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**REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY
FORMS OF SLAVERY AND MEASURES TO PREVENT AND REPRESS
ALL CONTEMPORARY FORMS OF SLAVERY, INCLUDING THE
CONSIDERATION OF CORRUPTION AND INTERNATIONAL DEBT AS
PROMOTING FACTORS OF CONTEMPORARY FORMS OF SLAVERY**

OTHER FORMS OF EXPLOITATION

Report of the Secretary-General

Summary

The report is based on a summary of responses to a note verbale sent to Governments and concerned intergovernmental and non-governmental organizations inviting them to provide information on various slavery-related issues in accordance with resolution 2003/3 of the Sub-Commission for the Promotion and Protection of Human Rights. The report presents information on trends, changes and the current situation with regard to slavery-like practices as well as the implementation of the Programme of Action on the Sale of Children and Child Prostitution and Pornography.

Replies contained information on administrative, legal, policy and other measures taken to deal with slavery-like practices such as trafficking in human beings, sexual exploitation of children and forced labour. A number of countries reported having drawn up national action plans to deal with such issues and some of the organizations which are part of the United Nations system reported having a policy on sexual exploitation, abuse or harassment. A number of replies also mentioned awareness-raising campaigns being used to combat such practices. In several States increased attention was being given to the victims of these abuses through changes in laws and/or stronger protection and rehabilitation programmes. The growing problem of the Internet being used to promote sexual exploitation of children was noted by some States.

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Introduction

In its resolution 2003/3, the Sub-Commission for the Promotion and Protection of Human Rights requested the Secretary-General to submit information on various slavery-related issues. Accordingly, the Secretary-General addressed requests to Governments and concerned intergovernmental and non-governmental organizations for information. As of 24 May 2004, replies had been received from the Governments of Cuba, Dominica, Georgia, Greece, Italy, Mauritius, Mexico, Morocco, the Netherlands, Nicaragua, the Russian Federation, Serbia and Montenegro, Switzerland and Zambia. Replies were also received from the Food and Agricultural Organization, the International Labour Organization, United Nations Children's Fund and the World Food Programme, the World Intellectual Property Organization. The present report contains a summary of the substantive replies received.

I. INFORMATION RECEIVED FROM GOVERNMENTS

Cuba

[Original: Spanish]
[6 October 2003]

1. The Government of Cuba, in its reply, described the various policies, programmes and laws which have been put into place to ensure the healthy physical, mental and social development of children. Cuba has created a framework to guarantee the protection of children and adopted legislation for the benefit of children. Its Prevention and Social Attention System is based on interdisciplinary programmes and provides information that allows close monitoring of trends, including to control sexual abuse and exploitation, which have increased with the development of tourism. Within that system, the General Attorney's Office deals with legal protection of children and adolescents, with a focus on the well-being and rights of boys and girls, including the investigation of crimes that victimize children.
2. In September 2001, Cuba ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. It has a national plan for the prevention of sexual exploitation of children and adolescents, with the participation of a wide range of relevant institutions. Parliament follows the issue through its Comisión para la Atención de la Infancia y la Igualdad de Derechos de la Mujer (Commission for Child Care and Women's Equal Rights).
3. The activities considered in article 3 of the Optional Protocol have been banned under labour legislation and are subject to sanction under penal legislation. Title XI of the Penal Code focuses on crimes against the normal development of sexual relations, family, childhood and youth. Articles 298 to 317 deal with a range of offences, including corruption of minors, the sale of or trafficking in minors for prostitution, sale of organs or forced labour, as well as for activities connected to drug trafficking.
4. Regarding trafficking in children and organs, globalized paedophilia, sex tourism and the exploitation of children in all its manifestations, Cuba has created conditions for guaranteeing

the comprehensive protection of the child and adopted relevant legislation, including the Family Code, the Law on Maternity for Working Women and the Law of Registration of Civil Status.

5. Cuba has implemented a system of prevention and social attention regulated by law, which contains special guarantees for children and adolescents and aims at preventing delinquency and anti-social and illegal activity as well as behaviours that may endanger the child's health. It considers that all necessary legal and social measures have been taken to prevent and deal with forms of slavery affecting children, though it continues to seek ways to further improve the protection of children.

Dominica

[Original: Spanish]
[28 April 2004]

Legislation on sexual offences

1. The Government of Dominica reported that although no national plan for the implementation of the programme of action has been adopted, the Sexual Offences Act No.1 of 1998 deals with sexual crimes, including the abduction, procuring and prostitution of persons. Section 4 (1) c of the Act sets the age of consent at 16 years, up from 14 under the previous Act. Section 7 provides for a maximum of 25 years' imprisonment for any person who has sexual intercourse with someone under 14 years of age, while section 8 specifies a penalty of 14 years for attempting to have sex with a person between the ages of 14 and 16.

2. The Act also explicitly deals with incest. It prohibits sexual intercourse between family members or half siblings and whether the relationship is traced through lawful wedlock or not and provides for sanctions ranging from two years for offences among minors to life imprisonment if involving an adult with a child under 14. The Act also covers offences such as procuring for prostitution, abduction and unlawful detention of a person with intent to have sexual intercourse. Penalties range from 10 to 14 years imprisonment and can go up to 25 years when the victim is a minor.

Prevention of the sale of children, child prostitution and child pornography

3. Dominican law enforcement authorities have not been confronted with cases of sale, abduction or trafficking of children. The Offences against Persons Act chapter 10:31 section 51 makes it an offence to fraudulently lure, take away or detain a woman under the age of 18, while section 54 makes child stealing an offence liable to imprisonment for three years.

4. Presently no law exists to deal with the issue of child pornography, whether via the Internet or otherwise; however, this will be reviewed.

Forced labour

5. The Government reported that while no measures had been adopted to implement the ILO Programme of Action on forced labour, section 4 (1) and (2) of chapter I of the Constitution prohibits slavery and any form of forced labour. In addition, section 6 (1) of the Children and Young Persons Act chapter 37:50 of 1990 stipulates that anyone having charge or custody of a

juvenile who allows him to beg, receive alms or induce the giving of alms by singing, selling or performing is guilty of an offence under this act.

6. The Employment of Women, Young Persons and Children Act states that, "No child shall be employed or work in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed." This act defines a child as a person under the age of 14. Exceptions are made under section 4 (2) of this act for undertakings in which only members of the same family are employed, and for manual labour by a child receiving instruction in manual labour in any school, provided the work is approved and supervised by a public authority.

Georgia

[Original: English]
[19 April 2004]

Sexual exploitation and abuse

1. Chapter XXII of the Georgian Criminal Code covers offences against sexual freedom and inviolability of the individual and it contains measures to protect children from sexual exploitation such as rape; sexual violence against a child under 14; sexual intercourse or other acts of a sexual nature with a person under 16; and sexual abuse of a person under 16. In addition, the Criminal Code stipulates penalties for enticing minors to engage in prostitution or in sexually abusive acts.

2. The Government's Plan of Action to Combat Violence against Women for the period 2000-2002 devoted an entire section to measures to prevent and suppress sexual exploitation and trafficking and addressed protection as well as medical, psychological and other forms of support for victims of these abuses.

3. Given that the victims of sexual violence and exploitation of minors tend to be girls, particular importance is attached to the implementation of the Plan of Action's sections dealing with the development of programmes to protect the victims of violence and to provide them with medical, psychological and other forms of support.

4. The Criminal Code criminalizes the organization or maintenance of establishments for prostitution and the unlawful preparation and dissemination of pornographic materials or artefacts.

Trafficking in human beings

5. In January 2003, the President of Georgia approved by decree the Plan of Action against Trafficking (2003-2005), under which the following tasks were considered priorities: implementation of legislative measures to ensure protection of the rights and interests of victims of trafficking, especially women, adolescents and children; prevention of trafficking by launching awareness-raising campaigns for potential victims; provision of social, psychological and other rehabilitation and assistance to victims; criminal prosecution and punishment of perpetrators; implementation of permanent monitoring of activities carried out within the framework of the Plan.

6. Amendments to the Criminal Code criminalizing trafficking in persons and minors entered into force in July 2003. The amendments make the selling or buying of minors; recruiting, transporting or harbouring them; taking them with the intention of exploitation, by force, blackmail or deception punishable by imprisonment for up to 12 years. The same offence committed repeatedly, against two or more persons, a pregnant woman while knowing about the pregnancy, by the abuse of official authority, by taking the victim abroad, with the use of life- or health-threatening violence or threat to use violence, knowingly or against a vulnerable person or a person who is financially or otherwise dependent on the offender is punishable by imprisonment of 8 - 15 years. If such an offence is committed by an organized group and results in the death of the victim or has other serious consequences, it is punishable by imprisonment of up to 20 years or life (if the victim is a minor).

7. While prostitution does not constitute a crime, the new Criminal Code classifies the following acts as crimes: to coerce someone into prostitution through use of violence or threat of violence, by destruction of property, by blackmail or fraud; keeping premises for prostitution; cajoling a minor into prostitution or other sexual lechery and compulsion of a person to engage in sexual intercourse. Illegal production or distribution of pornographic materials and items or coercing to do so is also a crime.

8. An anti-trafficking unit was established within the Ministry of Internal Affairs in January 2003. Recently, the unit, together with the Human Rights Department of the Prosecutor-General's Office and the Ministry of Foreign Affairs, has established special hotlines that are being advertised on central and local television channels.

9. The Presidential Programme on Special Protection, Professional Training and Prevention of Delinquency in Adolescents (1996-1999) set up special rehabilitation centres for children in conflict with the law, including minor prostitutes, where the children have the opportunity to access comprehensive education and assistance. These activities will be continued within the framework of Common National Plan of Action for Children's Assistance in Georgia (2003-2007), approved by presidential decree in August 2003.

Greece

[Original: English]
[5 March 2004]

Trafficking in human beings

1. The Government of Greece has designated the elimination of human trafficking as one of the main priorities of the Greek Police. An action plan had been drawn up within the framework of the Anti-Criminal Policy.

2. By a joint decision of the Ministers of the Interior, Public Administration and Decentralization and Public Order (April 2001), the working group to combat human trafficking (OKEA) was established, chaired by the Chief of the Greek Police and consisting of senior officials from a range of relevant agencies. OKEA has been instrumental in submitting legislation to Parliament on combating human trafficking, which entered into force in October 2002 as the law on "Combating trafficking of human beings, crimes against sexual exploitation for economic reasons and assistance to the victims thereof". A presidential decree of 2003

provides details concerning the protection of and assistance to victims of human trafficking. OKEA also introduced the establishment of anti-trafficking operations by the Greek Police and works to raise awareness of the problem within all State bodies and society at large and is developing partnerships with NGOs working on the issue.

3. Future activities of OKEA include development of practical ways of assisting victims, introduction of good practices to control the problem, and detection of problems related to trafficking and finding solutions.

4. The Greek Police has made combating human trafficking a top priority. Its strategy includes working to instil in its personnel at all levels the idea that human trafficking is a criminal offence which generally involves other crimes, but is also a human rights violation for which victims need special treatment, which should be given; training of police staff in this area; and strict implementation of existing legislation against the offenders.

Italy

[Original: English]
[22 March 2004]

Trafficking in human beings

1. In Italy, most of the victims of human trafficking are women who are trafficked for sexual exploitation and, in some cases, for domestic and other work under slavery-like conditions.
2. The Government of Italy considers human trafficking to be a top priority issue at both national and international levels, and it has adopted new measures and international cooperation tools to prosecute traffickers. Some of the relevant provisions of the criminal law have been amended. Italian law distinguishes between the responsibilities of trafficked women and those of traffickers, and it provides assistance and protection programmes for people who have been living under slavery-like conditions, especially forced prostitution.
3. Victims of human trafficking may obtain special permission to stay legally in the country. A legislative decree of 1998 outlines two parallel ways of obtaining special permission to stay, namely for social protection or for judicial collaboration. To obtain a social protection permit a victim is not obliged to report knowledge of any criminal activity to the police. In 2001, 1,500 victims of trafficking obtained special permission to stay, up from 833 victims in 1999.
4. In 1998, the Government established a national social protection programme specifically targeting immigrant prostitutes. The programme provides for legal protection and social integration, ensuring victims' security and coordinating State action against organized crime.
5. Other actions against trafficking in persons include a toll-free hotline, studies and surveys, assisting victims to return to their countries of origin; information campaigns, and research and training.

Sexual exploitation of children

6. The main piece of legislation aimed at combating sexual exploitation of minors is Act 269/98 against the exploitation of prostitution, pornography and sexual tourism to the detriment

of children. This act amended the Italian Penal Code to include ad hoc provisions on child prostitution, child pornography and the possession of pornographic material. The Act prohibits and aims to prevent the organization and advertising of sex tours by obliging tour operators to publish warnings regarding child sex tourism. Since February 1999, all tour operators and travel agencies organizing tours abroad have been obliged to distribute printed warnings that Italian law punishes with imprisonment crimes related to child prostitution and pornography, even when such crimes are committed abroad.

7. Fines imposed and money confiscated for offences related to sexual exploitation of minors go into a fund used to finance specific programmes for minors who have suffered sexual exploitation. Part of the money may also be used, where possible, for the treatment of offenders found guilty of certain offences relating to the sexual exploitation of minors.

8. In the wake of the adoption of act 269/98, a National Commission for the Coordination of Actions against Child Abuse and Sexual Exploitation was established in February 1998. The work of the Commission is aimed at designing strategies for action to be undertaken by government agencies in collaboration with private social workers and civil society groups.

9. Further to the Commission's efforts, a Coordinating Committee of Prevention, Assistance and Protection of Minors against Sexual Exploitation was established in 1999 to ensure the coordination and monitoring of the implementation of Act 269/98. The Committee draws on the expertise of various NGOs, as well as a number of relevant ministries and professionals. The Committee has been instrumental in providing information and social prevention directed at teachers, families, paediatrics and children. Staff training guidelines have been drafted and activities carried out by all institutions involved in preventing and fighting child abuse have been integrated and coordinated.

10. Since 2000, local police authorities have been required to report every six months to the Ministry of Interior on the trend of the phenomenon and the phenomenon of child abuse and on results achieved by the actions, taken.

11. The Office of the Prime Minister is the body in charge of coordinating all public responsibilities for the prevention, assistance (including legal actions) and protection of minors from sexual exploitation and sexual abuse. Another function of the Office of the Prime Minister in this area is the promotion of studies and research related to the social, legal and health aspects of child sexual exploitation. The Prime Minister presents a report to Parliament each year on the relevant activities.

12. Act 269/98 also establishes an Inter-Ministerial Committee for the Coordination of Government Action against Child Abuse and Trafficking in Minors

13. An Inter-Ministerial Committee for the Coordination of the Fight against Paedophilia was established in 2002, involving representatives of 11 ministries under the coordination of the Ministry for Equal Opportunities. The Committee has drawn up a national action plan on preventing and fighting paedophilia. A key goal of the Government's programme is enhancing integration between repression, assistance and recovery services. Resources will be provided to establish therapeutic programmes for victims. A child abuse emergency phone service for children and adolescents to report abuse or any other serious difficulty has been established and a vast information campaign directed at children will be launched about child abuse and the services available to fight it.

14. The Public Security Department of the Ministry of the Interior and, in particular, the Postal and Telecommunications Police enforce measures against Internet-based child pornography. Constant Internet monitoring is focused on tracking sites containing child pornography, as well as on detecting the regular presence of certain users in thematic Internet chat rooms and on bulletin boards. Such monitoring is carried out for prevention as well as repression purposes.

Mauritius

[Original: English]
[14 May 2004]

Sexual exploitation of children

1. Legislation has been harmonized to comply with the provisions of the Convention on the Rights of the Child. For example, the Child Protection Act (1995) protects children from any form of abuse, including prostitution. Section 14 of the Act, which deals with sexual offences against children, includes any person who causes, incites or allows any child (a) to be sexually abused by him or another person; (b) to have access to a brothel; and (c) to engage in prostitution.
2. The Sexual Offences (Miscellaneous Provisions) Act 2003 reinforces sanctions for sexual offences. When cases of sexual assault are reported, following medical examination victims are referred to the Family Protection Unit which provides psychological support.
3. In preparing a National Plan of Action (NPA) on the issue of commercial sexual exploitation of children, the Ministry of Women's Rights, Child Development and Family Welfare has adopted a multisectoral approach to the issue, involving other ministries like those for education, health and social security, along with the Police Department and NGOs, with a view to dealing with cases of abuse in a more coordinated way. The objective of the NPA is to ensure the protection of children from any form of abuse, including commercial sexual exploitation, and the creation of a conducive environment within the family and civil society. It also aims at developing strategies and activities to be implemented by all stakeholders, including government institutions, the private sector, NGOs, the community and the families. The NPA is based on four components: coordination and cooperation; prevention; protection; and recovery and reintegration.
4. The Ministry and several NGOs provide psychological support to girls facing difficulties. Other institutional mechanisms include the National Children's Council under the Ministry which has set up teen and kids' clubs, and the Children's Committee Network which raises awareness of problems of child abuse and exploitation. A Child Watch Network has been set up to detect children at risk of abuse and two shelters exist for child victims of abuse, neglect or incest. Under a Child Protection Project, training is organized on protection and psychosocial rehabilitation.
5. The problem of child pornography on the Internet is increasing. The Child Protection Act criminalises various aspects of the electronic production, processing and distribution of child pornography. The scope of the Act extends to so-called "pseudo-photographs", meaning composite or manipulated photographs of children. In response to the growing problem of child

pornography on the Internet, the Ministry of Information Technology is raising public awareness of the issue.

Mexico

[Original: Spanish]
[16 May 2003]

1. In its response, the Government of Mexico provided information on measures adopted to combat discrimination against marginalized groups that are particularly vulnerable to exploitation. The focus is providing support to the unemployed, as well as protection against the risk of discrimination and exploitation faced by young workers, rural workers and indigenous peoples, older workers and, particularly, women. In particular, action emphasizes support for job-seekers and evaluation centres for older workers and for those with disabilities. A number of measures have been adopted to promote gender equality at work.

Forced labour

2. Article 1 of the Constitution bans all forms of slavery, as well as all forms of discrimination. Article 5 also bans forced labour, except for that imposed as a penal sanction. Public service can only be mandatory in the case of military service, jury duty, and the conduct of elections and censuses.

3. The legal framework on labour issues, contained in the Constitution, international treaties ratified by Mexico, the Federal Labour Code, the Federal Regulations on Safety, Hygiene and Environment at Work, official norms issued by the Department of Labour and Social Welfare, and rights recognized in framework, collective or individual agreements and contracts clearly require work to respect the freedom and dignity of workers. As for bonded labour, national legislation clearly indicates that family members cannot be held responsible for debts incurred by workers with their employers and in no case can such any such amounts be exacted from families beyond the maximum of one month's salary. Thus, forced, compulsory and bonded labour are not allowed under Mexican legislation, and are even sanctioned by the Federal Penal Code. Trade unions and employers' organizations are fully involved in permanent consultation regarding labour issues.

4. The Plan of Action for the Unit for the Promotion and Protection of Human Rights includes a focus on official norms to facilitate investigation of crimes affecting safety and integrity, as recognized in treaties ratified by Mexico, as well as encouraging protection of human rights through litigation based on *amparo*.

Migrant workers

5. The Government of Mexico ratified the Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families on 8 March 1999. To assist minor migrant workers, the Federal Government has created an interinstitutional programme for border-area children whose objective is to provide protection and to reintegrate children within their families and communities of origin. The programme establishes that Mexican minors abroad must be assisted and protected through embassies and consulates abroad and a network of 18 hostels to facilitate reintegration. Such hostels provided temporary accommodation for 6708 minors in 2002.

6. Measures have also been adopted to control strictly the retention of identity or travel documents for foreigners; this is only allowed while contacting an embassy or consulate to initiate deportation procedures. The Unit for the Promotion and Protection of Human Rights is planning an awareness-raising campaign against the abuses suffered by undocumented migrants.

Sale of children, child prostitution and child pornography

7. Mexico reported that it had ratified ILO Convention No. 182, as well as (on 4 March 2003) the United Nations Convention against Transnational Organized Crime and the Supplementary Protocol to the Convention to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. It is important to note that Mexican legislation does not consider prostitution as an option for employment.

8. Under its National Development Plan, the Government established programmes such as the Support Programme for the Prevention and Elimination and the Protection of Victims of Commercial Sexual Exploitation of Children, within the framework of the ILO International Programme for the Eradication of Child Labour (IPEC). The Program was designed through a consultative process involving all relevant actors and is implemented as an interinstitutional activity and builds on the important activities of relevant NGOs. The Programme focuses on gender issues, building skills for mothers as well as for child victims, to facilitate reintegration of victims within their families and society.

9. Activities are implemented in order to combat child commercial sexual exploitation at the national and state levels, in the cities of Acapulco, Guadalajara and Tijuana in the areas of (a) prevention; (b) establishment of an adequate juridical framework; (c) direct attention to child victims (boys and girls); (d) and strengthening of interinstitutional coordination. These programmes include support to awareness-raising and complaints programmes for victims, training of staff working with victims, training for parents of children at risk, and support to boys and girls who are at risk or victims of commercial sexual exploitation.

10. Activities under IPEC have included: the establishment of technical committees at national and state level; the second phase of a national awareness-raising campaign entitled "Open your eyes but do not shut your mouth", distributing two million leaflets; analysis of federal and state legislation and work with experts and legislators; adapting the Costa Rican Model on attention to victims; strengthening interinstitutional cooperation and expanding partnerships with other institutions in the public sector and civil society.

11. In addition, a number of activities to prevent and eradicate commercial sexual exploitation of children were undertaken through the National System for the Integral Development of the Family between 2000 and 2002. They included joint activities with UNICEF (preparation of a study, publication of a manual, awareness-raising campaigns, etc.) as well as training of officials, holding of a number of meetings - including a second trilateral meeting with Canada and the United States to follow up on joint action - and a campaign with the tourism industry to combat sexual tourism.

12. A special police unit dealing with prevention has established an Internet team to support national investigation and prosecution as well as gather information on networks engaging in sexual exploitation and paedophilia.

Morocco

[Original: French]
[28 November 2003]

1. The Government of Morocco considers that progress at the national level depends on investing in the youth. In this regard, it believes that in order to ensure the success of action benefiting children, the approach must be all-encompassing. Hence, the Government, in collaboration with its partners in the civil society, handles problems affecting the well-being of the child in a comprehensive manner by confronting factors which pose the most threat to the safety of the child.

2. In this regard, the Government is engaged in a process of implementation of the content of the [Convention on the Rights of the Child](#) and its Optional Protocol on the sale of children, child prostitution and child pornography, which materialized in the establishment in 1998 of a ministerial department responsible for children. This ministry became the State Secretariat charged with Family, Solidarity and Social Action (State Secretariat). The responsibilities of the State Secretariat include elaborating studies, policies and legislation on children, creating contacts with NGOs, as well as coordinating government efforts to improve the living conditions of children.

Measures undertaken to prevent the sexual exploitation of children, sale of children and child prostitution

3. As part of its efforts to prevent these phenomena, the State Secretariat organized in Rabat, from 24 to 26 October 2001 an Arab-African forum against the sexual exploitation of children, in preparation for the Second World Congress against Commercial Sexual Exploitation of Children, which took place in Yokohama, Japan, in December 2001. Following the Second World Congress, the State Secretariat organized a one-day national training, on 31 January 2003, on the sexual exploitation of children. This day initiated the process towards a national plan of action on the sexual exploitation of children.

4. As part of the preparations for the Third World Congress against the Commercial Sexual Exploitation of Children, the State Secretariat is engaged in the preparation of a series of regional consultations on the subject which are scheduled to take place towards the end of 2004.

5. The State Secretariat, in cooperation with UNICEF and various NGOs, also initiated the *code de l'enfant* project, which included provisions to protect children from sexual exploitation. Thus far, the project has resulted in a critical analysis of legislation and practice on the subject. A discussion on measures to promote the social and psychological reintegration and rehabilitation of child victims of sexual exploitation constitutes a component of the project.

6. The development of partnerships with NGOs working with children as well as increased interaction between civil society and national policymakers were among the main priorities of the State Secretariat. As part of the Government's efforts, and in partnership with UNICEF, the State Secretariat organized training seminars for associations of trainers engaged in activities directed to the protection of the child.

7. The Government reported that several initiatives were undertaken regarding the harmonization of domestic legislation and international standards. They include new legislation

changing the age of majority for purposes of sentencing to 18 years and new labour legislation changing the minimum legal age for work to 15 years; the preparation of a family code is under way. The creation of a juvenile justice system involving the training of judges, prosecutors and the police in this field resulted in the prosecution, in 2003, of 33 persons for procuring or inciting children to prostitution.

8. Moreover, the amendment to article 446 of the Penal Code allows persons, and in particular doctors, upon whom the privilege of professional secrecy is imposed, to come forward with information pertaining to violent acts perpetrated on a child. Moroccan law also provides for legislative measures guaranteeing the physical and moral integrity of the child and protecting them from all forms of abuse, neglect or exploitation, notably sexual exploitation and prostitution.

9. Furthermore, the Government asserts that it is implementing specific programmes and taking measures to promote education and training within the poorest strata of the population and guaranteeing, by 2005, pre-school education for all children starting at 6 years of age. Special efforts, including informal education programmes, are directed towards children, in particular girls, living in suburbs, working children and children living under especially difficult conditions, such as street children. The Government has also initiated programmes of professional training, especially for girls living in rural areas, to improve their prospects for meaningful employment.

10. The Government reported that NGOs have played a crucial role in awareness-raising on the situation of children and in providing psychological and legal assistance to children who are victims of exploitation. An important example is the Observatoire national des droits de l'enfant, which has established a hotline for children who are victims of abuse. Other NGOs have established shelters for street children and reconciliation centres for abused children.

11. Government policies dealing with the exploitation of children basically rest on two pillars: one is to eliminate socio-economic factors contributing to the sexual exploitation of children in general; and the other is to provide support to groups of children in danger of exploitation and the reintegration of victims. The strategy of the Government for eliminating sexual exploitation of children relies not only on awareness-raising and legal measures, but also on maintaining close ties to civil society.

12. Measures undertaken by the Ministry of Justice to prevent child prostitution and child pornography and bring Moroccan legislation into conformity with international conventions include the criminalization of the sale of children, forced child labour and child pornography.

Netherlands

[Original: English]
[15 May 2003]

1. The Government of the Netherlands provided information on a draft bill which had recently been introduced aimed at broadening the criminal provision of trafficking in human beings in the Dutch Penal Code. Adoption of the bill would align Dutch legislation with the definition in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in

Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In accordance with this broader definition, in future not only sexual exploitation, but all forms of economic exploitation will be covered. The implementation of the proposed legislation would go hand in hand with an extension of victim support policies to people covered by the broader definition of victims of trafficking.

Nicaragua

[Original: Spanish]
[24 June 2003]

Sexual abuse and exploitation of children

1. The Government of Nicaragua provided information regarding measures for combating child prostitution and pornography. Under article 202 of the Penal Code, it is a crime to exploit prostitution for profit or to make use of violence, deception, coercion or a position of authority to lead or force anyone into prostitution, punishable by three to six years' imprisonment. Article 203 of the Penal Code criminalizes trafficking in or outside the country, with an aggravated sentence if the victim is the spouse or partner of the perpetrator or under 14 years of age. Article 228 penalizes abduction.

2. Sexual corruption of children under 16 is a crime regardless of consent and is aggravated if the victim is under 12. The crime is usually defined by engagement of a minor in prostitution, and is defined by article 76.g of the Code of Childhood and Adolescence, which provides comprehensive protection for children. There is also a Policy against Commercial Sexual Exploitation of Boys, Girls and Adolescents with an implementation plan approved in August 2001 with the involvement of all social actors. It is under the direction of the National Council of Integral Care for Children and Adolescents (CONAPINA).

Forced labour

3. The Child and Adolescents Code (Law No. 287) of May 1998 was adopted to implement the Convention on the Rights of the Child, and aims to eradicate involvement of children in forced labour. Forced labour is also banned under articles 130 to 137 of the Labour Code, and article 174 of the Penal Code criminalizes the use of violence, intimidation or coercion.

Russian Federation

[Original: Russian]
[13 May 2004]

Trafficking in persons

1. The Russian Federation provided information concerning intensified efforts at the legislative level to combat various forms of violence, including slavery and trafficking in persons.

2. Amendments to the Criminal Code of the Russian Federation concerning trafficking in persons and the use of slave labour entered into force in December 2003. The interpretation of the terms “trafficking in persons” and “slavery” has been considerably broadened and now also includes offences such as inducement to engage in prostitution, compulsion to donate organs for transplantation and recruitment for employment abroad involving illegal work in brothels. Thus, in combating prostitution alone, criminal charges can be brought against all intermediaries - from the panderer to the dispatcher using a telephone. Most offences related to trafficking in persons and the use of slave labour are classified as serious or especially serious crimes and are punishable by deprivation of liberty for 8 - 15 years.

3. An inter-agency working group on the improvement of migration legislation has prepared and introduced a bill proposing further amendments to the Criminal Code as well as to the Code of Criminal Procedure and Code of Administrative Offences. This bill provides for additional safeguards against illegal use of the labour of migrants and the facilitation of illegal migration.

4. Work is furthermore currently under way to draft a separate federal bill on counteracting trafficking in persons. In drafting the Bill, the provisions of international human rights instruments and recommendations of international organizations involved in fighting trafficking in persons will be taken into account, as will the experiences in drafting similar legislation in a number of other countries, including Ukraine, Bulgaria and the United States of America.

5. The draft bill includes measures for the social rehabilitation and protection of the victims of trafficking in persons, including the establishment of special centres to provide support and shelters, absolution of victims from administrative responsibility for actions related to trafficking (prostitution, begging, the breaching of passport and visa regulations, etc.) and deferral of the deportation of aliens. It is also planned to organize proactive measures aimed at preventing trafficking in persons and raising public awareness of this issue.

6. In June 2003, the lower house of the Russian Parliament adopted on first reading a bill on State protection for victims, witnesses and other parties assisting in criminal court proceedings. The aim of this instrument is to ensure more effective administration of justice in a variety of criminal cases, including ones related to trafficking in persons.

7. On 14 April 2004 the upper house of Parliament transmitted to the President of the Russian Federation for signature and promulgation a federal act on the ratification of the United Nations Convention against Transnational Organized Crime and its supplementary protocols.

Serbia and Montenegro

[Original: English]
[24 June 2003]

Trafficking in persons

1. The Government provided information about its international legal obligations under various human rights instruments, including the United Nations Convention against Transnational Organized Crime and the Supplementary Protocol. These international standards are reflected in the country's national law, which prohibits all forms of slavery, traffic in persons

and any other form of exploitation. Amendments were made to the Criminal Code in 2003 which provided for more severe penalties for the criminal offences of organized crime and the taking of human organs or body parts by force. Sexual maltreatment, exploitation of minors in pornography and traffic in persons were also criminalized.

2. Following the signing of the Declaration to Combat Traffic in Persons in December 2000, a national Victims Protection Programme was set up in Montenegro in early 2001 and in Serbia in 2002. The programme is seeking to reach categories of the population, mostly women and children, at risk of becoming victims of trafficking.

3. In May 2001, a team consisting of representatives of all relevant government agencies, NGOs and international organizations was charged with the task of setting up mechanisms for the suppression of traffic in persons.

4. In 2001 and 2002, very rigorous measures were introduced at border points in Serbia and Montenegro as well as against establishments that had been involved in such practices. This resulted in many charges being filed against persons engaged in smuggling and trafficking and owners of establishments involved in the practice, and in many nationals of Eastern European countries being prevented from illegally crossing the State border.

5. Cooperation between various government departments and ministries and NGOs has resulted in exchanges of information and the identification of victims of trafficking and sexual exploitation of perpetrators. Likewise, data on persons engaged in smuggling and trafficking in foreign nationals mostly from Eastern Europe were exchanged with police agencies in other countries.

6. In 2002, shelters for victims of trafficking were established in cooperation with a local NGO (The Shelter for Women and Children Victims of Family Violence) and the International Organization for Migration (IOM). Also, in both Serbia and Montenegro, special police teams were set up in the Ministries of Internal Affairs and a national plan to fight trafficking in human beings was elaborated.

7. Also in 2002, the Ministry of Internal Affairs of Serbia launched a campaign named "Mirage" aimed at suppressing trafficking and forced prostitution. In October 2002, a mobile team comprised of representatives of the Ministries for Social Welfare of both Serbia and Montenegro and NGOs was established to protect the victims of trafficking. Seminars and courses on the issue of trafficking were organized by the Organization for Security and Cooperation in Europe (OSCE), IOM and NGOs for the Ministries of Internal Affairs of Serbia and Montenegro.

Sexual abuse of children

8. Existing legislation is currently being amended following the accession of the country to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

9. Under the Marriage and Family Law of Serbia parents may be deprived of their parental rights if they are found to be involved in child abuse.

Switzerland

[Original: French]
[3 May 2004]

Sexual exploitation and abuse of children

1. In its reply, the Government of Switzerland noted that it has ratified ILO Convention no. 182 and supports IPEC. It also provided information to the Special Rapporteur on the sale of children, child prostitution and child pornography, who had prepared a questionnaire on programmes and policies to prevent child sexual exploitation. The replies provided by the Government of Switzerland and others were the basis of the report presented by the Special Rapporteur to the Commission on Human Rights at its sixtieth session (E/CN.4/2004/9).

2. The information provided by Switzerland described the measures adopted to prevent specifically child prostitution and the involvement of children in pornography, as well as more general prevention measures to address the factors that contribute to such violations including family violence, discrimination based on sex, harmful traditional practices, etc. The Government noted that it is not easy to determine which programmes and policies are particularly successful, though efforts are made to evaluate their impact, but that the overall impact of the combination of measures adopted has clearly led to growing awareness both among politicians and the general public.

3. In addition, as the Government pointed out to the Special Rapporteur, there is no single institution coordinating policies for children and families, as the relevant competences are divided among the Confederation, the cantons and the communes, whose activities offer a range of opportunities to prevent sexual exploitation and abuse of children, as well as to care for and facilitate the reintegration of child victims within their families and society. It also highlighted and described the role played by non-governmental organizations in the prevention and fight against commercial sexual exploitation of children. It noted government support for such organizations as well as the role increasingly played by the private sector, particularly in the tourism and Internet access provider sectors. The Government indicated that detailed information is available publicly on vocational training programs and that as mandatory education ends at age 15/16 in Switzerland, there is limited need for special programmes to support children having dropped out of school.

4. The Government had also highlighted that it started on 15 October 2003 the process of consultation required as a step towards the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Ratification will require amendment of the Penal Code as only the sale of children for commercial sexual exploitation is currently included. The Federal Council has proposed amendment of article 196 of the Penal Code to extend penal sanctions to the sale of children for sexual exploitation, trafficking of organs and forced labour. Switzerland has also signed and is proceeding with the ratification process for the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as the Protocol against the Smuggling of Migrants by Land, Air and Sea Supplementing the United Nations Convention against Transnational Organized Crime.

Zambia

[Original: English]
[18 December 2003]

Measures aimed at eliminating sexual exploitation and abuse of children

1. In its reply, the Government of Zambia provided information about various actions being implemented by the Ministry of Labour and Social Security in collaboration with ILO and other partners to combat the sexual exploitation of children. Much of the focus is on prevention of child prostitution as one of the most effective methods of dealing with sexual exploitation of children. Various interventions target children who are at risk of getting involved in child prostitution. Such interventions aim, inter alia, at empowering the affected families by means of either formal education or survival skills. This is done through advocacy, awareness-raising, providing community health education and integrating strategies to combat child prostitution into poverty reduction programmes and school curricula. In addition, there are rehabilitation and reintegration programmes for victims of sexual exploitation, which include provision of psycho-social counselling and withdrawal of children from the streets and other unsuitable environments; provision of alternative income-generating activities to both children and parents; provision of subsidized education through community schools and reintegration into normal schools; re-integration of children into their families and communities; and community monitoring and assessments of child prostitution activities. Cross-cutting measures include capacity-building of NGOs and community based organizations.

2. Key lessons learned from the activities described are to recognize the importance of community participation; tackling the root causes of child prostitution, especially poverty; emphasizing capacity-building; and participating in networks so that experiences can be shared and coordinating planning and implementation.

3. Child pornography and the sale of children had not been identified as problems; however, it was recognized that data were needed.

**II. INFORMATION RECEIVED FROM UNITED NATIONS BODIES AND
SPECIALIZED AGENCIES**

United Nations Children's Fund

[Original: English]
[1 May 2003]

Trafficking in women and children

1. In West Africa, UNICEF has been working closely with partners such as IOM, ILO and NGOs on trafficking issues within the framework of the common platform for action against trafficking adopted at the Sub-Regional Consultation on the Development of Strategies to Fight Child Trafficking for Exploitative Labour Purposes in West and Central Africa (the Libreville Consultation) in 2000. This has given way to efforts to identify areas for cross-border cooperation in combating child trafficking, including the repatriation of trafficked children and the detection and tracking of child trafficking networks.

2. Similarly, in East Asia and the Pacific, UNICEF has been a major partner in developing a United Nations project on trafficking of women and children in the Mekong Sub-Region.
3. A manual with corresponding training materials for parliamentarians was being produced in collaboration with the Inter-Parliamentary Union (IPU) on relevant international standards related to trafficking.

World Food Programme

[Original: English]
[16 February 2004]

1. WFP referred to its Executive Director's circular No.ED2004/001 of 22 January 2004. The circular outlines measures WFP will take to comply with the Secretary-General's bulletin on special measures for protection from sexual exploitation and abuse and principles to which the members of the Executive Committee on Humanitarian Assistance (ECHA) have agreed. In addition, a working group has been set up under ECHA, together with the Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse, which was expected to carry out specific tasks.
2. The circular refers to the definition of sexual exploitation and sexual abuse in the Secretary-General's bulletin and clarifies that such acts, particularly when perpetrated against beneficiaries of United Nations protection or assistance, constitute serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal. In addition, the circular makes reference to the fact that the bulletin requires all staff to report concerns or suspicions of sexual exploitation and abuse and places the responsibility on managers at all levels to support and develop systems that maintain an environment that prevents sexual exploitation and abuse. The bulleting applies to all staff of the United Nations, including separately administered organs and programmes, including but not limited to those working in a humanitarian environment.
3. The circular also informs staff that the Secretary-General has tasked ECHA with establishing a clear system for implementing the bulletin in the field, including peace operations.

International Labour Organization

[Original: English]
[5 May 2004]

1. ILO provided a set of comments made by the Committee of Experts on the Application of Conventions and Recommendations at its latest session (November-December 2003), relating to the application of the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105) on the following countries: Afghanistan, Albania, Azerbaijan, Argentina, Australia, Bahamas, Bulgaria, Belarus, Botswana, Burundi, Brazil, Cape Verde, Chad, Congo, Colombia, Croatia, Cyprus, Czech Republic, Germany, Denmark, Djibouti, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Georgia, Ghana, Guatemala, Haiti, Hungary, India, Indonesia, Jamaica, Japan, Kenya, Kuwait, Lebanon, Liberia, Lithuania,

Luxembourg, Malawi, Mali, Mauritania, Mexico, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Niger, Nigeria, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Seychelles, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Trinidad and Tobago, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United Kingdom of Great Britain and Northern Ireland (including Anguilla), Venezuela and Yemen.

2. These are available from the Secretariat for consultation.
