

**19th Regular Session of the UN Human Rights Council
Annual full-day meeting on the Rights of the Child**

**Joint oral statement by Foundation ECPAT International and
International Federation Terre des Hommes**

08 March 2012

Madam Chair

The Foundation ECPAT International and the International Federation Terre des Hommes warmly welcome this Annual full-day meeting on the rights of the child on the theme of children and the administration of justice. This day is a recognition of the importance of this theme and of the diversity of situations it can include.

Madam Chair

The treatment of child victims of commercial sexual exploitation in the administration of justice remains a matter of concern in many countries.

Under many criminal and administrative domestic laws, child victims of prostitution or trafficking are treated by justice systems as offenders instead of victims. In such cases, legal proceedings constitute a source of trauma and re-victimization for child victims and hamper their recovery and social reintegration processes.

Other children are being denied the status of victims of commercial sexual exploitation due to a lack of mechanisms and procedures ensuring their adequate identification by law enforcement or due to the weak implementation of such mechanisms and procedures when they do exist. In addition, in many countries child victims are not provided with access to reporting mechanisms (e.g. 24 hour nationwide helplines), which is another major obstacle to their identification by relevant authorities and services. Therefore, these children cannot access adequate support and assistance services when such services are available, and they are, especially in case of

trafficking, particularly vulnerable to involuntary repatriation to their country of origin, where they may be at risk of being re-victimized.

Even though a significant number of countries have developed judicial procedures aimed at providing child victims with a safe environment to testify against their offender(s) (e.g. videotaped interviews with children), many children are not provided with "child-friendly" processes within their domestic justice system due to several reasons, including a lack of specialized and well trained law enforcement personnel, insufficient resources, and concerns about the integrity of testimony and evidence. Child witnesses and their families often fail to receive sufficient protection, making them vulnerable to intimidation or retaliatory violence from offenders. The lack of implementation of laws addressing commercial sexual exploitation of children by specialized and skilled prosecutors and judges is also reflected in the low number of convictions of child sex offenders around the world.

We urge States to align their national laws addressing commercial sexual exploitation of children on relevant international and regional legal standards and ensure that these laws are effectively implemented by well-trained specialists systematically guided by the best interest of the child.

Madam Chair, ladies and gentlemen, we thank you for your attention.