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**Promotion and protection of the rights of children:
promotion and protection of the rights of children**

Sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Mama Fatima Singhateh, submitted in accordance with Assembly resolution [74/133](#) and Human Rights Council resolution 43/22.

* [A/75/150](#).



Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Mama Fatima Singhateh

Summary

In the present report, submitted pursuant to General Assembly resolution [74/133](#) and Human Rights Council resolution 43/22, the newly appointed Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Mama Fatima Singhateh, describes the activities undertaken in fulfilment of her mandate since the previous report to the Assembly by her predecessor ([A/74/162](#)) and her appointment by the Council in May 2020.

She also provides an outline of the direction that she intends to take during her tenure, including her approach to and vision of the scope of her mandate and the methods of work that she will develop for its strategic implementation.

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I. Introduction

1. In its resolution [74/133](#), the General Assembly requested the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, to continue to submit reports to the Assembly and the Human Rights Council on the activities undertaken in fulfilment of her mandate.

2. Recognizing the scale, complexity and enormous individual and societal harm of all forms of sale and sexual exploitation and abuse of children, including online, deeply concerned about the persistence of the sale and sexual exploitation and abuse of children and welcoming the work and contributions of the Special Rapporteur, the Human Rights Council, on 22 June 2020, adopted resolution 43/22, by which it extended the mandate of the Special Rapporteur for three years. In doing so, the Council requested the Special Rapporteur to support States in developing legal and policy frameworks and child protection strategies in a child- and gender-responsive and child-friendly manner to effectively prevent and eradicate new and emerging forms of online sale and sexual exploitation and abuse of children, in accordance with international human rights law. It also requested her to report annually on the implementation of the mandate to the Council and the General Assembly, in accordance with their programmes of work, making suggestions and recommendations on the prevention of the sale and sexual exploitation and abuse of children and on the rehabilitation, recovery and reintegration of child victims and survivors, in a gender-responsive and child rights-based manner.

3. In the present report, the Special Rapporteur provides information on the activities undertaken by her predecessor and her own activities from May 2020, when she assumed her role, to July 2020. She also provides an outline of her approach to and vision of the scope of her mandate and the methods of work that she will develop for its strategic implementation.

II. Activities carried out

A. Human Rights Council

4. In her final annual report to the Human Rights Council ([A/HRC/43/40](#)), the previous mandate holder reflected on her six-year tenure against the backdrop of the thirtieth anniversary of the establishment of the mandate and two other landmark anniversaries, namely the thirtieth anniversary of the adoption of the Convention on the Rights of the Child and the twentieth anniversary of its Optional Protocol on the sale of children, child prostitution and child pornography. She provided an overview of the main issues of concern and emerging trends related to the sale and sexual exploitation of children, their root causes and new manifestations, and proposed a way forward, through a set of recommendations, to effectively mitigate, prevent and protect children from the scourge.

5. The then mandate holder noted that, although significant gains had been achieved in terms of awareness-raising, legislative, institutional and policy reforms aimed at clarifying terminology and cross-sectoral and transnational cooperation, serious gaps in legislative and policy implementation remained unaddressed. The scale of the problem continued to grow at an alarming rate against the backdrop of fast-paced expansion of information and communications technology (ICT) and the exponential growth of migration flows, which further facilitated the conditions in which the sexual exploitation of children could thrive. She noted the continued prevalence of the social, cultural, gender and institutional constructs that fostered the

conditions in which such sexual exploitation was usually ignored, tolerated or even accepted. She also observed that those crimes appeared to be most prevalent against children at risk, including children marginalized and living in situations of conflict, poverty, emergency or vulnerability, including girls, children belonging to minority groups, children with disabilities, children living in residential care, indigenous children, children of migrants, asylum seekers, refugees and stateless persons and children left behind by their parents.

6. The previous mandate holder therefore called upon States to continue to work nationally, regionally and internationally to build comprehensive child protection systems, improve legislative frameworks, address root causes and vulnerabilities, identify and support victims and survivors and provide care, recovery, rehabilitation and long-term reintegration services. Governments were also called upon to accelerate their efforts and lead a coordinated global response to eradicate the sale and sexual exploitation of children, both online and offline, with a view to achieving targets 8.7 and 16.2 of the Sustainable Development Goals, which deal with taking immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms, and ending abuse, exploitation, trafficking and all forms of violence against and torture of children ([A/HRC/43/40](#), paras. 114–115).

7. Following the presentation of the report, States sought guidance on what more could be done to meet target 5.3 of the Goals, on eliminating all harmful practices, such as child, early and forced marriage and female genital mutilation; how technology companies could assist in protecting children from being exposed to abuse and exploitation; good practice in involving the private sector in combating the sale of children; and the largest challenges facing the international community in its work towards the achievement of targets 8.7 and 16.2. They also sought guidance on best practice concerning data collection as it related to child marriage; the main recommendations to make States more accountable for enacting safeguards for the rights of the child in the digital context; best practice to follow for the establishment of child-friendly investigation and reporting mechanisms so that children could effectively seek justice and reparation; and the areas of action that should be accorded priority by the international community over the coming six years.

8. Several States and stakeholders pointed to the increased use of ICT to facilitate the sale and sexual exploitation of children, as well as the production, distribution and sale of child sexual abuse material. Many noted with concern the unprecedented spike in reports of such material online, the scale and complexity of the problem and the enormous harm being wrought, including the secrecy involved, which enabled the increasing commission of those acts with impunity. Several stakeholders sought further engagement on the part of the Special Rapporteur to support national, regional and global initiatives aimed at tackling the sale and sexual exploitation and abuse of children online.

B. Country visits

9. At the invitation of the Governments concerned, the former mandate holder undertook official country visits to Bulgaria, from 1 to 8 April 2019, and the Gambia, from 21 to 29 October 2019. The conclusions and recommendations of her visit to Bulgaria were presented during the forty-third session of the Human Rights Council, while those of her visit to the Gambia will be presented at the forty-sixth session, in March 2021. The Special Rapporteur is grateful to the Governments of Mauritius, Paraguay, Sierra Leone, Turkey and Ukraine for accepting the visit requests sent by

her predecessor. She highly appreciates the invitations and looks forward to discussing mutually convenient dates for visits during the second half of 2020 and in 2021.

C. Conferences, seminars and engagement with stakeholders

10. Information on the former mandate holder's activities until the end of December 2019 can be found in document [A/HRC/43/40](#). On 4 March 2020, in partnership with the European Union, the Permanent Mission of Uruguay to the United Nations office and other international organizations in Geneva, the United Nations Children's Fund (UNICEF), the International Telecommunication Union and the Special Representative of the Secretary-General on Violence against Children, she co-organized a side event on promoting digital child dignity, which was, unfortunately, cancelled owing to the coronavirus disease (COVID-19) pandemic.

11. The current mandate holder assumed her functions on 1 May 2020, amid the pandemic. On 6 May, she issued a press release in which she warned that a reported surge in violence against children and new forms of sexual exploitation and abuse of children during COVID-19 lockdowns would have lifelong implications for millions worldwide who were already in a precarious socioeconomic situation, even before the hidden impact of the outbreak emerged. She noted that a comprehensive mapping and rapid and responsive child protection measures were paramount to assess the impact of the crisis on the most vulnerable children. On the occasion of the twentieth anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, together with other United Nations experts and the Committee on the Rights of the Child, she issued a statement in which States were urged to protect children from sale, sexual exploitation and recruitment and use in hostilities. From 8 to 12 June, the Special Rapporteur participated in an online induction session of special procedure mandate holders. She also held online discussions with UNICEF and Alliance 8.7, which is led by the International Labour Organization (ILO).

12. On 7 July, in partnership with the UNICEF Office of Research-Innocenti, the Special Rapporteur held her first online consultation with civil society organizations and partners working on issues within her mandate. She used the opportunity to introduce her vision and seek input on matters of primary concern that might have been inadvertently overlooked and merited further exploration.

13. With a view to informing her forthcoming report to the Human Rights Council on the implications of the pandemic for children, the Special Rapporteur, together with several special procedure mandate holders, called for input on the impact of the pandemic on the enjoyment of human rights. In her report, she will explore how the crisis threatens to further erode the situation of children most vulnerable to sale and sexual exploitation. She will focus on identifying push and pull factors, scaling up good practice and providing recommendations on measures to address the heightened risks of sale and sexual exploitation of children, during and in the aftermath of the pandemic. Her recommendations will seek to operationalize the pledges made under the 2030 Agenda for Sustainable Development insofar as they relate to targets 5.3, 8.7 and 16.2 and ensure the implementation of effective child protection responses arising in the context of emergencies.

III. Mandate

A. Approach and scope

1. Approach

14. The Special Rapporteur wishes to thank her predecessor for her valuable contribution to the mandate, in particular her role in advancing child sexual abuse terminology, so that children are now recognized as victims/survivors of abuse, and in advocating the change to the name of the mandate to acknowledge that. The Special Rapporteur also notes the increased awareness of the issues surrounding the sale and sexual exploitation of children globally and the greater understanding of the drivers of the demand for sexual exploitation of children and child sexual abuse material. She highly values the stocktaking exercise undertaken by her predecessor at the end of her six-year tenure to determine areas of priority and to inform the subsequent scope of the work.

15. The Special Rapporteur intends to ensure continuity with the work of her predecessors, building on their activities and accomplishments. She will seek to consolidate their efforts and explore new directions in which to develop the mandate based on her vision and interaction with relevant stakeholders. Given the complexity and clandestine and transnational nature of the sale and sexual exploitation of children, the Special Rapporteur believes that robust child protection systems and effective cross-border cooperation are the only way to combat the crimes. She will therefore strive to advance recommendations that challenge systemic and perpetual impunity and advocate increased protection of and reparation for child victims and survivors of sexual exploitation, in line with commitments made by Governments in target 16.2, to end abuse, exploitation, trafficking and all forms of violence against and torture of children, by 2030. She will continue to advocate that States develop comprehensive evidence-based, child-sensitive and survivor-informed prevention strategies, amplify the voices of children and strengthen their role in developing and implementing prevention and response strategies and emphasize the critical role of men and boys in combating gender-based violence against children. The Special Rapporteur will also continue to advocate an all-encompassing legal framework, child-sensitive reporting mechanisms, including identification and referral for vulnerable children, measures aimed at strengthening families and communities and addressing the root causes and push factors of the sale and sexual exploitation of children, promoting the role and responsibility of the private sector in the prevention and elimination of sale and sexual exploitation of children, and regularly assessing and monitoring those prevention measures.

16. Furthermore, the Special Rapporteur will continue to remind States that the sale and sexual exploitation of children cannot be addressed without also combating inequality, poverty and discrimination, which are central to the attainment of the 2030 Agenda and the realization of children's rights and well-being worldwide. She will call for the effective mobilization and allocation of resources to design and implement accessible reporting mechanisms and to maintain focus on the non-criminalization of survivors. She will continue to shine a light on the role of front-line workers who, on a daily basis, deal with the realities of the plight of child survivors. She will also continue to advocate the consistent use of child-sensitive terminology when discussing matters relating to child sexual exploitation by promoting the use of the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse and will advocate the universal use of the recently published guidelines regarding the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography by the Committee on the Rights of the Child ([CRC/C/156](#)).

17. The Special Rapporteur will continue to take a consultative and participatory approach in the implementation of her mandate, as required by the Human Rights Council in its resolution 43/22. She will seek to engage in constructive dialogue with States and strengthen partnerships with United Nations agencies, funds and programmes, international and regional organizations, national human rights institutions, civil society, non-governmental and intergovernmental organizations, children's rights organizations and institutions, front-line and grass-roots child protection actors, relevant international and regional human rights mechanisms, special procedure mandate holders, the private sector, faith-based organizations and academic institutions. She will strive to ensure coordination and complementarity with other relevant mandates and United Nations mechanisms and bodies with cross-cutting issues and concerns relating to her mandate, such as the Committee on the Rights of the Child, the Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, the Working Group on discrimination against women and girls, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on the human rights of internally displaced persons and the Special Rapporteur on the right to privacy. The Special Rapporteur will also seek to strengthen interaction and cooperation with relevant regional mechanisms, in particular the African Committee of Experts on the Rights and Welfare of the Child and the Office of the Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights.

18. The Special Rapporteur will adopt a child-centred approach in the implementation of her mandate. All her activities will be conducted in accordance with the four principles enshrined in the Convention on the Rights of the Child, namely non-discrimination (art. 2), the best interests of the child (art. 3), the right to life, survival and development (art. 6) and respect for the views of the child (art. 12). She will adopt the principle of child participation, which allows children and young people to freely express their views on issues that affect them through the use of child-sensitive and child-appropriate information, child-friendly spaces and forums, children's involvement in research and data collection, empowerment of child-led organizations and peer initiatives and child participation in developing and monitoring child protection projects and policies. The Special Rapporteur firmly believes that hearing children's views on the realities of their lives in an ever-changing world is indispensable to understanding their situation and building a robust evidence base to inform her interventions. She will therefore strive to develop new and innovative strategies to effectively prevent and protect children from sale and sexual exploitation in partnership and consultation with children and child rights organizations by seeking the expertise and evidence generated by them. She will take every opportunity to strengthen the meaningful participation of children and amplify their voices in accordance with their evolving capacities as key agents and partners.

19. The Special Rapporteur will integrate a gender perspective throughout her work, as mandated in resolution 43/22. She has observed that the focus of the mandate has remained primarily on the risks to girls, paralleling the invisibility of male survivors among children who are exploited (see [A/HRC/31/58](#)). Existing research highlights the significant barriers that boys face in the identification of abuse.¹ There is a high

¹ See, for example, UNICEF, "Research on the sexual exploitation of boys: findings, ethical considerations and methodological challenges" (New York, 2020). Available at <https://data.unicef.org/resources/sexual-exploitation-boys-findings-ethical-considerations-methodological-challenges/>.

level of concern among organizations working with children about the degree to which boys have failed to feature in decision-making, in policy and in practice, around sexual exploitation. There are complex, ingrained and interrelated gaps linked to deep personal identity issues for boys around their masculinity and sexuality that prevent disclosure. Sexual exploitation remains undetected after the identification of other forms of exploitation in boys, such as child labour and criminal exploitation, and there is unwitting professional blindness on the part of some workers to indicators of exploitation in boys owing to the gendered expectations about the context for sexual exploitation.² The Special Rapporteur will therefore also look at the way in which boys are affected in terms of the sale and sexual exploitation of children through, among other things, the collection and analysis of disaggregated data and the development of effective gender-responsive strategies to identify best practice to respond to their needs for identification, care, recovery and rehabilitation.

2. Scope

20. The scope of the mandate is determined in the resolutions by which it was established and renewed, in particular Commission on Human Rights resolution 1990/68 and Human Rights Council resolution 43/22. The mandate is uniquely important in the United Nations human rights architecture in that it is the only one to ensure the promotion and protection of children from the most pernicious human rights abuses. Accordingly, the Special Rapporteur will continue to analyse the root causes of the sale and sexual exploitation of children, address all the contributing factors, including demand, make recommendations on preventing and combating new patterns of the phenomena, identify and promote good practice on measures to combat the phenomena, promote comprehensive prevention strategies and make recommendations on the rehabilitation of victims.

21. In her work, the Special Rapporteur will be guided by the Convention on the Rights of the Child and other core human rights instruments related to her mandate. She will also consider the general comments and decisions of the Committee on the Rights of the Child, which assist in interpreting the scope and meaning of specific articles, provisions and themes of the Convention. She will also be guided by the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography and will rely on the definitions provided in articles 2 and 3 of the Optional Protocol in addressing the various aspects and forms of sexual abuse, violence and exploitation directed at children. She will continue to tackle those aspects and forms that fall within the scope of her mandate but go beyond those covered by the Optional Protocol.

22. International child rights instruments that complement the Convention and the Optional Protocol thereto and provide detailed norms and standards with a view to prohibiting, preventing and responding to the sale of children, child prostitution and child pornography include the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention; the Worst Forms of Child Labour Convention, 1999 (No. 182), of ILO; the ILO Minimum Age Convention, 1973 (No. 138); the ILO Forced Labour Convention, 1930 (No. 29), and its Protocol of 2014, adopted to address gaps in the implementation of the Convention and reaffirm that measures of prevention, protection and remedies were necessary to achieve the effective and sustained elimination of forced labour; and the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

² Ibid.

23. At the regional level, relevant instruments relating to the mandate include the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the Convention on Cybercrime, the African Charter on the Rights and Welfare of the Child, the Inter-American Convention on International Traffic in Minors and the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

24. The Special Rapporteur will also refer to international commitments and policy initiatives on children, such as the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008), the Yokohama Global Commitment 2001, the Declaration and Agenda for Action of the First World Congress against Commercial Sexual Exploitation of Children (1996), the United Nations study on violence against children (2006), the United Nations global study on children deprived of liberty (2019), the policy brief on the impact of COVID-19 on children (2020) and the Global Compact for Safe, Orderly and Regular Migration, in which States referred to working to end the practice of child detention in the context of international migration by ensuring the availability and accessibility of a viable range of alternatives to detention in non-custodial contexts that were in line with international law (resolution [73/195](#), annex, para. 29).

25. The Special Rapporteur will continue to address endemic situations and emerging threats relating to the sale and sexual exploitation of children, with the aim of preventing and combating the phenomena and providing children with protection, care and recovery that are in compliance with human rights. She will therefore examine issues, trends and effects relating to the sexual exploitation of children online, the gender dimension of the sale and sexual exploitation of children, the impact of COVID-19 on the heightened risks of sale and sexual exploitation of children and the sexual exploitation of children in the context of travel and tourism. She observes that the human rights abuses currently covered by her mandate – the sale of children, the commercial sexual exploitation of children and the use of children to produce sexual abuse images – exclude many of the most common forms of abuse to which children are subjected, within homes, schools and communities. She believes that her mandate could be expanded to include all forms of sexual violence against children, so as to enable effective consideration of the underlying causes of such violence and to recommend a holistic approach to addressing common challenges and structural and systemic responses to them, including access to justice and education on sex, sexuality and relationships.

26. The Special Rapporteur notes that tackling the sexual exploitation of children presents its own challenges. They have been expertly raised and addressed by previous mandate holders, but many of the contributing factors persist. The lack of an effective mechanism to bring perpetrators to justice promotes impunity and undermines any prevention strategy; transborder abuse and exploitation of children require jurisdictional reform and intercountry cooperation; and innovation in and the development of technology require continued education, prevention strategies and justice reform. Previous mandate holders have incisively addressed the sexual exploitation of children, including new and emerging forms thereof, but States' responses to sexual violence are not exclusively focused on sexual exploitation. All the responses are aimed at addressing the multiple forms of violence to which children are exposed, meaning that there is a risk that limiting the mandate exclusively to sale and sexual exploitation restricts the mandate holder from examining the root causes of sexual violence and being able to offer comprehensive recommendations.

27. The development and gradual expansion of the mandate since 1990 have enabled the Special Rapporteur to adapt and respond to emerging forms of sexual

exploitation of children and to structure an approach beyond the sale of children, child pornography and child prostitution, which was the initial remit. In the light of the interconnected causes and the strategies for prevention and accountability that cut across the forms of sexual exploitation and abuse, the further evolution of the mandate to encompass all forms of sexual violence against children would ensure that it remains relevant and effective in responding to current violations of children's rights and effectively addressing the structural and systemic causes of and responses to sexual violence against children.

B. Methods of work

28. The Special Rapporteur will carry out her mandate in compliance with the Code of Conduct for Special Procedure Mandate-holders of the Human Rights Council and the Manual of Operations of the Special Procedures of the Human Rights Council. She will discharge her functions with independence and in accordance with the terms of her mandate, through dialogue and cooperation with all stakeholders.

29. Pursuant to the relevant resolutions, the Special Rapporteur will present annual thematic reports to the Human Rights Council and the General Assembly, conduct country visits and make recommendations directed at the Governments and stakeholders concerned, send communications, including urgent appeals, on allegations of violations and engage with relevant stakeholders, such as children's rights organizations and institutions, for awareness-raising and advocacy activities in order to facilitate the achievement of the objectives of her mandate.

30. The Special Rapporteur will continue to take a holistic approach towards effectively combating the sale and sexual exploitation of children. That will involve promoting the design and implementation of comprehensive strategies and programmes of action aimed at the establishment of rights-based national child protection systems, which encompass awareness-raising, prevention, sex and sexuality education, law enactment and enforcement, collection and analysis of reliable data, birth registration, detection, investigation, prosecution, punishment and treatment of perpetrators, child-sensitive counselling, complaint and reporting mechanisms, care, recovery and long-term reintegration of child victims and survivors and, in general, the promotion of children's rights. She will aim to propose specific and achievable recommendations, promote good practice and successful initiatives and facilitate transnational cooperation and increased corporate social responsibility. Although the previous mandate holders have shared existing good practice and recommendations in their thematic reports to create a substantial wealth of resources, the resources are underused. The Special Rapporteur will therefore endeavour to support efforts by States to prevent and combat the sale and sexual exploitation of children and to increase the visibility of good practice, as the core of her work, with the aim of promoting replication elsewhere. She will also continue partnerships with all stakeholders by exchanging information, undertaking country visits, contributing to thematic reports and organizing workshops and seminars, provided that adequate resources are made available.

1. Thematic reports

31. Over the past 30 years, the successive mandate holders covered in great breadth different issues and subjects, the prevention of the sale and sexual exploitation of children being a key priority. Challenges and positive measures have been collated in numerous reports, representing a compendium of international standards and good practice. However, 30 years after the creation of the mandate, despite the significant gains made in raising awareness of abhorrent crimes against children, the scale of the problem continues to expand at an alarming rate. As concluded by the previous

mandate holder in her end-of-tenure report, new manifestations of the sale and sexual exploitation of children are emerging and their underpinning causes becoming increasingly complex to tackle (A/HRC/43/40, paras. 13 and 111). Her report provides a good insight into today's most significant challenges related to the core issues falling within the mandate.

32. Against that backdrop and given the increasingly complex and continuously evolving issue of the sale and sexual exploitation of children in the context of global developments, the Special Rapporteur will accord priority to the subjects that she considers important and urgent to draw to States' attention, increase awareness of and develop good practice and recommendations on.

Online child sexual exploitation and abuse

33. A recurrent pattern during the past three decades has been the inexorable increase in the use of the Internet and new technologies as tools to commit the offences of sale and sexual exploitation of children. That evolution demands the sustained attention of States and all relevant stakeholders. Several special procedure mandate holders have studied the impact of ICT in thematic studies, and the fast-evolving nature of the Internet has necessitated constant updates (see A/HRC/28/56 and A/HRC/43/40). Over the past 30 years, as the world rapidly became interconnected through technology, new concerns have emerged, including protection of children in a digital environment that enables perpetrators to use tools such as anonymous platforms, streaming services, encrypted communication systems and virtual currency, allowing them to easily share materials and communicate with one another through online communities. Those developments have expanded the notion of online child sexual exploitation to include not only the production, possession and distribution of child sexual abuse and exploitation material, but also related harmful practices such as live streaming of child sexual abuse, online sexual extortion and coercion and grooming. Besides increasing children's vulnerability online, the rapid evolution of technology poses a challenge for law enforcement officers, researchers and advocates, who often find themselves outpaced as they seek to combat the ever-changing criminal threats.

34. It is in that context that, in resolution 43/22, the Human Rights Council requested the Special Rapporteur to support States in developing legal and policy frameworks and child protection strategies in a child- and gender-responsive and child-friendly manner to effectively prevent and eradicate new and emerging forms of online sale and sexual exploitation and abuse of children, in accordance with international human rights law. That was an important addition to the mandate, given that, with the changes around Internet use norms, it appears that new forms and manifestations of sexual exploitation of children are outpacing international and national child protection efforts and legislation.

35. The Special Rapporteur will therefore reflect on the trends, challenges and responses to the means of child abuse and exploitation online. She will specifically examine how and where the rate of online abuse has risen and the continued response by all stakeholders thereto. Building on the work of her predecessors, she will continue to advocate that States bring their legislative framework for dealing with child sexual exploitation and abuse fully into line with international human rights standards, address the lack of funding for national and international efforts to combat online child sexual exploitation and abuse and ensure that cutting-edge technological solutions to detect known child sexual abuse material are deployed by all ICT providers, in all countries, in coordination with national child protection and justice authorities. She will continue to promote the use of the model national response developed by the WeProtect Global Alliance, with particular attention to areas in which the implementation of the model has thus far been weak, and ensure that

industry is taking effective action to tackle online child sexual exploitation and abuse, including through appropriate regulation.

Impact of the pandemic on the heightened risks of sale and sexual exploitation of children

36. The long-term impact of COVID-19 on children is another area of great concern. The pandemic has already exacerbated the inequalities and vulnerability of the most vulnerable children, having a long-term effect on the realization of the 2030 Agenda and risking reversing the significant progress made since its adoption. There is also an increased risk of children being pushed into child labour and, for girls in particular, of being exposed to child or forced marriage, exploitation, abuse and trafficking in persons.³

37. The Special Rapporteur therefore intends to present her first thematic report on the impact of COVID-19 on and States' response to the push and pull factors for the sale and sexual exploitation of children, thereby building upon the report on the issue of the protection of children from sale and sexual exploitation following humanitarian crisis owing to natural disasters presented by her predecessor in 2012 ([A/HRC/19/63](#) and [A/HRC/19/63/Corr.1](#)). She will further explore the impact of COVID-19 on the vulnerability of children to sale and other forms of exploitation. She will provide an overview of challenges, areas of concern, good practice and lessons learned in relation to the identification of specific protection challenges to address the heightened risks, during and in the aftermath of the pandemic. From data protection to building resilience and recovery, she will aim at gathering best practice and offering recommendations protecting children in the context of the pandemic and crisis. Her recommendations will seek to operationalize the pledges made in relation to targets 5.3, 8.7 and 16.2 of the Goals. The report will be based on responses and evidence provided by a wide range of stakeholders sought through a joint call for input through questionnaires issued by special procedure mandate holders.⁴

Gender dimension of the sale and sexual exploitation of boys and girls

38. The Special Rapporteur's predecessors have integrated an analysis of harmful gender stereotypes and practices into thematic reports and advocated the effective enforcement of laws eradicating harmful practices, such as child marriage, female genital mutilation and the exploitation of minors for the purpose of surrogacy. On multiple occasions, mandate holders have raised concerns about how gender stereotypes around masculinity adversely affect boys, with little attention given to their possible vulnerability to sexual exploitation. They have also continued to advocate gender-sensitive responses for the protection of children on the move, including unaccompanied, migrant, asylum-seeking and separated children, calling for age-appropriate and gender-sensitive identification, assessment and referral procedures upon apprehension at borders and the prohibition of migration-related detention.

39. As stated in recent research,⁵ the sexual exploitation of boys is a grave human rights violation that all too often goes unrecognized or unseen. Most research has also neglected the experiences of boys and young people who identify outside the gender binary. Given that gap, strengthening data collection and analysis, discussion and

³ See OHCHR, "Child rights and the 2030 Agenda for Sustainable Development". Available at https://sustainabledevelopment.un.org/content/documents/26130Child_Rights_2030_Agenda_HL_PF_2020.pdf.

⁴ For more information, see www.ohchr.org/EN/Issues/Children/Pages/callCovid19.aspx.

⁵ UNICEF, "Research on the sexual exploitation of boys: findings, ethical considerations and methodological challenges".

appropriate guidelines are vital to improving policy, service delivery and prevention efforts.⁶ The Special Rapporteur will therefore explore the gender dimension of the sale and sexual exploitation of children by dedicating a thematic report to the issue of the existing evidence base, as well as the magnitude, causes, risk factors and identification tools for boys and those who identify outside the gender binary and were subjected to sexual abuse and exploitation, with a view to raising evidence-based awareness and providing context-specific and sustainable prevention services, access to child- and gender-sensitive justice, protection and comprehensive care and full recovery.

Sale and sexual abuse and exploitation in the context of travel and tourism

40. The huge strides forward in action to protect children in the context of travel and tourism notwithstanding, their vulnerability continues to grow as the sector expands. Global travel and tourism have more than doubled in the past 30 years, and there has been a surge in new travel “products” that put children at risk of exploitation, such as volunteer tourism, orphanage tourism or mega-events. No country is immune to that grave problem, which has expanded across the globe and outpaced efforts to respond at the international and national levels, leaving child protection regulations lagging behind the unprecedented growth of travel and new forms of tourism and technological advancements, such as unregulated accommodation and ride-sharing.⁷

41. The Framework Convention on Tourism Ethics adopted by the World Tourism Organization in 2019 and the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (2011) should be at the heart of any corporate social responsibility scheme as benchmarks and key tools in bringing to light the violence and exploitation suffered by children in the context of travel and tourism and in spurring action to end it. Safeguarding children from discrimination, exclusion, violence and exploitation is indispensable to ensuring that all forms of tourism are truly responsible and sustainable. It will also help to deliver the 2030 Agenda, which has targets on promoting sustainable tourism and ending violence against children. The Special Rapporteur will therefore continue to address and follow up on the issue of the sexual exploitation of children in the context of travel and tourism, including in the framework of mega-sporting events, in coordination with the World Travel and Tourism Council and the World Committee on Tourism Ethics and in close cooperation with sports organizations and the Centre for Sport and Human Rights.

Access to justice, reparation and rehabilitation for child victims and survivors of sale, sexual abuse and sexual exploitation

42. The Special Rapporteur envisages strengthening the role of her mandate in addressing the impunity enjoyed by those responsible for the sale and sexual exploitation of children and promoting access to justice, reparation and rehabilitation for child survivors. A thematic analysis of the importance of judicial and non-judicial mechanisms, in addition to the availability and accessibility of comprehensive protection and rehabilitation services for child victims, would be a valuable tool in setting out an approach to the problem that is centred on children’s rights and victims and survivors and informed by survivors. The Special Rapporteur would seek to explore effective means of ensuring that justice systems effectively identify and hold

⁶ Ibid.

⁷ For more information, see www.ohchr.org/Documents/Issues/Children/Submissions/ECPATInternational.pdf.

perpetrators accountable and provide justice and reparation to survivors, ensuring that justice mechanisms are tailored to meet survivors' needs.

43. In that context, the Special Rapporteur will seek to address the lack of accountability for sexual exploitation of children in peacekeeping operations and humanitarian action (see also [A/72/164](#), para. 84). As highlighted by her predecessor (see [A/HRC/43/40](#), para. 47), efforts to prevent and address sexual exploitation and abuse by United Nations personnel need to be further strengthened as members of armed forces stationed abroad continue to fuel demand for prostitution, resulting in a significant number of children being sexually exploited and abused.

2030 Agenda as a crucial milestone in the elimination and eradication of the sale and sexual exploitation of children

44. While children are repeatedly referred to as a particularly vulnerable group in reports to the high-level political forum on sustainable development (see [A/73/174](#) and [A/73/174/Corr.1](#)), there is a general lack of analysis of and disaggregated data on how the 2030 Agenda is being implemented in relation to eliminating the sale and sexual exploitation of children, to ensure that no child is left behind. The absence of reliable data jeopardizes efforts to combat the scourge. The hidden nature of the violations makes data collection extremely important. The Special Rapporteur hopes that the impetus provided by the Goals and their corresponding indicators will lead to further efforts in this area (see [A/HRC/43/40](#), para. 109).

45. Most voluntary national reviews address children in the context of leaving no one behind, a critical element of the 2030 Agenda. The analysis of reviews from 2017 to 2019 found that the concept was included in a largely rhetorical fashion. The reviews lacked details on commitments to reach those furthest behind. Such a dearth of detailed information indicates a possible lack of transformative and structural implementation on the ground. Furthermore, lower-middle-income countries struggled to present national and disaggregated statistics for some child-related indicators at the reviews.⁸

46. In the reviews, children and young people feature prominently among the groups at greatest risk of being left behind. In 2019, several reviews were focused on children, including orphans, child soldiers and trafficked and street children, and on action to prevent them from being left behind owing to violence, poverty, malnutrition or lack of access to high-quality education.⁹ Inequalities are exacerbated by certain situations and factors, and some children face multiple and intersecting forms of discrimination, including on the basis of gender, disability, race or ethnicity, sexual orientation or gender identity. Children at greatest risk of being left behind also include those affected by poverty, in street situations, in rural or marginalized communities, those affected by conflict or emergencies, migrant, asylum-seeking, refugee and internally displaced children, indigenous children, children whose births have not been registered, those in alternative care, those living with HIV/AIDS, those engaged in child labour, children exposed to violence, sexual exploitation and abuse and children in detention.¹⁰ Such children are also at risk of being left behind in terms of strategies for tackling sale and sexual exploitation, as they remain largely excluded from data collection exercises.

47. The Special Rapporteur will therefore endeavour to consider the protection needs of those groups of children (also in the context of targets 5.3, 8.7 and 16.2), how they may be affected by manifestations of sale and sexual exploitation and what

⁸ See http://sustainabledevelopment.un.org/content/documents/26130Child_Rights_2030_Agenda_HLPF_2020.pdf.

⁹ Ibid.

¹⁰ Ibid.

targeted measures need to be adopted to reach those children left furthest behind in national action plans, strategies, policies and budgets, including by assessing and prioritizing their specific circumstances, needs and vulnerabilities. That includes amending legislation, standards and policies as necessary to ensure that they are not discriminatory, whether directly or indirectly, considering that specific groups are at greater risk of being left behind, as well as ensuring systematic monitoring and the collation and dissemination of transparent and accurate data concerning children and the 2030 Agenda, disaggregated by gender, ethnicity, religion, disability and other relevant criteria, to inform sustainable development planning in a manner that protects and promotes the rights of the child. The Special Rapporteur will advocate involving national statistics offices and support them in developing a rights-based approach to data collection.

48. In other words, her predecessors have looked at manifestations, root causes and contributing factors, including demand. Her work may now benefit from shifting the focus from how and why to identifying those who are the most at risk of falling victim and what needs to be done to mitigate their vulnerability and protection needs in all settings, including institutional, online and family settings.

49. The Special Rapporteur will remain alert to the issues and topics that warrant attention. She intends to adopt a consultative approach to the development of her thematic reports by reaching out to United Nations agencies, States, children, civil society, regional and international bodies and experts to provide input to her work.

Guidance on data collection

50. As observed by previous mandate holders, the magnitude of the problem of the sale and sexual exploitation of children is generally unknown, owing to the unavailability of centralized and disaggregated data on the forms of the crime and on the number of cases identified, investigated and prosecuted. The inadequate and unclear legislation on relevant offences, the absence of adequate reporting mechanisms and the deeply embedded culture of silence and social tolerance, shame and stigma surrounding child sexual abuse and commercial sexual exploitation, the lack of awareness and transnational information-sharing and the illicit nature of criminal activities are further inhibiting the reporting of cases (see [A/HRC/43/40](#), paras. 16–17). It remains key for Governments to invest in adequate data collection and to foster transnational information-sharing in order to better understand the issues, in terms not only of their scope but also of evidence-based strategies towards combating the sale of children, child prostitution and child pornography.

51. The Special Rapporteur believes that effective and targeted collection and measuring of data are central to implementing the 2030 Agenda. Analysis should be focused on the indicators and data required to inform processes for implementing the Goals in an accelerated and effective manner.¹¹ In consultation with existing Goal platforms and in partnership with UNICEF, Alliance 8.7 and other relevant actors, the Special Rapporteur will strive to develop guidance and advocate a designated mechanism for collecting disaggregated data on manifestations of sexual exploitation, in collaboration with civil society, for the purpose of observing and evaluating the situation.

2. Country visits

52. The Special Rapporteur will carry out a preliminary analysis in order to select countries for visits, on the basis of criteria developed by the special procedure system. The criteria include indicators such as whether visits have already been requested by

¹¹ Ibid.

her predecessors, follow-up to previous visits, communications sent by the mandate holder, the implementation of effective programmes to prevent and combat the sale and sexual exploitation of children, ratification of the Convention on the Rights of the Child and the Optional Protocol and reporting status, countries scheduled to undergo the second cycle of the universal periodic review, invitations from States and proposals from field presences of the Office of the United Nations High Commissioner for Human Rights, United Nations funds and programmes, specialized agencies and non-governmental organizations on the basis of reliable reports of violations of children's rights falling within the scope of the mandate. The countries selected for visits will reflect geographical balance and tackle the transnational dimension of the sale and sexual exploitation of children. In conducting country visits, the Special Rapporteur will be guided by the terms of reference for fact-finding missions, the Code of Conduct for Special Procedures Mandate-holders and the Manual of Operations of the Special Procedures.

53. As part of her commitment to continuing the work of her predecessors, the Special Rapporteur will accord priority to visiting Mauritius, Paraguay, Sierra Leone, Turkey and Ukraine, whose Governments agreed to visit requests from her predecessor. She looks forward to discussing mutually convenient dates for visits during the second half of 2020 and in 2021. Similarly, she intends to resend outstanding requests and make new requests as a result of her analysis.

54. The main purpose of the visits is to propose specific recommendations to Governments and other stakeholders concerned on protecting children's rights and preventing violations and to assist them in better preventing and combating the sale and sexual exploitation of children. The Special Rapporteur will aim at providing specific and hands-on recommendations. Her conclusions and recommendations will provide guidance for legislative and institutional reforms, among others. Follow-up activities, where necessary and in coordination with other human rights monitoring mechanisms, as well as international and regional actors, will enhance the possibility of verifying the impact and implementation of recommendations. During country visits, the Special Rapporteur will aim to meet all stakeholders concerned, including national and local authorities, members of civil society, child rights and protection non-governmental organizations and experts, children, private entities, representatives of information and communication technology companies, the United Nations and other intergovernmental agencies. She will place particular emphasis on following up on recommendations made in her reports, in addition to those made by the Committee on the Rights of the Child and the Working Group on the Universal Periodic Review, provided that they fall within the scope of her mandate.

3. Communications

55. The Special Rapporteur is aware of the challenge of explaining to interested stakeholders, such as victims and children's organizations and institutions, the terms and scope of her mandate. In partnership with civil society organizations, she will seek to step up efforts to increase awareness of the mandate through the production of visual materials, including infographics and short videos. The materials will be disseminated on social media platforms and on the relevant webpage and will be targeted at actual and potential victims and survivors, organizations and institutions working with children and other partners at the international, regional and local levels.

56. Given the limited outreach and number of communications issued thus far, more awareness-raising could be undertaken with regard to the impact of the communications that the Special Rapporteur may receive from victims and survivors, non-governmental organizations and other stakeholders. She intends to further promote communication as an advocacy tool by accelerating efforts to receive and act

on information concerning possible allegations of human rights related to the mandate and sending communications covering a wide range of issues requiring the protection of the child victim, or situations in which violations related to the mandate have occurred or are at risk of occurring.

4. Engagement with stakeholders for awareness-raising and advocacy

57. The Special Rapporteur believes that participating in and contributing to multi-stakeholder partnerships at all levels (international, regional, national and local), including with international and regional organizations, the public and private sectors, civil society and children, are crucial to preventing and eliminating the sale and sexual exploitation of children. The purposes of such engagement include raising awareness of aspects of preventing and combating the sale and sexual exploitation of children, engaging in advocacy for legislative and policy reforms and enhancing the coordination of interventions at the regional and international levels.

58. While acknowledging the significant contribution made by her predecessors in raising awareness of the crime and of the plight of victims, the Special Rapporteur believes that in some countries and on some continents there remains a lack of awareness of the existence and role of her mandate. Increased media and political attention, together with a higher public profile, may strengthen the mandate in that it will increase awareness of the role of the Special Rapporteur and in turn bring more attention to the topic and related issues among national stakeholders and the public.

59. A fundamental mission of the Special Rapporteur has been to serve as a link between States Members of the United Nations, other United Nations mechanisms, regional organizations, non-governmental organizations, experts and practitioners in the field. Collaboration with civil society has been crucial. The support of such organizations includes meeting the Special Rapporteur during country visits, coordinating with organizations to provide input to thematic reports and offering evidence from their own experiences on the ground, especially from participatory research conducted with children themselves. The Special Rapporteur believes that the impact of her mandate may be further enhanced by systematized interactions with national, regional and international organizations and other relevant stakeholders, such as the private sector, the media, grass-roots and front-line workers, law enforcement officers and religious leaders.

60. Building upon the experiences from the Global Survivors' Forum, held in 2016, the Special Rapporteur will encourage and provide the leadership for the formation of survivors' groups and networks at the national level. An ongoing dialogue would provide her with crucial information and promote victims' right to be heard in decisions that affect them at the national and international levels.

61. As indicated above, the Special Rapporteur will seize every opportunity available to strengthen children's participation and amplify their voices effectively and meaningfully, including by empowering them as agents of change and social transformation, in accordance with their age and maturity. Involving young people, in particular those affected by the issues may, therefore, contribute to more effective and influential messaging and impact. In addition to recognizing the value of participatory approaches in championing the prevention of sexual violence against children and young people, it is essential that such approaches be rooted in safe and ethical practice.

62. Furthermore, given the importance of the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse endorsed by the Committee on the Rights of the Child, further work will be required to promote their consistent use by States and the United Nations system. The Special Rapporteur will

therefore seek to promote the updated terminology and advocate that States amend national legislation and policy to bring them in line with the Guidelines.

63. The Special Rapporteur will also advocate eliminating impunity, including by promoting efforts to prosecute not only direct offenders, but also everyone involved in the supply chain, from pimps to intermediaries, and by targeting potential perpetrators through awareness-raising campaigns. She will work with civil society and States and, subject to the availability of funding, develop a child protection checklist that will aid in the investigation, apprehension and successful prosecution of perpetrators, as well as provide guidance on how child victims and survivors of sexual abuse and violence are interviewed and supported.

64. Lastly, the Special Rapporteur will maximize the awareness-raising opportunities offered by the thirtieth anniversary of the creation of her mandate and the twentieth anniversary of the Optional Protocol to call for the ratification and effective implementation of that and other instruments. The recent launch of the guidelines regarding the implementation of the Optional Protocol will provide fresh momentum to enhance awareness and request States to fulfil their obligations under the Protocol.

65. Apart from raising awareness of thematic priorities that are directly tied to her mandate, the Special Rapporteur intends to work in close coordination and cooperation with relevant special procedure mandate holders and other international and regional mechanisms to engage in advocacy on cross-cutting issues of concern, including preventing and ending child and forced marriage and protecting unaccompanied migrant children, street children and children with albinism from violence and exploitation.

IV. Conclusions

66. **In the present report, her first to the General Assembly, the newly appointed Special Rapporteur has endeavoured to provide an outline of her initial reflections on her mandate and the strategic direction that she plans to take during her three-year tenure.**

67. **The Special Rapporteur will adopt a child-centred approach to the implementation of her mandate. She will strengthen children's participation and amplify their voices, effectively and meaningfully, on issues that affect them, including by empowering them as agents of change and social transformation, in accordance with their age and maturity.**

68. **The Special Rapporteur will continue to promote the consistent use of child-sensitive terminology when discussing matters relating to child sexual exploitation and will advocate an all-encompassing legal framework, child-sensitive reporting mechanisms, including identification and referral for vulnerable children, measures aimed at strengthening families and communities and addressing the root causes and push factors of the sale and sexual exploitation of children, promoting the role and the responsibility of the private sector in preventing and eliminating sale and sexual exploitation, enhancing international cooperation, and regularly assessing and monitoring all those prevention measures.**

69. **Thematically, the Special Rapporteur will integrate a gender perspective throughout her work and will specifically consider the way in which boys are affected by the sale and sexual exploitation of children, through, among other things, the collection and analysis of disaggregated data and the development of gender-responsive and effective strategies to identify best practice to respond to**

their needs for identification, care, recovery and rehabilitation. She will also examine issues, trends and effects relating to the sexual exploitation of children online, the impact of COVID-19 on the heightened risks of sale and sexual exploitation of children and the sexual exploitation of children in the context of travel and tourism.

70. The Special Rapporteur will continue to apply a broad interpretation of the scope of her mandate and will be guided by the Convention on the Rights of the Child and other core human rights instruments in pursuance of her objectives. She will continue to take a holistic approach towards effectively combating the sale and sexual exploitation of children and a consultative and participatory approach in the implementation of her mandate.

71. The Special Rapporteur will address emerging threats relating to the sale and sexual exploitation of children, with the aim of preventing and combating the scourge and providing children with protection, care and recovery that are compliant with human rights. She will therefore endeavour to support efforts by States to prevent and combat sale and sexual exploitation and to increase the visibility of good practice, as a core part of her work, with the aim of promoting replication. She will also strive to develop guidance and advocate a designated mechanism for collecting disaggregated data on manifestations of sexual exploitation, in collaboration with civil society, for the purpose of observing and evaluating sexual exploitation and abuse.

72. The Special Rapporteur believes that the impact of her mandate in eliminating and eradicating the sale and sexual exploitation of children may be further enhanced by systematized interactions with all stakeholders. Therefore, in partnership with civil society organizations, she will step up efforts to increase awareness of the mandate. She will also promote communications as an advocacy tool by accelerating efforts in the receipt of and action on information on possible allegations of human rights violations related to the mandate and by sending communications covering a wide range of issues requiring the protection of child victims or children at risk.

73. The mandate of the Special Rapporteur offers a unique platform to increase awareness, knowledge and understanding of the subject matter, monitor the promotion, protection and realization of children's rights, address allegations of violations and provide specific expertise in areas that require action. However, without significant political will at the national level, progress will continue to stagnate. States need to commit resources to establish comprehensive child protection systems, collaborate more effectively across borders and strengthen their justice systems to ensure that child abusers do not walk free.