Optional Protocols to the Convention, the other being on children and armed conflict.

9. At the regional level, 2007 was marked by the adoption of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse by the Committee of Ministers on 12 July 2007. This Convention aims to prevent and combat sexual exploitation and sexual abuse of children, protect the rights of child victims of sexual exploitation and abuse and promote national and international cooperation against sexual exploitation and abuse of children.

10. This Convention follows other recent initiatives in this field, in particular the Stockholm Declaration and Agenda for Action, adopted at the first World Congress against Commercial Sexual Exploitation of Children (27-31 August 1996), the Yokohama Global Commitment adopted at the Second World Congress against Commercial Sexual Exploitation of Children (17-20 December 2001), the Budapest Commitment and Plan of Action, adopted at the preparatory conference for the Second World Congress against Commercial Sexual Exploitation of Children (20-21 November 2001), General Assembly resolution S-27/2 "A world fit for children" and the three-year programme "Building a Europe for and with children", adopted following the Third Summit and launched by the Monaco Conference (4-5 April 2006).

11. This Convention, not yet in force but open for signature, contains preventive measures to be implemented by each State party, such as policies or strategies to prevent sexual abuse and exploitation of children, as well as information about these phenomena, their effects, their consequences and how best to combat them. Minimum standards for protective measures for children victims of these offences are also part of the Convention, such as to allow them to receive the best possible support, protection and assistance. Specialized authorities are to be set up at the local and national level to ensure effective prevention and protection measures against these offences. Finally, a chapter dedicated to substantive criminal law enacts minimum legal standards that criminalizes certain acts and is intended to harmonize the penal laws of the parties to the Convention and to avoid committing acts or be prosecuted in a State which would have more lenient rules. Provisions to promote international cooperation, in particular extradition and mutual legal assistance are also contained in the Convention.

12. The Special Rapporteur welcomes the adoption of this Convention and urges member States of the Council of Europe to ensure prompt signature and ratification, so as to allow this Convention to come into force as soon as possible. Together with the Convention on Action against Trafficking of Human Beings of 2005, which aims to prevent all forms of trafficking and

focuses on the needs of the victims of this modern form of slavery, the Special Rapporteur finds that the Council of Europe has enacted with this new Convention effective and up to date legislation that could serve as a model for other regional or international cooperation on these issues.

13. At the national level, in July 2007 Costa Rica adopted a law against sexual exploitation of children and offences against minors. It is the first time a change in legislation clearly prohibits possession of youth and child pornography, extends prescription delays for sexual child pornography and sentences sexual acts against minors of less than 13 years to sentences of up to 16 years of imprisonment. In August 2007, Cambodia became party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Also in August 2007, Mozambique approved a new law criminalizing human trafficking and providing for longer prison sentences, as a response to increased reports of women and children being trafficked to South Africa.

14. Initiatives taken over the year to fight child sex tourism also deserve to be highlighted, such as the Task Force to Protect Children from Sexual Exploitation in Tourism, a global action platform composed of tourism-related actors, which hosted its 20th consultative meeting of 2007 together with the Berlin International Tourism Fair in March 2007. Also in March 2007, a one-day conference on Tourism and Commercial Sexual Exploitation of Children was organized in Madrid by Intervida World Alliance, the International Organization for Migration (IOM), the International Labour Organization (ILO) and UNICEF to review progress and commitments of regional and country efforts since the Second World Congress against the Commercial Sexual Exploitation of Children held in Yokohama in 2001.

B. Follow-up on the Study on violence against children

15. The year 2006 had been marked by the presentation of the report on violence against children (the Study), pursuant to General Assembly resolution 57/90, by independent expert Paulo Sérgio Pinheiro. The Study was prepared through a participatory process that included regional, subregional and national consultations, expert thematic meetings, field visits and the collaboration of the Governments. It also involved the cooperation of different United Nations bodies, such as the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNICEF and the World Health Organization (WHO), civil societies and children. Such comprehensive, global analysis combined human rights, public health and a child-protection perspective and set a global framework of the issue.

16. The Study exposed the horrendous scale and impact of all forms of violence against children, highlighting the universality and magnitude of the problem. It reflected the clear human rights obligations of Member States to prevent and respond to all forms of violence against children. It also emphasized the need for multifaceted and coordinated solutions, bringing together different perspectives and professional expertise and engaging actively with children themselves. Less than one year after the Study's release, its positive impact is evident in all regions of the world. The Study succeeded in globally raising awareness of a problem frequently hidden and providing a structured framework for action. It continued to reach audiences in all regions of the world among Governments and civil society, and in all countries and regions the relevance of the recommendations proposed by the Study were recognized.

The Study process resulted in a number of outputs, including the report presented to the sixty-first session of the General Assembly, the more detailed *World Report on Violence against Children*, and child-friendly publications.

17. The implementation of the Study recommendations, although still at an early stage in 2007, has already catalysed action in all regions, in particular through participatory process of regional consultations. The 12 main recommendations made by the Study maintain their decisive relevance and should be further pursued as a matter of urgency. The independent expert reaffirmed the need for their implementation together with the accompanying setting-specific recommendations, covering actions needed to eliminate violence against children in the home and family, schools and other educational settings, care and justice systems, the workplace and the community. Such an effective action to end violence against children required high-level leadership, and the creation of a Special Representative on violence against children was seen as the best strategy to ensure effective implementation of the Study, address gaps and fragmentation in the existing response, and maintain sustained attention to violence against children. The primary role of the Special Representative would be to act as a high-profile advocate to promote prevention and elimination of all violence against children, including through encouraging international and regional cooperation.

III. REFLECTIONS ON THE MANDATE: OVERVIEW

18. This report will mark the end of the reporting cycle for the current mandate-holder, as his six-year term ends with significant momentum. In view of the review and assessment of the mandate, the Special Rapporteur thought it relevant to recapitulate the different issues he has focused on since his nomination in 2002, in order to present the achievements and accomplishments of the mandate.

19. In his first report, submitted in 2002 (E/CN.4/2002/88), the Special Rapporteur outlined the procedure which he would adopt to investigate information he receives, particularly with respect to individual complaints alleging situations of sale of children and involvement of children in prostitution or pornography. Communications consist of urgent appeals and letters of allegation transmitted to Governments, on the basis of credible and reliable information received, concerning individual cases or country situations. The substantive part of the report provided a brief commentary on two issues - the entry into force on 18 January 2002 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the request of the Commission on Human Rights, in its resolution 2001/51 on HIV/AIDS, that the Special Rapporteur integrate the protection of HIV-related human rights within his mandate. The Special Rapporteur also considered the link between HIV/AIDS and sexual exploitation of children.

20. In his 2003 report (E/CN.4/2003/79), the Special Rapporteur analysed the legal consequences of the sale of children, child prostitution and child pornography, and particularly the criminalization of child victims and recent national policy and legislative developments to address these concerns. The Special Rapporteur then briefly focused on two other issues, information received that illegal or coercive adoptive practices which have the effect of selling a child were alarmingly prevalent, both internationally and within domestic jurisdictions, and concerns about HIV/AIDS.

21. In his 2004 report (E/CN.4/2004/9), the Special Rapporteur focused on the prevention of child sexual exploitation. The report reflected a variety of programmes and projects that could be utilized in the prevention of commercial sexual exploitation of children (CSEC), highlighting good practices and experiences that should be known and taken into account worldwide. The strategic area of prevention of the Stockholm Agenda for Action against Commercial Sexual Exploitation of Children was used as a basis for categorizing the initiatives outlined in the report. The Special Rapporteur also welcomed the entry into force of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the issuing of the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13).

22. In his 2005 report, the Special Rapporteur focused on child pornography on the Internet (E/CN.4/2005/78 and Corr.1 and Add.1-4), a subject on which little written data and analysis were available. The report examined the definition of child pornography in international instruments and national legislation and referred in particular to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Council of Europe Convention on Cybercrime. Internet created unprecedented opportunities, together with the challenges and threats of its abusive and harmful use. Cyberspace hosts an alarming quantity of child pornographic material. Chat rooms are increasingly used by sexual abusers as a means for making contact with children as part of the "grooming" process. The report had an impact in many State agencies and NGOs, as it gathered information of a very challenging nature. As an example, the Government of Chile invited the Special Rapporteur to present officially his report to the Servicio Nacional de Menores and to the police forces in July 2005.

23. In 2006, the Special Rapporteur focused in his report (E/CN.4/2006/67) on the issue of demand for sexual services deriving from exploitation, a complex and multifaceted phenomenon. In any situation of child sexual exploitation, there were several different kinds of demand generated by different actors at different times. The demand factor went hand in hand with the supply factor and the reasons that push children into sexual exploitation were also multiple. The Special Rapporteur stressed that educational programmes and awareness-raising activities were essential to reduce demand for services deriving from sexual exploitation. Persons in prostitution should never be penalized - either directly for prostitution or indirectly for engaging in a commercial activity without a visa or permit. Non-criminalization ensured that women and children who are forced into prostitution have access to the authorities without fear of punishment. However, child sexual exploitation should always be criminalized, whether committed at home (internal trafficking) or abroad, and whether involving an individual or an organized group. Consent of the child to trafficking is always to be considered irrelevant.

24. Finally, in his 2007 report to the Human Rights Council (A/HRC/4/31), the Special Rapporteur focused on the issues of sale of children's organs and rapid response programmes for abducted and disappeared children, for which he continued to receive late replies to the questionnaire sent for the preparation of the report.

25. The Special Rapporteur concluded that the issue of sale of organs and tissues, particularly of children's organs, remained mostly unsubstantiated. Only anecdotal cases of abductions for the purpose of trafficking of organs were reported. On the other hand, in some countries there

have been allegations of killings for ritual purposes. Although formal reports of organ and tissue trafficking were few, diverse unconfirmed rumours persisted. Therefore, there was a need to report and investigate when these allegations appear and to ensure criminal sanctions against the traffickers and all those involved as child abusers. The Special Rapporteur invited all countries to establish legislation and standards so as to clearly regulate transplantation of organs and tissues and reminded Governments of the different safeguards put in place by different international and regional mechanisms, in order to avoid the development of “transplant tourism”.

26. Concerning abducted and disappeared children, the Special Rapporteur invited all member States to set up a coordinated, comprehensive, and global approach where different State institutions as well as NGOs and private business would be involved, and he gave examples of States that have already elaborated legislative and administrative measures and programmes to tackle this issue. These rapid-response programmes are not only tools to respond to the problem of abducted and missing children, but they also allow for considerable improvement among the different organizations for prevention of violence against children. The Special Rapporteur encouraged all countries to develop their own systems of quick response for the search of disappeared or abducted children, using unified protocols for police intervention, the help of civil society and a wide range of public awareness campaigns. As good practices, the Special Rapporteur pointed out the activities of the National Centre for Missing and Exploited Children of United States, and similar networks in Europe.

IV. ASSISTANCE AND REHABILITATION PROGRAMMES FOR CHILD VICTIMS OF TRAFFICKING AND SEXUAL COMMERCIAL EXPLOITATION

27. Minors who are victims can be exposed to severe violence, rapes, compulsory prostitution, forced labour and other forms of abuses and exploitation. Each victim, without exception, requires urgent and adequate help for overcoming the consequences of psychological and physical trauma.

28. The purpose of this report therefore is to provide comprehensive guidelines for the establishment and management of rehabilitation and assistance programmes for minors who are victims of sexual commercial exploitation and trafficking, taking into account examples provided by Member States and positive initiatives developed by civil society and international organizations in specific regions and countries.

29. Rehabilitation and assistance programmes may take many forms such as shelters, medical and psychological assistance and may depend on many factors, such as availability of funding, security concerns, availability of services, capacity and demand for these programmes and facilities, etc. The shelters may house few or many persons, they may be in temporary locations, and they may be situated in a variety of locations: houses, apartments, hotels, rooms in special facilities (such as hospitals), churches. Shelters may be specialized for trafficked persons only or may house other persons in need of similar assistance, such as victims of other crimes (e.g., domestic violence). The word “shelter” is used to refer to a wider group of facilities providing accommodation and assistance to victims of trafficking, such as medical rehabilitation centres, transit shelters and halfway houses, unless otherwise specified.

30. During recent years, the Special Rapporteur has received numerous requests for advice and was shown several examples of assistance and rehabilitation programmes designed for children who are victims of trafficking and sexual commercial exploitation. In some instances, these rehabilitation programmes included a specific shelter and a full range of specialized facilities, in others, other types of ad hoc rehabilitation programmes, sometimes designed for children victims of domestic abuse and violence is the only assistance available. The Special Rapporteur therefore finds it important to examine in his annual report different examples set up in some countries and to provide guidelines and options so as to better assist children victims of trafficking and sexual commercial exploitation, taking into consideration that their best interest should always remain the primary consideration. Hopefully, these examples and guidelines will enable to provide better assistance and protection for child victims and enable them to recover their lives with the least traumatism possible.

31. An extensive questionnaire was thus developed on the issue of assistance and rehabilitation programmes for child victims of sexual commercial exploitation and sent to all Member States and to selected intergovernmental and non-governmental organizations working on issues related to children's rights and trafficking issues on 9 July 2007. Responses were requested to be received by 30 September 2007 and in order to accommodate the Human Rights Council's reporting requirements, only the replies received by 20 October 2007 at the latest were considered in the report. Beyond the very short deadlines for the preparation of his reports, the Special Rapporteur, as always, welcomes the replies that he continues to receive.

32. The questionnaire covered a number of queries on the subject. First of all, the Special Rapporteur wished to know about activities, programmes and facilities run by the public sector as well as by the civil society (non-governmental organizations, private individuals) and other private actors designed with a specific focus to children and minors who are victims of sexual commercial exploitation and trafficking. Then, when such specific activities did exist, the Special Rapporteur asked details about the legal basis for these programmes, how they were financed, how they operated, if these were specifically for children/minors who are victims of sexual commercial exploitation and trafficking or also encompassed children victims of domestic violence. The Special Rapporteur then focused on the activities that were carried out and the objectives and the methodologies applied, and on therapeutic activities being implemented. Questions were also asked about how children and minors joined these programmes and how the facilities and the authorities referred or placed them.

33. The Special Rapporteur then inquired about daily life for children and minors organized under these programmes, measures being implemented to ensure security of the participants and beneficiaries and if the children/minors maintained contact with their families throughout the programme. The questionnaire then focused on specific initiatives that were being implemented in these programmes in order for the child victim to overcome post-traumatic stress and related syndromes after the situation experienced and activities accomplished in order to ensure successful reintegration of the participants and beneficiaries of these programmes.

34. Finally, when there were no such activities, programmes and facilities, the Special Rapporteur wanted to know why, and what other type of assistance was available for children and minors victims of sexual commercial exploitation and trafficking.

35. As of 31 October 2007, the following Governments had responded to the questionnaire: Australia, Austria, Belgium, Colombia, Croatia, Cyprus, Ecuador, El Salvador, Estonia, Finland, Georgia, Germany, Greece, Guatemala, Honduras, Japan, Lebanon, Luxembourg, Monaco, Oman, Poland, Russian Federation, Slovakia, Spain, Suriname, Turkey, Ukraine and Zimbabwe. The Special Rapporteur looks forward to continuing to receive substantial responses to this questionnaire.

36. Unfortunately, the responses received from Lebanon, Russian Federation and Ukraine could not be reflected in the report, owing to the non-receipt of those translations. As for the late responses received from Colombia, Estonia and Suriname, they could also not be considered in this report for the same reason.

37. The questionnaire was also sent to NGOs and intergovernmental organizations, and replies were received from the United Nations Office of Drugs and Crime (UNODC), Casa Alianza (Honduras), ECPAT International, the International Federation Terre des Hommes and World Vision International.

38. The Special Rapporteur would like to warmly thank all those who responded to the questionnaire. A relevant selection of the experiences and initiatives on which information was received is outlined in this report.

A. Guidelines for assistance and rehabilitation programmes and shelters

39. The Special Rapporteur is of the opinion that children can only be freed from exploitation and abuse when they live in a “protective environment”, which means living in safety and dignity in their own community and family. Children will also be less vulnerable to abuse when they are aware of their right not to be exploited, or of services available to protect them, which means the need for permanent and massive preventive campaigns in the mass media and also in schools and on the streets.

40. The IOM handbook on Direct Assistance for Victims of Trafficking¹ shows a very good procedure to follow when taking care of children who suffered sexual exploitation. After visiting during his missions many shelters, reintegration and rehabilitation services for children who were victims of trafficking and sexual exploitation, and having consulted these guidelines, the Special Rapporteur believes a shelter or a rehabilitation programme need to include at least the following elements:

- Medical care: A victim’s physical and mental well-being is critical to his or her recovery. Health practitioners are responsible for employing health-promoting strategies and help children to reclaim and further develop their competencies for an active and

¹ International Organization for Migration, “The IOM handbook on direct assistance for victims of trafficking”, Geneva, 2007, available at <http://www.iom.int/jahia/Jahia/cache/offonce/pid/1674?entryId=13452>.

meaningful life. Recognizing the risks children face in their home environment is essential to any assessment of health needs and to assess options for integration and reintegration planning. The health and safety of all residents and staff in any shelter are also of the utmost importance;

- Psychological assistance: Each shelter should have staff responsible for direct psychological assistance. International standards, such as the Convention of the Rights of the Child, state that children should be given the right to express their views freely on all matters concerning them, and their “views should be given due weight in accordance with the age and maturity of the child” (art. 12). Practitioners must provide full information at a level a child can comprehend to allow the child to participate in decisions affecting her/his well-being and the children’s views must be taken seriously. It is also important to inform them about their rights and their obligations vis-à-vis other residents of the shelter;
- Interviews: It is important to find out as much as possible about the child’s case prior to the interview, to make clear and friendly introductions and to create a space that is safe and comfortable for conversation. Discussions with children about sexual abuse are best carried out by professionals or by an individual with whom the child has already established a strong rapport;
- Education: Learning and education is one of the cornerstones of child development. It is necessary to begin fostering learning by offering educational classes, tutorials, or entering children in local school programmes (when safe and appropriate);
- Recreational activities: Shelters should plan daily recreational activities for the residents, which will give them the opportunity to work with others fellow residents, make constructive tasks, regularize sleeping hours, etc. Physical exercise enhances fitness, body control and confidence. Arts and crafts activities are therapeutic, foster skills and, like sports activities, enable children to interact with other children in a healthy environment.

41. When deciding to establish these services in the form of a shelter, some material aspects should also be provided:

- Kitchen and dining area: food preparation and serving areas should be adequate to ensure safe food preparation and storage;
- Group living area: there should be enough space for groups of residents to congregate and engage in activities;
- Bathroom facilities: toilets, washing and bathing facilities should be clean, in good repair, and available in sufficient numbers;
- Sleeping facilities: there should be adequate sleeping space, sufficient number of beds in good repair, clean bed linen, and a place to store the clothing and personal items;

- Private counselling room: at least one room at the shelter should be available at all times for private, individual discussions and counselling with shelter residents;
- Office for shelter staff: one room at the shelter should serve as an office for the staff;
- Medical examination room: depending on the premises and whether medical assistance is available either on-site or off-site, the shelter might contain a medical examination room. It is especially critical that medication remain locked in secure cabinets in this room. Each shelter should also contain a first-aid kit and related items;
- Laundry and washing facilities: laundry and washing facilities should be free of charge and available on the premises;
- Recreation area: indoor and safe outdoor recreation space should be available, even if small;
- Storage space: it is advisable for each shelter to have a designated storage room.

42. There will be cases where women have given birth to children after they were trafficked and the children are living in the country to which the mother was trafficked. This becomes a serious concern if the women are picked up during police or immigration raids and the children are left behind. The fears and concerns of mothers for their children must be acknowledged; in particular, as in some cases there are reasons to fear reprisals against their children by traffickers.

B. National strategies: responses from Governments

43. The questionnaire asked Governments to identify activities, programmes and facilities run by the public sector as well as by the civil society (non-governmental organization, private individuals) and other private actors designed with a specific focus to children and minors who are victims of sexual commercial exploitation and trafficking. If such specific activities did exist, the Special Rapporteur asked details about the legal basis for these programmes, how they were financed, how they operated, if these were specifically for children/minors who are victim of sexual commercial exploitation and trafficking or also encompassed children victims of domestic violence. Questions were also asked about the daily life for children and minors organized under these programmes, measures being implemented to ensure security of the participants and beneficiaries, if the children/minors maintained contact with their families throughout the programme and the objectives and methodologies applied.

44. **Australia** reported that it was working actively with multilateral agencies, regional organizations, partner Governments and non-governmental organisations (NGOs) in a range of ways to improve child protection, as part of its international aid programme, with a focus on poverty reduction and sustainable development, to address the fundamental causes of child exploitation in developing countries. As such, it was supporting a number of aid projects in Asia and the Pacific (in Cambodia, the Philippines, and some Pacific islands) that aimed to reduce trafficking and improve protection, recovery and reintegration of victims. All of its commitments in the region adopted a holistic approach, addressed both adult and child victims, and did not

differentiate between sex trafficking and other forms of trafficking such as labour exploitation. The assistance given aimed to enhance the capabilities of organizations and individuals to support victims, especially women, particularly through legal, administrative, policy and advocacy measures.

45. In **Austria**, for women victims of trafficking and sexual exploitation (mostly adults, but in some cases minors over 16), the Federal Ministry of the Interior has funded the NGO “Lefö”, which runs a centre and shelter for these victims. Social workers and counsellors were involved and closely cooperated with investigation officers. In the Province of Vienna, a centre administered by the Vienna Youth Welfare authority, “Drehscheibe”, had been established for unaccompanied foreign minors, including support service and repatriation. The institution was based on the Youth Welfare Law which commits the youth welfare system to provide shelter and protection also for non-residents if the well-being of the child is in danger, in accordance with the Hague Convention of 15 April 1958. In the “Drehscheibe” centre socio-pedagogues take care of children and special therapy including psychotherapy was also provided if needed. The NGO SOS-Kinderdorf also offered shelter for victimized children. In the fight against child prostitution, Austria also supported the NGO ECPAT/Respect, which promoted awareness-raising in a number of tourist-destination countries.

46. In **Belgium**, many public entities and organizations provided assistance and protection to victims of sexual exploitation and trafficking. A specific system of assistance for victims of trafficking had been in place since 1993, with the federal Government and the federated entities, NGOs and three specialized centres all offering assistance and rehabilitation programmes, Pag-Asa, Sürya and Payoke, in different regions of the country. Two specialized centres for unaccompanied foreign minors had also been set up by FEDASIL, the federal agency for asylum-seekers, as well as three additional centres operated by communities: Esperanto, JUNA and Minor Ndako, which also offered shelter facilities. Additionally, several NGOs were very active in the protection and assistance of unaccompanied foreign minors, and some shelters offered programmes for potential children victims that were also available through the civil society.

47. **Croatia** reported that it has, through its National Programme for the Suppression of Trafficking in Persons from 2005 to 2008, undertaken to focus particular attention on the suppression of trafficking in children. A Task Force for the Suppression of Trafficking in Children from 2005 to 2007 has been established within the National Committee for the Suppression of Trafficking in Persons. NGOs directly engaged in the suppression of trafficking in persons also participate in these efforts as partners and collaborators. These specific activities are added to the ones related to combating violence against children. As a party to the Protocol on Identification, Assistance to and Protection of Trafficking Victims, Croatia has entrusted its Office for Human Rights to keep a consolidated record of trafficking victims and to continue and enhance its cooperation with NGOs, which operate a free SOS hotline. The Office of Human Rights also advertises prevention campaigns on television.

48. **Ecuador** replied that it had started a national policy in 2006 to combat abuse and sexual exploitation of children. Previously, these crimes could be combated and prosecuted only through police action and with the public prosecutor. Today three National Plans are in force: the National Plan to Combat the Trade in People, the National Plan to Eradicate Sexual Exploitation and the National Plan for the Prevention and Eradication of Sexual Crimes in the Education

System. In September 2007, Ecuador launched the National Programme of Special Protection and to address children's rights violations and compensation. Although the State does not operate specific centres dedicated to the attention of the children, economic support is provided to private institutions. Several NGOs were working in different programmes and activities, for instance the Instituto Nacional de la Niñez y la Familia, the Esquel and Quimera Foundations or the Catholic Relief Services. The Quimera Foundation in Machala operates the only rehabilitation centre in Ecuador for children and teenagers who are victims of sexual exploitation. Ecuador finances these activities from the ILO/IPEC Programme, USAID, the Foundation Esquel/USAID and IOM/USAID. Civil society institutions work with a budget from donors, and it is envisaged that the National Programme of Special Protection could finance these projects and new ones to come.

49. **El Salvador** stated that specific units for the investigation of sexual exploiters and/or people traders were established within the "Fiscalía General de la República" (FGR) and the Civil National Police (PNC). A specialized unit to protect victims has also been established within the "Salvadorian Institute for the Integral Development of the Childhood and the Adolescents" (ISNA). These projects in preventing and protecting victims of sexual commercial exploitation receive financial support of ILO/IPEC. PASCA-USAID, ILO, UNICEF and IOM also provide financial support, as well as CARE, SAVE THE CHILDREN and CORDAID in the fight against commercial sexual exploitation of children. Also worth mentioning are two significant programmes: "Huellas Angel" supported by Medicos del Mundo Spain and "Magdalena, Puerto de Acajutla", in charge of developing a "Children Attention" programme for victims of sexual commercial exploitation. Finally, the Penal Code was modified, with higher sentences for the perpetrators of commercial sexual exploitation of children as well as the creation of a victim's database, identifying children and teenagers by sex, age and nationality.

50. **Finland** replied that, in 2005, it adopted an Action Plan against human trafficking, and that various provisions of the Child Welfare Act and principles of child welfare are complied with in the treatment of child victims. After the identification of a victim who is presumably a minor, safe accommodation is provided as soon as possible. The child is provided with adequate information, care and education in accordance with his or her age. The best ways for the appropriate organization of emergency services for children are assessed. Measures necessary to locate the child's parents or custodians are taken, and an assessment is made of the best ways to organize other forms of assistance to child victims. Support and assistance measures are linked to reception facilities for asylum-seekers. In practice these activities include the reception of customers and the necessary emergency help, housing, social and health-care services, advisory and legal services, as well as support for their integration or safe return, and special services required by minors. These measures are organized both by the two State-run reception centres, other authorities, or on a contract basis by NGOs and the private sector. One of the reception centres concentrates on adults and another on under-age victims. Also, several NGOs have activities against the abuse and exploitation of children, focusing partly on the sale of children, child prostitution and child pornography. The main difficulties encountered have been reaching the victims (Finland is considered a transit country for under-age victims) and keeping the under-age victims in the scope of the assistance system instead of returning into the hands of the criminals.

51. **Georgia** stated that there had been very few reported cases of child victims of sexual commercial exploitation or who had been trafficked, but that its laws and regulations were up to

date and that a State fund had been created for the protection, assistance and rehabilitation of victims of trafficking. This fund had among its main functions to create shelters for victims of trafficking, including children; to date, two such shelters had been put in place in different areas of the country, where children of trafficked parents were being accommodated. These shelters had the function of providing a secure place of residence with decent living conditions, appropriate food and clothes, medical assistance, psychological counselling, legal aid and court representation, interpretation services (if needed) as well as appropriate programmes of rehabilitation and reintegration. Additionally, several NGOs were running services for children at risk and childcare programmes, including short-term shelters for children, and were allowed to do so if these programmes and facilities met the criteria set forth in the laws and by the fund.

52. In **Germany**, a project had been put in place by the Federal Ministry for Economic Cooperation and Development (BMZ) and the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) as an implementation agency, to assist partner countries in their implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The aim of this project is to assist the beneficiary countries in strengthening the protection of children and in the rehabilitation of child victims of commercial sexual exploitation. As such, this project has supported various activities and programmes carried out by Governments and NGOs in the following countries: in Cambodia, support has been provided for a training module for social workers on sexual exploitation of children as well as an NGO specialized in activities of childcare and empowerment of children victims; in Albania and Montenegro, support has been provided to private industry to prevent sexual exploitation of minors in the tourism industry. In Latin America, the project has supported training activities for police and border officials in Guatemala, and training courses and materials for the tourism industry in the Dominican Republic and Nicaragua. In Germany itself, the project has organized several workshop and training activities for police officials and the tourism industry.

53. In **Greece**, the main institution for assistance to and welcome for victims of illegal trade and trafficking for purposes of sexual exploitation was the National Centre for Social Solidarity (EKKA), which operated guesthouses for temporary hospitality for victims of trafficking, including children, as well as a telephone line for direct social assistance.

54. In **Guatemala**, the Social Welfare Secretariat of the Presidency offers assistance and rehabilitation programmes for children at risk or victims of abuse and exploitation, through five public shelters, located in Quetzaltenango, Zacapa, Antigua Guatemala, San Gabriel and Nuestras Raíces (Quetzaltenango). Also, three NGOs based in the country operate shelters for children: Movimiento de Jóvenes de la Calle, Fundación El Castillo and Casa Alianza (Guatemala).

55. **Honduras** indicated that the authority in charge of the well-being of children, the Instituto Hondureño de la Niñez y la Familia (IHNFA) operated, under its subprogramme on protection homes, four different facilities (Casitas Kennedy, 21 de Octubre, Nueva Esperanza and Casitas Adolescentes Mujeres) which, all together, took care of more than 300 minors who had been victims of sexual commercial exploitation or were at risk, divided by age groups and gender. In these facilities, beneficiaries were given educational activities including the regular school curriculum, as well as specialized activities such as medical, psychological, cultural and religious assistance that formed part of the reintegration programme in the four different facilities. These

facilities operate on a 24-hour basis and encompass living quarters, classrooms, medical facilities, kitchens and bathrooms. Security is also provided on a constant basis. The objectives of these programmes for minors at risk or victims of sexual commercial exploitation are reintegration into mainstream society, if possible within the family or with other relatives. Therefore, efforts are undertaken to provide a diagnostic of the family of each minor participant in these programmes, to detect any cases of commercial sexual exploitation or abuse early in the programmes, to evaluate any other situation of risk and provide orientation for a successful reintegration of the minor in the family context.

56. **Spain** indicated that a network of shelters for minors who are the victims of sexual abuse (including commercial sexual exploitation and trafficking) was available in various autonomous communities, financed by public funds but generally operated by NGOs through service agreements. These shelters provide psychological, social and legal assistance, and are coordinated with various other public services such as health services, education, courts, prosecutors and police. The activities carried out include the monitoring and evaluation of cases and therapeutic activities for treatment and rehabilitation. Staff providing these services include specially trained psychologists, doctors and social workers. The focus of the treatment and rehabilitation is oriented to reintegration within the family if its members are foreign to the trauma that the minor suffered; if not, a safe alternative is provided. After the end of the assistance and rehabilitation programme in the shelter, different follow-ups are realized directly with the minor concerned to evaluate the successful reintegration.

57. **Turkey** stated that residential services for child victims of sexual commercial exploitation were provided in two child and youth centres set up in Istanbul, for a capacity of 50 persons. The Directorate General of the Social Services and Child Protection Agency is responsible for the operations of these centres, which offer residential care and rehabilitation for girls who are victims of sexual commercial exploitation and sexual abuse. The activities undertaken are guided by the judicial and administrative authorities, with a focus on the best interests of the child concerned. All facilities are staffed by professionals such as social workers, psychologist, doctors, educators and sociologists.

58. Children victims of sexual commercial exploitation and sexual abuse, for whom protection, care or sheltering measures have been established, are placed in rehabilitation and care units located in Istanbul, Adana, as well as interim stations situated in orphanages in the provinces of Adana, Izmir, Mardin and Sanliurfa. Girl children, who have been identified by the judicial authorities as victims of sexual commercial exploitation and who cannot return to their families, are given medical and psychosocial assistance during a first phase. Then they are transferred to a different facility where, with other children, they participate in educational, social and cultural activities as part of their rehabilitation process. Family bonds and contacts with their families are also facilitated, if the best interests of the child so requires. At the end of the rehabilitation period, children are either reunited with their families or placed in available orphanages where they continue their education and reintegration.

59. **Japan** stated that, although there are no public facilities specifically focused on children who are victims of commercial sexual exploitation and trafficking, minors were being given assistance by the Child Guidance Centres, established under the Child Welfare Law, in each different prefecture. Similarly, adult women who are victims of trafficking and sexual exploitation were given assistance through the Women's Consulting Offices. These two facilities

provide shelter, food, health care, psychosocial counselling, training and interpretation, and their services are provided free of charge for persons in need of assistance. In **Slovakia**, special assistance for mistreated and abused children who had to be isolated from their family was available in the Children's Homes. Support for children as well as adults in a crisis situation were also provided through the Crisis Centres, run by local authorities and NGOs. **Cyprus** and **Luxembourg** stated that cases of minors who were victims of commercial sexual exploitation were rare due in part to their small number, but that victims of these abuses were treated as children in need of care and protection, as no specific programmes designed for this target group had been established. In **Monaco** and in **Zimbabwe**, several NGOs for the defence of children's rights and welfare were active in the prevention of commercial sexual exploitation and the trafficking of minors. **Oman** replied that it had not established such programmes or shelters, because the sale of children, child prostitution and child pornography were not perceptible phenomena there. However, it did take steps to prevent it, by enacting domestic laws and statutes and by acceding to the relevant international treaties. Finally, **Poland** had introduced a number of measures aimed at crime prevention regarding sexual abuse and human trafficking, in which several ministries, administrative bodies and NGOs were involved, in line with programmes of the European Union.

60. The same questionnaire was sent to non-governmental and international organizations working in the field and they have also highlighted the following examples of programmes in the following regions and countries.

C. Good practices: examples of projects developed by NGOs and civil society

61. Terre des Hommes has been running programmes and facilities for children at risk and victims of sexual exploitation and trafficking in Cambodia and in India.

62. The Terre des Hommes facility and programme in Kolkata, India, operates together with the NGO Sanlaap. This programme is designed for children or minors who are victims of sexual commercial exploitation and trafficking, and also includes a few children who are abandoned and children whom the court considers to be in danger if they return to their families, as well as infants/children of victims. The rehabilitation programme follows a holistic approach, aiming at covering all aspects of care as an integral unit. It operates like a hospital or a care facility requiring multiple partners, including counsellors, home mothers, social workers, case managers and legal officers. The focus is on developing low-cost "compassionate human resources", rather than high-cost physical infrastructure or technical human resources, because the partner NGOs believe that healing and protection, whether in the family or the institution, is a matter of personal human contact. In the shelter and throughout the programme, primary consideration is given to the significant psychological and protection needs of trafficked and abused girls, many of whom have severe emotional disturbances, social problems, suicide risks and mental and physical challenges. This project is intended to be a model of the functional application of "child rights" and "child protection" and aims at bringing shelter-based and community-based care-giving systems² up to internationally accepted minimum standards of care; establishing an

² "Guidelines for the operation of care facilities for victims of violence against women and children: rationale, basic procedures and requirements for capacity building", developed by Terre des hommes.

enhanced protection/security system appropriate to the critical needs of beneficiaries, establishing pre-integration and post-integration practices, including community-based alternative living situations, and assisting the partner Indian NGO in sustaining its achieved level of expertise and quality of care through self-assessment and self-training mechanisms.

63. In Cambodia, Terre des Hommes operates a programme together with the German organization ACT, providing community education to the local authorities, persons in the community and children to discuss the real-life situation of children and to share what each individual can do based on their obligation and responsibility to help their children from trafficking. Advocacy programmes are also established to help support and enforce the law effectively. The methodology used is the village “safety net” programme. Villagers form their own mechanism (child protection network) to help protect their children. Children are then integrated into the programme by working as child peer educators and participants in the community education against child trafficking. They then actively work as community educators to educate and to disseminate information on trafficking to other children and communities. They do this through role play and performances on related issues, and thus become the key people and a network for the community to prevent and protect children. The goal is to ensure that children and communities become more aware of the issues and help disseminate the information and their understanding of them to others in the community. These child protection networks are set up by communities to help prevent and protect their children from trafficking and focus on high-risk and child victims of trafficking. Through the different activities realized, the organizers hope to contribute to the development of effective policies and practices against child trafficking, and to promote the rights of children in Cambodia. The close cooperation with the local authorities, especially the village chief and police in the community, ensures the safety of the children concerned and the success of the programme.

64. ECPAT, a network of 83 locally based organizations, operates in over 70 countries around the world for the realization of the rights of children, and focuses on the protection of children from commercial sexual exploitation. ECPAT provides support in the form of care and services for child victims throughout the process of physical, emotional, social, and spiritual recovery.

65. One example is the Transit Home in Taiwan facilitating reintegration of child victims in society. Those who have completed a rehabilitation programme provided by the Government will enter the reintegration programme on a voluntary basis through a contractual relationship between the provider and the participant. They can stay in the shelter for between 1 and 21 months. ECPAT also provides drop-in centres with partner organizations (such as ASK and Aparajeyo in Bangladesh, Pakistan Paediatric Association in Peshawar, Pakistan, and PEACE in Sri Lanka) for children at risk and those who have been victims of abuse and exploitation. A range of services are provided such as non-formal education, nutrition, medical services, psychosocial assistance as well as recreation activities. These centres are open for a few hours during the day and children are encouraged to visit whenever possible.

66. In Nepal, ECPAT operates with partner Maiti Nepal a school from primary to high school level in the same compound as the shelter for the children. In Bangladesh, ECPAT provides legal support to the children who have been victims of commercial sexual exploitation, together with partner Ain O Salish Kendro (ASK) in Dhaka. In Colombia, ECPAT and Fundación Renacer developed a child rights-based programme for children victims of sexual commercial exploitation in three cities. It is composed of five units: outreach, medical centre, short-term

shelter, long-term treatment, home and post-institutional follow-up. The services provided include medical attention, dental care, nutrition, cultural, recreational and sport activities. Finally, in Chile and in Guatemala, ECPAT operates centres with partner NGOs where child victims are provided with individual treatment, crisis intervention, group counselling, peer support, legal assistance, recreational activities and assistance to their family members.

67. In Honduras, the NGO Casa Alianza has been providing rehabilitation programmes in its shelters for minors who are victims of commercial sexual exploitation. This Residential Program for Integral Attention to Victims of Commercial Sexual Exploitation and Children Trade, called “Querubines”, is financed with the help of ICORDAID (Dutch Cooperation Agency), Diagrama Foundation and ILO through its IPEC programme. Support is provided to about 80 to 90 minors who are victims each year. This residential programme helps their social reinsertion through artistic, sport and cultural activities and also provides health attention for reducing damages of psychoactive drugs to which many children are addicted. Children are also provided with legal assistance and receive training on the importance of having personal goals and a paid job. A specific reintegration watch has been put in place for 80 girls who are direct victims of commercial sexual exploitation and have rejoined their families. The activities of Casa Alianza aim to obtain family and community support for the social reinsertion of minors, and to eliminate conditions that can make the children vulnerable to commercial sexual exploitation and trade.

68. The United Nations Office on Drugs and Crime (UNODC) has been supporting projects³ together with NGOs and other civil society actors: in South Africa to prevent trafficking and child prostitution; in India, the Czech Republic and Poland to provide advocacy and witness protection for children and risk and for victims of trafficking; and in the Philippines to rehabilitation centres for victims of trafficking and sexual commercial exploitation.

69. The Special Rapporteur has also been informed that UNICEF has been supporting several preventive and rehabilitation projects for minors at risk or victims of sexual commercial exploitation or trafficking, notably in Africa and Asia. In some instances, these projects operate jointly with State initiatives or with NGOs.

V. CONCLUSIONS

70. The Special Rapporteur would like to warmly thank all those who responded to the questionnaire. The Special Rapporteur regrets that so few Member States have provided on-time answers to his questionnaire, and notes with concern that the number of replies declined from last year, which was already weak. This report does not pretend to give a comprehensive analysis of the issue discussed; its aim is to rather highlight positive examples of national policies and strategies as well as to discuss such examples of good practices developed by international organizations, NGOs and the civil society in assistance and rehabilitation programmes for child victims of commercial sexual exploitation and trafficking. Only relevant selections of the experiences and initiatives on which information was received have been outlined in this report.

³ “Trafficking of women into the South African Sex industry and the trafficking of children for purposes of sexual exploitation”, published by the organization Molo Songololo.

71. The Special Rapporteur notes that, while several activities and programmes have been put in place in the countries that provided an answer to the questionnaire, as well as several others where international organizations and NGOs have taken positive initiatives, in general separate rehabilitation and assistance programmes for child victims of commercial sexual exploitation and trafficking are not set up and available. As such, these programmes are either available through other assistance programmes for children who are victims of domestic violence or with rehabilitation programmes for trafficked adult women victims of sexual exploitation. This lack of specific assistance and reintegration programmes and facilities for minors who are victims of commercial sexual exploitation and trafficking can be a cause of re-victimization and affect their vulnerability towards their exploiters and traffickers.

72. The Special Rapporteur calls on States to establish distinct facilities and programmes for these minors, because of the specific nature of their traumatic experience and crimes they have been victims of, but also because of their particular needs for a successful rehabilitation in their families if possible and into society. These rehabilitation facilities and programmes should not be the only assistance available, but part of a larger network of services, both public (through the State and local social services) and private (NGOs and civil society initiatives). Therefore, the Special Rapporteur calls for a more coordinated, comprehensive, and global approach, where the different State institutions as well as NGOs and the civil society have a role to play. Outreach on prevention and educative programmes should be essential components of this approach.

VI. RECOMMENDATIONS

73. While noting that most States which responded to the questionnaire have put in place different programmes and facilities for children who are victims of commercial sexual exploitation and trafficking, the Special Rapporteur observes that these programmes and facilities often encompass either adult victims of commercial sexual exploitation and trafficking or child victims of domestic abuse and violence. While reiterating the importance of offering to these two diverse groups of victims appropriate rehabilitation and assistance programmes and facilities, the Special Rapporteur nevertheless is of the opinion that children who are victims of commercial sexual exploitation, because of the very nature of the harm done to them and the situation which they face after being rescued from the hands of their exploiters, are in need of special, separate programmes and facilities catering specifically to their needs. They should not be together with victims of domestic abuse and violence or with adults. The Special Rapporteur notes that in the absence of the programmes and facilities, children victims tend to be more vulnerable to exploitation by organized criminal groups.

74. Although the number of identified children victims of commercial sexual exploitation and trafficking may, in several countries, be limited, the Special Rapporteur calls upon States, together with reliable and credible NGOs and civil society actors, to set up specific rehabilitation and assistance programmes for children and minors who are victims of sexual commercial exploitation and trafficking. These programmes and facilities may take different forms and should be adapted to the local and cultural contexts, be it a closed shelter, rehabilitation activities given in the form of outpatient assistance or educational programmes, all depending on the situation and magnitude of such children victims. If there are no reported cases of minors who are victims of sexual commercial exploitation

and trafficking, the Special Rapporteur recommends the creation of a State fund, which could be made readily available when such assistance and rehabilitation measures become required.

75. If States should opt for the shelter model as part of their assistance and rehabilitation facilities, the Special Rapporteur recommends that such shelters should, at a minimum, provide the following services and facilities:

- (a) A place of residence with decent living conditions and of small dimensions;**
- (b) Appropriate food and clothes;**
- (c) Full medical aid, including hospital treatments and surgeries, if needed;**
- (d) Competent and specialized staff;**
- (e) Psychological counselling;**
- (f) Education facilities, to allow children to follow the appropriate school curriculum;**
- (g) Legal aid and court representation, if the victim so requires;**
- (h) Translation and interpretation services in a language the victim understands, if needed;**
- (i) Personalized care for the best interests of each child;**
- (j) Participation in appropriate recreational activities and diverse programmes of rehabilitation and reintegration. These could include other education programmes, professional skills-gaining and support in finding employment, when relevant;**
- (k) Security needs to be ensured for the participants inside but also outside of the shelter, as the minor victims are still vulnerable to their exploiters and traffickers who often belong to criminalized groups;**
- (l) Participation of civil society should also be encouraged and facilitated.**

76. Regarding the issue of funding these assistance and rehabilitation programmes, the Special Rapporteur believes that, although the magnitude of the problem may not appear to be huge in most countries, this phenomenon requires constant monitoring with assistance readily available to the victims, therefore he recommends all States:

- (a) To incorporate in their national legislation and budget provisions for funding of State and NGO programmes and activities aimed at the assistance and rehabilitation of children who are victims of sexual commercial exploitation and/or trafficking;**

(b) To establish specific protocols and work plans which set up standards of the programmes and activities for the assistance and rehabilitation of children victims of sexual commercial exploitation and/or trafficking;

(b) To set up funds for recognized and established NGOs and other civil society actors as implementing agencies and partners to implement their activities, programmes and facilities for children who are victims of sexual commercial exploitation and trafficking;

(c) To include in the rehabilitation programmes a minimum of three years of follow-up and monitoring of the assistance and treatment provided to the minors who are victims for a full recovery, as experience shows these victims have suffered considerably and need long-term therapies.

77. Taking into account that the examples of best practices are as of today still insufficient, the Special Rapporteur calls upon the academic community, NGOs and civil society and the specialized agencies of the United Nations system to elaborate norms and standards to serve as models to be used when establishing rehabilitation and assistance programmes for children and minors victims of sexual commercial exploitation and trafficking.

78. The Special Rapporteur stresses finally that educational programmes as well as awareness-raising activities are essential in the fight against commercial sexual exploitation and trafficking of children. He therefore calls upon States:

(a) To develop awareness-raising campaigns among teachers, school officials, the tourism industry and law-enforcement officials on the issues of commercial sexual exploitation and trafficking of children;

(b) To raise awareness among law-enforcement officials on the need to work together and cooperate fully and totally when investigating cases of children who are victims of commercial sexual exploitation and trafficking;

(c) To ensure that the school curriculum includes child rights education that addresses these issues and provide resources available to help should children be confronted with such situations. Education on programmes and resources available is an essential tool to prevent children from becoming victims of such crimes and should be made available at all school levels.
