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COMMISSION ON HUMAN RIGHTS  
Fifty-second session  
Agenda item 20 (d)

RIGHTS OF THE CHILD, INCLUDING: QUESTION OF A DRAFT OPTIONAL PROTOCOL  
TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN,  
CHILD PROSTITUTION AND CHILD PORNOGRAPHY, AS WELL AS THE BASIC MEASURES  
NEEDED FOR THEIR PREVENTION AND ERADICATION

Chile, Cuba, Equatorial Guinea\*, Honduras\*, Madagascar, Nicaragua,  
Nigeria\*, Senegal\* and Uganda: draft resolution

1996/... Question of a draft optional protocol to the Convention  
on the Rights of the Child on the sale of children, child  
prostitution and child pornography, as well as the basic  
measures needed for their prevention and eradication

The Commission on Human Rights,

Recalling its resolutions 1992/76 of 5 March 1992, 1993/82 of  
10 March 1993, 1994/90 of 9 March 1994 and 1995/79 of 8 March 1995,

Reaffirming the Vienna Declaration and Programme of Action, adopted by  
the World Conference on Human Rights which required 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,

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of  
the functional commissions of the Economic and Social Council.

Recalling 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,

Recalling its resolution 1992/74 of 5 March 1992, in which it adopted the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography,

Deeply concerned at the situation of children subject to the yoke of sale and child prostitution, sexual abuses and other forms of exploitation,

Dismayed by the persistence of the sale of children and related practices entailing disappearances, fraudulent adoptions, abandonment and abductions for commercial and illegal purposes,

Noting with satisfaction the importance of the convening of the first World Congress against Commercial Sexual Exploitation of Children, to be held in Stockholm as part of a global effort to eradicate the phenomena of the sale of children, child pornography and child prostitution,

Recognizing the existence of a market which encourages the increase of such criminal practices against children,

Bearing in mind the various causes that influence the emergence and persistence of this special circumstance, including poverty, unemployment, hunger, natural disasters, intolerance, exploitation of child labour and armed conflicts, and their harmful effects on the rights of the child everywhere in the world,

Having considered the report of the open-ended inter-sessional working group on the question of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (E/CN.4/1996/101),

Recognizing the need to adopt urgent measures for the prevention and eradication of practices related to the sale of children, child prostitution and child pornography,

Bearing in mind the formulation by the General Assembly, in its resolution 48/156 of 20 December 1993, of concrete suggestions concerning this problem,

1. Expresses its deep concern at the alarming increase in violations of the rights of the child world wide, 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 and to adopt administrative and legislative measures at the national and international levels to eradicate such aberrant practices;

3. Recommends that all States adopt the necessary measures to eliminate the existing market, which encourages the increase of such criminal practices;

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

5. Recalls 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 adopted by the Commission on Human Rights and, in this framework, recognizes the important role of the specialized agencies, non-governmental organizations and the community at large in ensuring more effective action in preventing these practices;

6. Urges the working group to continue the elaboration, as a matter of priority, of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child;

7. Requests the Secretary-General to transmit the report of the working group to Governments, intergovernmental organizations, the Special Rapporteur, the Committee on the Rights of the Child and non-governmental organizations, and to invite them to contribute to the elaboration of the draft optional protocol on the sale of children, child

prostitution and child pornography by sending comments on the report, and to transmit these comments to Governments prior to the next session of the working group;

8. Requests the working group to meet for a period of two weeks prior to the fifty-third session of the Commission;

9. Decides to consider this question, as a matter of priority, at its fifty-third session under the sub-item entitled "Question of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication";

10. Recommends the following draft resolution to the Economic and Social Council for adoption:

"The Economic and Social Council,

"Recalling Commission on Human Rights resolution 1996/... of .. April 1996,

"1. Authorizes the working group of the Commission on Human Rights on the question of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography to meet for a period of two weeks prior to the fifty-third session of the Commission;

"2. Requests the Secretary-General to provide the working group with all the necessary assistance and facilities to enable it to meet and to fulfil its task."

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