



**Economic and Social  
Council**

Distr.  
LIMITED

E/CN.4/1995/L.14  
16 February 1995

Original: ENGLISH

---

COMMISSION ON HUMAN RIGHTS  
Fifty-first session  
Agenda item 24 (b)

RIGHTS OF THE CHILD, INCLUDING: REPORT OF THE SPECIAL RAPPORTEUR  
ON THE SALE OF CHILDREN

Philippines: draft resolution

1995/... Special rapporteur on the sale of children, child  
prostitution and child pornography

The Commission on Human Rights,

Reaffirming the Vienna Declaration and Programme of Action

(A/CONF.157/23) adopted by the World Conference on Human Rights, which requires effective measures against female infanticide, harmful child labour, the sale of children and their organs, child prostitution, child pornography and other forms of sexual abuse,

Recalling the Convention on the Rights of the Child, adopted by the General Assembly in its resolution 44/25 of 20 November 1989,

Recalling also the World Declaration on the Survival, Protection and Development of Children in the 1990s and the Plan of Action for its implementation, adopted by the World Summit for Children, held in New York on 29 and 30 September 1990, which established a solemn commitment to grant priority to the rights of the child and to his or her survival, protection and development, thus contributing to the welfare of every society,

Recognizing the enormous efforts made in this field by the United Nations, particularly the United Nations Children's Fund, the Committee on the Rights of the Child and the Special Rapporteur on the sale of children, child prostitution and child pornography,

Noting the Special Rapporteur's extensive report to the General Assembly at its forty-ninth session (A/49/478, annex),

Recalling the wide ratification of and accession to the Convention on the Rights of the Child and the important role it plays in ensuring effective protection of the rights of the child,

Recalling also its resolution 1994/92 of 9 March 1994, in which it requested the Special Rapporteur to continue to pay particular attention to areas which were still insufficiently documented and took note of the short, medium- and long-term priorities reflected in his recommendations to the Commission,

Bearing in mind the various factors that influence the emergence and persistence of these phenomena, including poverty, unemployment, hunger, natural disasters, intolerance, exploitation of child labour and armed conflicts, and their harmful effects on the rights of the child and the maintenance of family unity,

Dismayed by the persistence of the sale of children and related practices of disappearance, fraudulent adoption, abandonment and abduction for commercial purposes,

Recognizing the need for the Special Rapporteur to be assisted by the cooperation of Governments and the various mechanisms and bodies entrusted with the task of preventing and eradicating all practices related to the sale of children, child prostitution and child pornography, through a continued exchange of information on this matter,

1. Expresses deep concern at the alarming increase in violations of the rights of the child worldwide, in particular the growing number of incidents related to the sale of children, child prostitution and child pornography;

2. Urges all Governments to seek solutions, by adopting the necessary administrative and legislative measures effectively to eradicate the sale of children, child prostitution and child pornography, as well as ways and means to enhance and ensure international cooperation to eradicate such criminal practices;

3. Urges all States to adopt the necessary measures to eliminate the existing market for the sale of children, child prostitution and child pornography, which encourages such criminal practices;

4. Reaffirms the essential value of the Convention on the Rights of the Child and of its effective implementation system at the national and international levels as an essential means to prevent and combat situations of sale of children, child prostitution and child pornography;

5. Recalls in this framework the essential importance of ensuring the effective implementation of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and the Programme of Action for the Elimination of the Exploitation of Child Labour, adopted by the Commission on Human Rights in its resolutions 1992/74 of 5 March 1992 and 1993/79 of 10 March 1993, respectively;

6. Recognizes the important role that Governments, national and international educational organizations, in particular the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund, the specialized agencies, non-governmental organizations and the community at large can play in order to ensure greater awareness and more effective action in preventing the practices of the sale of children, child prostitution and child pornography, through the widespread dissemination of information and teaching of the rights of the child in all areas of formal and non-formal education;

7. Encourages the establishment of bodies and institutions, both governmental and non-governmental, which carry out activities in favour of children on the principle of the child's best interest;

8. Decides to extend the mandate of the Special Rapporteur on the sale of children for another three-year period, and requests the Special Rapporteur to submit the preliminary report to the General Assembly at its fiftieth session and to the Commission at its fifty-second session;

9. Invites the Special Rapporteur to cooperate closely with the Committee on the Rights of the Child and with the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Working Group on Contemporary Forms of Slavery, as well as with other competent United Nations bodies dealing with questions covered by the mandate, including the Commission on Crime Prevention and Criminal Justice and the International Criminal Police Organization, and to this effect invites her to participate in the next session of the Committee on the Rights of the Child and of the Working Group on Contemporary Forms of Slavery;

10. Calls upon the Special Rapporteur to request, within the framework of the mandate, relevant information on situations, wherever they may occur,

involving the sale of children, child prostitution and child pornography, as well as the economic, social, legal and cultural factors contributing to these phenomena;

11. Requests the Special Rapporteur to include in her report recommendations on concrete measures which may be adopted by Governments to eradicate the practices of the sale of children, child prostitution and child pornography;

12. Requests all Governments to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties associated with the mandate and to furnish all the information requested;

13. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance, in particular the staff and resources required to perform all the functions associated with the mandate, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Rights of the Child and all the other treaty bodies;

14. Decides to continue its consideration of the question as a matter of high priority at its fifty-second session;

15. Recommends the following draft decision to the Economic and Social Council for adoption:

The Economic and Social Council, taking note of Commission on Human Rights resolution 1995/... of ..., approves:

(a) The Commission's decision to extend the mandate, for another three-year period, of the Special Rapporteur on the sale of children, child prostitution and child pornography, and its request to the Special Rapporteur to continue to report to the Commission on an annual basis, beginning at its fifty-second session; and

(b) The Commission's request to the Secretary-General to provide the Special Rapporteur with all necessary assistance, in particular the staff and resources required to perform all the functions associated with the mandate, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Rights of the Child and all the other treaty bodies.

-----