

that was used to traffic digital images of nude children and to exchange messages with paedophiles worldwide.

The SR visited the U.S. from 9 to 20 December 1996 to look into the issue of the commercial sexual exploitation of children. The report of that visit (E/CN.4/1997/Add.2) covers a number of areas, including: causes, characteristics, profile of the perpetrator, the legal framework, law enforcement, the courts, cases studies (San Francisco and the U.S.–Mexico border area), and child pornography and the Internet. The reports cites estimates that children as young as 5 to 11 years old are forced into prostitution for survival, money, affection and drugs; that there are more than one million runaway and “throwaway” young people on the streets at any given time; and that over one third of these children leave home because of sexual abuse. Children who are most likely to fall prey to pimps, recruiters and abusers are children from farming families in rural and small-town areas in Mid-Western states, white middle-class teenage girls going to big cities from suburban areas looking for adventure or expanded career opportunities, children in marginalized families or from broken families, and victims of child abuse. The report notes that once children and adolescents have decided to run away from their homes, they become caught in a vicious circle of dependence on older men or protectors who “rescue” them from the streets. The dependence is often exacerbated by dependence on drugs and alcohol, which in turn may lead to their resorting to prostitution and sex for survival. The report notes, however, that many children lured into pornography are simply recruited from their neighbourhoods, nearby schools or acquainted families with children, and that organized criminal rings involved in trafficking per se are not known to exist in the United States. The report notes that, while both girls and boys are caught up in commercial exploitation, boy prostitution differs from girl prostitution in a number of ways: young boys prostitute themselves much less openly on the street, partly because of the social stigma attached to homosexual prostitution, and boy prostitutes are more likely to operate independently of pimps. The SR expressed concern that the type of prostitution, especially that involving girls, is becoming increasingly violent and includes bondage, sadomasochism and spanking.

The strategies defined by the government to eliminate the commercial sexual exploitation of children is based on a multidisciplinary approach, involving social services and mental health workers, interviewing and investigation, special treatment in court settings which are child-friendly and appropriate to age and status, and continuing care in order to address the lingering effects of commercial sexual exploitation. It is intended that measures will be reinforced through education systems which provide children with skills and opportunities as a preventive strategy.

In terms of law enforcement, the report notes that: there is significant reluctance on the part of police officers to deal with boy prostitutes, because of the social stigma attached to homosexuals; law enforcement officials frequently tend to perceive cases of child abuse or exploitation as cases for social workers or child protection cases, not criminal cases; when seeking victims to testify against their recruiter or pimp, police generally cannot offer anything in return for the

testimony and child victims do not want to talk to the police or leave their pimps because for many a return home would simply mean a return to sexual and physical abuse; the criminal justice system is primarily geared to arresting the perpetrator and not to identifying the victim, which makes monitoring victims difficult as it is relatively easy for them to change their identity; there is a lack of financial resources for training prosecutors and sensitizing judges concerning child abuse and exploitation; and, the low number of cases of child abuse brought to court may be due to the lack of appropriate resources and training of officials to deal with the child in court.

On the issue of child pornography and the Internet, the SR states that new technological developments have made existing definitions of pornography in law obsolete; they are also giving rise to controversial debates about constitutional rights, such as the right to freedom of opinion and expression, the human rights of the child, and established societal values. In terms of the definition of child pornography, the report refers to the Child Pornography Act which expanded the definition to include “any depiction of a child, real or imaginary”. Considering the availability of child pornography on the Internet, the report states that it results in the repeated victimization of the child on an unprecedented scale: for example, it notes that many of the child pornographic images on the Internet are actually pictures scanned from child pornography magazines produced in the 1970’s and 1980’s. On the question of the child as a viewer, the report notes that there are conflicting views on how readily and easily accessible child pornography is for the child as a computer user and viewer. The SR commented that frequently children, who are generally more computer-literate than their parents or teachers may spend hours in “chat-rooms” on the Internet where they converse electronically, become friendly, talk about their problems, share secrets and build friendships with other users. What children and their parents are mostly unaware of, however, is that their conversation partners could be paedophiles or child abusers and recruiters who pretend to be teenagers themselves in order to build up a relationship of confidence with the child on-line. The child might then be exposed to pornographic materials in an attempt to “normalize” child pornography and to convince children that there is nothing bad or illegal about viewing or being involved in child pornography.

The SR recommended that the government and non-governmental agencies and bodies:

- ▶ systematically and comprehensively gather information and data on commercial sexual exploitation of children nationwide so that the extent of the problem can be ascertained;
- ▶ target national education and information campaigns at eliminating the social stigmatization and stereotyping associated with child prostitution and child pornography;
- ▶ ratify without delay the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women;
- ▶ publicize successful investigations into commercial sexual exploitation of children in the national media to raise