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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Najat M'jid Maalla

Summary

The Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Najat M'jid Maalla, submits her second report to the Human Rights Council at its sixteenth session, pursuant to resolution 13/20 of the Council.

The present report describes the activities carried out by the Special Rapporteur since her last report in September 2009.

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I. Background

1. In its resolution 7/13, the Human Rights Council requested the Special Rapporteur to submit a report on the implementation of her mandate to the Council in accordance with its annual programme of work. In its resolution 13/20, it requested the Special Rapporteur to present her report at its sixteenth session. The present report comes in response to that request and describes the activities carried out by the Special Rapporteur since her previous report to the Human Rights Council in September 2009 (A/HRC/12/23), which focused on child pornography on the Internet.
2. Moreover, in its resolution 13/20, the Human Rights Council invited the Special Rapporteur to submit a joint report with the Special Representative of the Secretary-General on Violence against Children on effective and child-sensitive counselling, complaint and reporting mechanisms to which children can safely report incidents of violence, including sexual violence and exploitation. The joint report is contained in document A/HRC/16/56.
3. As a result, the Special Rapporteur decided to concentrate her efforts on the preparation of the joint report, which involved broad consultations with the Special Representative of the Secretary-General on Violence against Children and with other stakeholders.
4. This report complements the joint report and focuses mainly on activities carried out during the past year, in particular country visits, conferences, seminars and consultations.

II. Activities

A. Country visits

5. Since her previous report to the Human Rights Council (A/HRC/12/23), in September 2009, the Special Rapporteur has undertaken visits to the following countries: the United Arab Emirates (12–18 October 2009), Senegal (21–30 October 2009), El Salvador (23–31 August 2010) and the United States of America (12–27 October 2010). The reports on those visits are presented as addenda to this report (A/HRC/16/57/Add.2-5).
6. Since her previous report to the Council, the Special Rapporteur has received positive replies from Egypt and Mauritius to her requests to make official visits. She has also been invited to visit the Libyan Arab Jamahiriya. The Special Rapporteur is yet to receive replies to her requests for invitations from the following countries: Canada, the Gambia, India, Nepal, Nicaragua and Nigeria.

B. Conferences, seminars, consultations and the Coordination Committee of Special Procedures

7. Since September 2009, the Special Rapporteur has participated in several conferences, seminars and meetings, at which she frequently highlights the principles and provisions of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The Special Rapporteur describes the multiple and interdependent factors that lie behind these phenomena and urges the adoption of a multidimensional, comprehensive and coordinated approach in order to combat and prevent the sale of children, child prostitution and child pornography. She also insists on

the importance of developing regional and international cooperation and sharing information on good practices.

Conferences and seminars

8. In September 2009, the Special Rapporteur attended an international conference on violence against women and girls, organized in Rome by the Italian Government in its capacity as president of the G-8, and a conference run by the Organization for Security and Cooperation in Europe (OSCE) in Vienna on the role of special procedures in the prevention of modern forms of slavery.

9. In November 2009, the Special Rapporteur attended a conference in Dresden, Germany, on the occasion of the twentieth anniversary of the adoption of the Convention on the Rights of the Child. In December 2009, she was asked to address an open-ended working group on an optional protocol to the Convention to provide a communications procedure and called for the adoption of an optional protocol that would strengthen the protection of children.

10. The Special Rapporteur also addressed a conference on street children organized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris in March 2010. In April 2010, she attended a conference entitled “The child as witness and subject: the cultural rights of the child” organized in Fribourg, Switzerland, by the Interdisciplinary Institute for Ethics and Human Rights of the University of Fribourg. She also addressed a consultation meeting held in late September in Geneva by the Office of the United Nations High Commissioner for Human Rights and the Special Representative of the Secretary-General on Violence against Children on effective and child-sensitive counselling, complaint and reporting mechanisms. In October 2010, the Special Rapporteur hosted a conference on child mobility organized by the Global Movement for Children, the Generalitat de Catalunya (autonomous regional government of Catalonia) and Save the Children UK. In November 2010, she attended a conference on the rights of the child in Paris organized by Voix de l’Enfant and entitled “Twenty years after France’s ratification of the Convention on the Rights of the Child: taking stock”.

Campaign for the universal ratification of the optional protocols to the Convention on the Rights of the Child

11. A campaign to promote the universal ratification of the optional protocols to the Convention on the Rights of the Child was launched in May 2010 in New York. The Special Rapporteur worked on the launch with the Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Human Rights Committee, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children’s Fund (UNICEF). The Special Rapporteur seized the opportunity on that occasion to meet UNICEF and civil society representatives active in the area of child protection.

12. In September 2010, the Special Rapporteur called for the universal ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography when she addressed the European Parliament in Brussels during a meeting on a draft directive of the European Parliament and the Council of Europe on combating the sexual abuse and sexual exploitation of children and child pornography.

Consultations

13. Pursuing research on good practices in efforts to combat the sale of children, child prostitution and child pornography, the Special Rapporteur embarked on consultations in

London and Montreal, Canada, during the period under review. She intends to continue such consultations next year.

London

14. During the preparation of her previous report on child pornography on the Internet, the Special Rapporteur had taken note of good practices in the United Kingdom and therefore wanted to meet key players in London active in combating and preventing the exploitation of children on the Internet. Thus, in December 2009, the Special Rapporteur went to London to meet Government officials and representatives of public bodies specialized in combating the exploitation of children on the Internet. The meetings focused, among other things, on good practices and problems encountered in efforts to combat the exploitation of children on the Internet.

Montreal

15. In February 2010, the Special Rapporteur spoke with numerous people in Montreal who are actively involved in issues related to the sexual exploitation of children. In particular, she met police officers from the provincial youth protection department, as well as representatives of civil society and the heads of programmes for children vulnerable to sexual exploitation. The meetings focused, among other things, on good practices and problems encountered in efforts to combat the sexual exploitation of children.

Annual meeting on special procedures and the Coordination Committee of Special Procedures

16. In June 2010, during the annual meeting on special procedures in Geneva, the Special Rapporteur was appointed chairperson of the Coordination Committee of Special Procedures for a year. In that role, she embarked on numerous consultations and attended several conferences during the period under review.

C. Communications

17. A summary of communications sent and replies received appears in addendum 1 to this report (A/HRC/16/57/Add.1).
