TO: Participants of the World Congress III against Sexual Exploitation of Children and Adolescents
FROM: Professor Jaap Doek, General Rapporteur
RE: Rio Outcome Document (FIRST Draft)
DATE: 16 November 2008

The document below represents the first draft of the Outcome Document of the World Congress III against Sexual Exploitation of Children and Adolescents. It is based on inputs gathered through regional and thematic preparatory meetings that have been organized around the world, in advance of the World Congress III to be held in Rio de Janeiro on 25-29 November 2008.

It has gathered the extensive inputs received through the mobilization processes of the Congress which have been ongoing from late 2007 to the present time. It is presented below for the consideration and input all stakeholders represented in the Congress.

Regional preparatory meetings were held in six regions of the world (Latin America, North America, Europe and CIS, East Asia and Pacific, Africa, South Asia) with the involvement and participation of government, civil society, UN agencies, children and adolescents, NGOs, private sector and academia and others. In addition several technical expert meetings, focused on specialized areas of the Congress, were also held over the past year. In all instances these forums provided opportunities for a focused and in-depth analysis and discussion of the key areas of the Congress and resulted in the articulation of specific recommendations for future action. In various regional meetings children and adolescents complemented the general recommendations with their specific proposals.

In addition each of the Congress organizers commissioned expert thematic papers which will be presented to the Congress. These provide another source and foundation for analysis, planning on the action to be taken for guaranteeing the right to protection against sexual exploitation for all children. The thematic papers also provide another source of recommendations which have been consulted and integrated in this first draft of the outcome document.

As you review the document below you are requested to consider the aim of the document which is to guide future global work with clear and precise language that specifies the proposed actions as much as possible within a timeframe and in relation to the actors that will have responsibility to implement and support their realization.

Your inputs to the Draft Outcome Document are requested and welcomed
Please formulate them in the manner indicated above and include reference to the relevant section of the text. Substantive changes and new inputs will be given priority. We regret that general comments, observations or elaborations on existing text will not be considered in this timeframe.

Inputs should be sent to the WCIII General Rapporteur

Last date for receipt of written input is 24 November

Email to
input2outcomedocwc3@gmail.com

Additional input to the Outcome Document will be made through the workshops, dialogues and plenary forums of the Congress. These will be integrated by a Drafting Committee.

Rio Outcome Document
(FIRST Draft)

Title (tentative): The Rio de Janeiro (Global) Plan of Action to Prevent and Stop Sexual Exploitation of Children.

We, the participants to the World Congress III on Sexual Exploitation of Children and Adolescents, representing governments, inter-governmental organizations, non-governmental organizations, human rights institutions, private sector, civil society, children, adolescents and youth have gathered in Rio de Janeiro (25-28 Nov. 2008) to review developments and action taken in our follow-up to the Stockholm Declaration and Agenda for Action 1996, the Yokohama Global Commitment 2001, and have identified lessons learned and key challenges and commit ourselves to the implementation of goals and targets of a Plan of Actions to Prevent and Stop Sexual Exploitation of Children. (1)

We reiterate that sexual exploitation of children is a gross violation of their rights in respect of their human dignity and physical and mental integrity.

We are deeply concerned at the continuing high level of sexual exploitation of children in States in all regions, and at the increase in certain forms of sexual exploitation of children; in particular through use of the Internet and other new and developing technologies, and through the increased mobility of perpetrators in travel and tourism.

We also note with deep concern the increased vulnerability of children to sexual exploitation resulting from a growth in poverty, social inequality, exclusion, environmental degradation, HIV/AIDS, situations of natural disaster, emergency and violence. These create strains on the basic unit of the family responsible for the protection of children, exacerbated by the persistent demand for sex with children in all regions and States due to an environment of social tolerance and impunity.

We recall the Convention on the Rights of the Child proclaiming that States Parties shall take all appropriate measures to ensure that the child is protected from all forms of sexual exploitation and sexual abuse as well as the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography.

We welcome the work of the Committee on the Rights of Child and other relevant human
rights instruments and reports of the Special Rapporteurs.

A. **Review of Progress and Lessons Learned**

We welcome the progress achieved in addressing sexual exploitation of children since the Second World Congress:

1. Increase of ratifications of key international instruments such as the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, ILO Convention 182 on the Elimination of the Worst Forms of Child Labour and Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo-Protocol) and the adoption of new instruments including the Council of Europe Conventions on Trafficking of Human Beings and on the Protection of Children against Sexual Exploitation and Sexual Abuse.

2. Adoption of legislative measures by all States to strengthen the protection of children from sexual exploitation in compliance with international human rights norms and standards, including the enactment of legal provisions for the protection of children victims of sexual exploitation during the process of criminal investigations and trials against the alleged perpetrators in line with United Nations Guidelines on Justice in matters involving child victims and witnesses of crimes. (2)

3. The development and implementation of National Plans of Action on the Protection Children, National Plans to Combat Sexual Exploitation of children or other planned and strategic measures.

4. The establishment of multi-sectoral initiatives, to prevent and combat trafficking including for the purpose of sexual exploitation of children.

5. The conclusion of a number of bilateral and multilateral agreements or Memoranda of Understanding between States with a view to establish effective cooperation in efforts to prevent and combat cross border trafficking and sexual exploitation of children.

6. The increase of companies operating in tourism and travel which signed the Code of conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. (3)

7. The increase in many States of a wide range of educational and training initiatives on prevention and protection of children from sexual exploitation targeting professionals working with children, special target groups, the general public, children and youth and parents and care givers.

8. The enlarged scale of engagement by UN agencies, national and international NGO’s and inter-governmental organizations to prevent and stop sexual exploitation of children including increasing activities addressing sexual exploitation and abuse of children on line and via other new technologies.

9. While acknowledging the progress, we note particular challenges and concerns:

   - a paucity of knowledge and information to address emerging manifestations, trends and the increasingly complex nuances around the different forms of sexual exploitation of children;
- in many States, laws do not adequately define and criminalize the various forms of sexual exploitation of children in accordance with international standards, therefore hindering an effective protection of children;

- consistent law enforcement is too often hampered by the lack of effective measures to address the demand and social tolerance that exists in States in all regions for sex with children and the lack of appropriate training and adequate resources;

- impunity of perpetrators is perpetuated by the lack of consistent and effective extra-territorial jurisdiction – often hindered by a “dual criminality” requirement- and the lack of necessary extradition regulations and mutual legal assistance agreements and practices;

- children’s right to express their views and have those views given due weight in all matters affecting their lives, including in all administrative and judicial proceedings, is not consistently incorporated in national legislation and practice; in particular, child survivors of sexual exploitation often (due to lack of such opportunities and child focused procedures) experience further trauma in the judicial process;

- laws and programmes addressing trafficking in human beings too often do not recognize the special status of child victims and their right to special protection, including through repatriation procedures that guarantee the child’s safety in case of return to the country of origin and support for full restitution of their rights;

- the right of child victims of all forms of sexual exploitation to receive assistance for their recovery and reintegration, including where appropriate, adequate compensation, is often compromised by a lack of effective coordination of actions in that regard with actions based on the criminal law;

- there is a lack of disaggregated data on the prevalence and nature of sexual exploitation of children and inadequate evaluation of the impact of legislative, social and other measures to prevent and stop sexual exploitation of children.

B. Declaration

1. We, the participants to the World Congress III on Sexual Exploitation of Children and Adolescents, recognize the human rights imperative and States’ obligations to work with renewed effectiveness to prevent and stop sexual exploitation, while fully respecting the rights of child and adolescent victims of such exploitation.

2. We pledge ourselves to undertake as a matter of priority the necessary measures to prevent and stop sexual exploitation of children and to respond to it effectively when it occurs, as set out in the following Plan of Action.

3. We recognize that our efforts to prevent and end sexual exploitation of children must address root causes of these serious violations of the rights of the child by mainstreaming strategies for protection of children from sexual exploitation within broader policy frameworks. We thus recommit ourselves to achieve the Millennium Development Goals set for 2015, particularly to halve the proportion of people living in extreme poverty, to
ensure that all children complete a full course of quality primary education and to halt and reverse the spread of HIV/AIDS and to develop a global partnership for development.

4. We welcome the recommendations of the UN Secretary-General’s Study on Violence Against Children and commit ourselves to implement the recommendations and support and facilitate the work of the Special Representative of the Secretary General on Violence Against Children.

5. We will support with adequate resources, measures and structures that will institutionalise meaningful child and youth participation in a sustainable way at all levels for children victims of, or at risk of, sexual exploitation, e.g. through child and youth advisory committees, community based programmes and peer to peer initiatives.

6. We will continue and strengthen our efforts to address through comprehensive public education, awareness-raising and training, and any denial of the seriousness of sexual exploitation of children and of its negative consequences; in particular, the beliefs and values that accommodate and sustain sexual violence and abuse, harbouring a view of the child as an object or commodity and increase the understanding and respect of the child as a human being with rights whose human dignity and physical and mental integrity must be protected in all circumstances. As such, we will take a gender focus in campaigns with the increasing and systematic engagement of men and boys as partners.

7. We will initiate and/or support research on all forms of sexual exploitation of children and involve children and youth and other actors (such as law enforcement agencies, NGOs, ISPs, UN agencies, etc.) with a view to increase our knowledge on:

- the nature and incidences of all forms of sexual exploitation of children;
- new manifestations of sexual exploitation, including the changing modalities, actors, mechanisms and locations used;
- the uses and impact of legislative, social and other measures taken to prevent, stop and respond to sexual exploitation of children;
- the demand underlying various forms of sexual exploitation of children and on those involved in facilitating and perpetrating these crimes against children;
- the sexual exploitation of boys;
- types of vulnerability and resilience among children in relation to their protection from sexual exploitation;
- the nature and experience of virtual social interaction among children and its impact on prevention and protection of children from sexual exploitation in different social and cultural contexts;
- the impact and effect of global consumer culture on social norms and values and its impact on sexual exploitation of children;
- patterns of offending to ensure interventions, including therapeutic services, are appropriate and effective.

All this in order to ensure that as much as possible, evidence based information is used for the development and implementation of effective policies to prevent and protect children from sexual exploitation.
C Plan of Action

C.1. General

We call on all States to ratify by 2013 or before:


- the relevant regional conventions, in particular: the African Charter on the Rights and Welfare of Children; the ASEAN Charter; the Inter American Human Convention on International Traffic of Minors; the South Asian (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution; and the Council of Europe Conventions on Action against Trafficking in Human Beings, on Cybercrime and on the Protection of Children against Sexual Exploitation and Sexual Abuse (Conventions which can be ratified by States, non-members of the Council of Europe).

We urge States, with the support of UN, NGOs, Private Sector, Academia, other professionals, children and young people, to:

- establish within 5 years, concrete measures to facilitate coordination at national level for enhanced cooperation between and among government ministries, NGOs, the private sector and other representatives of civil society and inter-governmental organizations, including children and young people, with a view to enable and support articulated action to prevent and stop all forms of sexual exploitation of children and extend such measures for coordination on regional and international level. (4)

- develop National Plans of Action that contain a strategy, operational plans, targeted resources and designated responsible actors for implementation of initiatives to prevent, combat and address all forms of sexual exploitation of children.

- initiate and support the collection and sharing of information, cross-border cooperation between law enforcement, and contribute to data bases on victims and perpetrators, to enhance assistance to children and reduce the demand for sexually exploitative and abusive activities with children.

- establish effective extra territorial jurisdiction, abolish the requirement of double criminality and facilitate effective extradition and mutual legal assistance in line with articles 4 and 5 of the OPSC in order to achieve effective prosecution of (alleged) perpetrators and their conviction with sentences that reflect the severity of the crime as a clear signal of a zero tolerance policy and of our determination to curb the demand for sexual exploitation and abuse of children.

- establish and implement international, regional and national legal mechanisms and programmes for addressing sex offender behaviour and preventing recidivism, including through risk assessment programmes, the provision of extended and more comprehensive rehabilitation services to perpetrators (both sentenced and potential) through open and voluntary support; safe reintegration of convicted offenders and the collection and sharing
of best practices in this regard and for this purpose to establish sex offender registers, and
cross border sex offender management systems in all countries, including implementing,
monitoring and restriction of travelling offenders.

- ensure that children and adolescents with sexually harmful or problematic behaviour
receive therapy and rehabilitation as a first option through appropriate child focused
measures and programmes that will not criminalize them, but will balance their best
interest with due regard for the safety of others and ensure compliance with the principle
that depriving children of liberty should be ensued only as a measure of last resort; and
that those responsible for their care are supported by relevant training and skills to handle
such cases involving children.

- participate and contribute to the Interpol international child abuse images data base and
establish a responsible national focal point person or unit to collect national data on all
forms of sexual exploitation of children, in particular on victims and (alleged) perpetrators
and systematically share that information with the Interpol data base in order to support
cross-border (international) law enforcement actions and strengthen its effectiveness and
adopt multilateral agreements, especially for police investigation work.

- establish special units/children’s desks within the police forces to address sexual crimes
against children and provide specialized training to judicial and law enforcement
personnel.

- develop (with the support of UN agencies, NGOs, civil society organizations and the
private sector etc.) policies, programmes and legislation to stimulate and support effective
Corporate Social Responsibility among corporations, companies and others operating in
tourism, travel and (local) transport, financial services and in communication, media,
internet services advertisement and entertainment that result in the adoption of child rights
focused policies, standards and codes of conduct that are implemented throughout the
chain of their activities and include an independent monitoring mechanism/inspection.

- establish by 2013, an effective accessible and articulated system for reporting, follow up
and support for children victims of suspected or actual incidents of sexual exploitation, e.g.
by instituting mandatory reporting for persons in position of responsibility for the welfare of
children and/or by strengthening accessibility to existing child help-lines (in particular, for
children in care institutions and juvenile justice institutions) or establishing such child help-
lines where they do not exist and/or by the creation of possibilities to link, via internet, to a
service that deals with reports on sexual exploitation of children and will result in
confidential and appropriate support for children and their representatives.

- establish by law, independent children’s rights institutions (such as national children’s
rights ombudspersons or commissioners for children’s rights or focal points on children’s
rights in national human rights institutions or general ombudsman offices) within the next 5
years, taking into account the Paris Principles Relating to the Status of National Institutions
and General Comment No 2 of the Committee on the Rights of the Child. These bodies
should play a key role in the independent monitoring of actions taken for prevention,
protection and restoration of the rights of sexually exploited children, in advocating for
effective legal frameworks and enforcement and in ensuring, where necessary, that child
victims have effective remedies and redress.

- strengthen existing national child protection services, or establish new ones, in order to
provide all children (without any discrimination) that are victims of sexual exploitation with
the necessary economic and psycho-social support for their full physical and psychological recovery and social re-integration and to make sure that these services are easily accessible, appropriately resourced, comprehensive and child friendly, reach individual children and children with special needs and are provided by well trained, multi-disciplinary teams of professionals.

- establish regional mechanisms by 2013 for exchange, coordination, and monitoring of progress on child protection (including against all forms of sexual exploitation) in order to strengthen follow up on the implementation and progress of the recommendations made.

- establish a Fund for Child and Youth Action against Sexual Exploitation of Children, as per the commitment made at the Yokohama Congress 2001.

- use the framework of Official Development Assistance (ODA) to advocate and ensure international financing to address sexual exploitation of children and to develop and implement coordinated and measures to combat it at all levels.

We encourage the Committee on the Rights of the Child to:

- persevere with monitoring progress of States Parties’ fulfilment of their obligations to uphold the right of children to protection from sexual exploitation and pay special attention to the recommendations arising from the Rio Plan of Action in its examination of reports under the Convention on the Rights of the Child and its’ Optional Protocols;

- adopt as a matter of priority a General Comment on the right of the child to protection from all forms of sexual exploitation and related trafficking, abduction and sale of children, including detailed guidance to States on the development, implementation and enforcement of national legislation and policies in this regard;

We encourage other United Nation human rights treaty bodies, Special Rapporteurs of the Human Rights Council and Special Representatives of the Secretary General of the UN, as well as regional human rights mechanisms, to pay particular attention to combating all forms of sexual exploitation of children, within their respective mandates and during their examination of States’ reports, country visits and/or other activities. UN agencies, NGOs and human rights institutions are encouraged to provide reports on the extent of and the responses to sexual exploitation of children to these bodies.

We urge the Human Rights Council to ensure that the Universal Periodic Review process includes rigorous examination of States’ fulfilment of their obligations to prevent and stop all forms of sexual exploitation of children and to respect fully the rights of child victims of such exploitation.

We urge the newly-appointed Special Representative of the Secretary General on violence against children, the Special Representative on children and armed conflict and the Special Rapporteur on the sale of children, child prostitution and child pornography, together with other special representatives/rapporteurs with relevant mandates, and in collaboration with the Committee on the Rights of the Child, to work together to avoid duplication and to maximise their impact in preventing and stopping sexual exploitation of children.
C.2. Child Pornography and Online abuse images of Children

In addition to the actions mentioned, we call on States, with support of UN, NGOs, Private Sector, Academia, other professionals, children and young people to:

- undertake specific and targeted actions to prevent and stop child pornography and the use of the Internet and other new technologies, for the grooming of children and adolescents into online and off line abuse and the production and dissemination of child sexual abuse images and other materials. Victim identification and support to the child victim should be made a high priority;

- conduct educational and awareness raising campaigns focusing on children, parents, teachers and others working with/for children with a view to improve their understanding of the risks of sexual exploitative use of the Internet, mobile telephones and other technologies. Include information for children on how to protect themselves, how to get help and to report incidences of child pornography and on line abuse; and undertake research so as to identify the effectiveness of such programmes, not only in relation to increasing knowledge but also behaviour change;

- teach on-line safety in schools such as “Net Smart Rules”;

- adopt a clear definition of child pornography in accordance with international standards to criminalize all aspects child pornography, defined as including virtual images and sexual exploitative presentation of children, that is not only the production, distribution and possession but also the consumption, access and viewing of such materials and offences where there has been no physical contact. Legal liability should be extended to entities such as corporations and companies in case of (alleged) responsibility for or involvement in the production and/or dissemination of said materials;

- oblige internet service providers, mobile phone companies, search engines, financial institutions and other relevant actors to block known child pornography websites and child sexual abuse images, e.g. by implementing the now readily available Child Sexual Abuse Anti-distribution Filter, and to make reporting of incidences of the existence of such materials to the police mandatory; and to develop indicators to monitor results and enhance efforts;

- encourage and support internet service providers, mobile phone companies, internet cafes and other relevant actors to develop and implement (with meaningful participation of children and adolescents) voluntary codes of conducts and other Corporate Social Responsibility mechanisms together with the development of legal tools for enabling the adoption of child protection measures in these businesses;

- provide incentives to private sector for more research and development of robust technologies to uniquely identify images taken with electronic digital cameras and trace and retract them to help apprehend the perpetrators;

- introduce messages warning against viewing child abuse images in combination with reporting hotlines for proactively involving the public in reporting of online sexual exploitation;
- make technologies easily available, affordable and usable for parents, including to assist with the use of filters for content inappropriate and harmful to children.

### C3  Sexual Exploitation of children in prostitution

**In addition to the actions mentioned, we call on States, with support of UN, NGOs, Private Sector, Academia, other professionals, children and young people to:**

- harmonise national laws according to the international standards, including the definition of the child, child prostitution, age of consent, and age of criminal responsibility;

- ensure laws are accompanied by procedures that will consistently address sexual exploitation of children within a rights-based judicial framework;

- counteract the demand that leads to children being prostituted by subjecting the purchase of sex, or any form of compensation to obtain sexual services from a child, under criminal law as a criminal transaction;

- protect children who engage in self victimization in prostitution through social and therapeutic measures, ensuring interventions that are rights based and that do not lead to criminalization;

- engage children in meaningful and critical examination of changing contemporary values and norms to assess their impact on prevention, and protection against sexual exploitation;

- establish specialized programmes to provide care and rehabilitation (assessments of risk, prevention and response mechanisms) for boys vulnerable to or victims of sexual exploitation;

- pilot and replicate alternative models of care, such as community based rehabilitation and reintegration which will serve as a longer term preventive measure as well as help to redress the ostracism and social isolation faced by victims of sexual exploitation;

- ensure that governments provide specialized and appropriate health care for children who have been exploited in prostitution, as well as support local models of rehabilitation, social work systems, realistic economic alternatives and cooperation between programmes for holistic responses;

- carry out research on hostile and dominant masculine ideologies to understand how these types of ideologies develop among boys and men across different contexts and how they are maintained in order to develop strategies for behavioural change whilst also looking at factors that inhibit and restrain adults from engaging in sexual exploitation of children.

### C4  Sexual exploitation of children in Tourism

**In addition the actions mentioned above, we urge States with support of UN, NGOs, Private Sector, Academia, other professionals, children and young people to:**
- encourage and support the tourism, travel and hotel business in joining and implementing the Code of Conduct for the Protection of Children in Travel and Tourism (The Code), e.g. by certifying those who sign the Code of Conduct whilst actively promoting exclusive use of certified businesses and/or by providing other incentives for those participating;

- ensure that all stakeholders pay specific and targeted attention to informal tourism business/activities to ensure that they comply with international norms and standards for the protection of children from sexual exploitation;

- provide vulnerable children living in or near popular tourist destinations (who are at more risk of sexual exploitation) with vocational training and job opportunities – where appropriate – in partnership with the private sector, to prevent them entering in situations of exploitation;

- to monitor new and emerging tourist destinations and establish proactive measures to work with private sector partners involved in development tourism services on preventive measures which would include use of socially and environmentally responsible strategies that promote equitable development.

C.5. Trafficking and sexual exploitation of children

In addition the actions mentioned above, we urge States with support of UN, NGOs, Private Sector, Academia, other professionals, children and young people to:

- adopt a clear definition of child trafficking in according with the Palermo Protocol and other relevant standards;

- to mobilize communities with a view to engage them in a dialogue on and a critical review of social norms and practices that make children vulnerable for trafficking and establish procedures that involve them developing strategies and programmes where they take part, as relevant, in implementation and monitoring thus also piloting and implementing successful models of community based rehabilitation and reintegration programmes for the child victims of trafficking;

- to establish policies and programmes which not only address cross-border but also the internal trafficking of children and which include among others, a standard operating procedure for the safe repatriation and return of children based on a careful assessment of the risks to the child when returning to the country/place of origin that is based on the best interests of the child;

- to continue strengthening cross border and internal cooperation of law enforcement officials, e.g. by establishing coordinating units with the mandate to issue clear guidelines for investigation of cases of trafficking of children and for treating trafficked children as victims in need of protection and not as criminals.

- to apply the UNICEF guidelines for the protection of child victims of trafficking, among others, by taking legislative and other measures to ensure that for an unaccompanied trafficked child, a guardian is appointed (within 24 hours); an effective system of registration and documentation of all trafficked children is established; and that every
trafficked child is provided with not only short term protection but also with the necessary support (economic and psychosocial) for a long lasting and full recovery and social reintegration;

- to undertake and/or support the regular evaluation of programmes and policies meant to prevent and stop the trafficking of children with the involvement of civil society and children, but also of legislation that may have a conducive impact on trafficking, e.g. laws on marriage, adoption and immigration, birth registration, accordance of citizenship, refugee or other status.

Notes

1. Based on the responses of governments to a questionnaire sent in July 2008 (on November 1st a total of 68 responses were received), the background papers prepared for the Third World Congress, the papers presented and discussions held at the regional and thematic consultations and studies of among others UNICEF’s Innocenti Research Centre and ECPAT.

2. Adopted by the UN Economic and Social Council, Resolution 2005/20 (22 July 2005). See also the child friendly version published by UN office on Drugs and Crime and UNICEF (Vienna, December 2006)

3. Currently about 800 companies from around the world did sign the Code and there are each year an estimated more than 30 million tourists using the services of these companies.

4. See in this regard e.g. the ILO Guidelines on the design of direct action strategies to combat commercial sexual exploitation of children (ILO Geneva 2007).

5. The Paris Principles relating to the status of national institutions for the promotion and protection of Human Rights (G Res. 48/134, 20 December 1993) and General Comment No 2 on The role of National Human Rights Institutions in the promotion and protecting of the rights of the child (CRC/GC/2002/2).

6. See as an example the code of conduct model developed and implemented in Costa Rica.