

THEMATIC MECHANISMS AND APPROACHES

CHILDREN

Special Rapporteur on sale of children, child prostitution and child pornography

The mandate of the Special Rapporteur on sale of children, child prostitution and child pornography was established by the Commission at its 1990 session. The question of the adoption of children for commercial purposes has been incorporated into the mandate. The Special Rapporteur (SR) in 1998 was Ofelia Calcetas-Santos (Philippines).

The report prepared for the 1998 session of the Commission (E/CN.4/1998/101) reviews the methods and activities of the SR, provides commentary on international developments relating to the role of the judicial system (see A/51/456 and E/CN.4/1997/95) and gives a special focus to media, including the Internet (see A/52/482 for a summary of preliminary work undertaken) and education. On the latter, the report covers such areas as the international legal framework, the role of the traditional media, the media and the rights of the defendant, new media, and education as a catalyst. Recommendations on the media and education as well as networking between governmental and non-governmental organizations are also included.

The section of the report focussing on media and education sets the context by stating: the right of children to be protected from exploitation may at times appear to contend with the right of the communications media to express themselves and disseminate information freely; however, the rights of the media to publish and broadcast information, and the rights of audiences to receive information, have to be carefully balanced against the rights of the child to be protected from abuse and the child's right to privacy.

Points noted on the question of the participation of children in the media include, *inter alia*, that:

- ♦ media are among the strongest influences on the self-image of a child and the image which is portrayed to society in general; that image can either create and convey respect for children and young people, or spread prejudices and stereotypes which may have a negative effect on public opinion; the child's participation in this process is vital and must take place in such a way as to avoid exploitation of the child participant while resulting in a positive effect upon the whole range of viewers, children and adults alike;
- ♦ concerns have been raised as a result of films documenting young victims of sexual abuse, i.e., while such documentaries have been commended for bringing the subject into the public arena and raising awareness about child abuse, concerns have been expressed for the psychological well-being of the child actresses or actors who portray the victims;
- ♦ care must be taken when making, distributing, selling and showing films which involve forced or consensual under-age sexual activity in order not to create a new "genre" of such docudramas through which audiences will become desensitized to the real horrors of paedophilia and child sex;
- ♦ careful regulation is needed in the use of children as fashion models, in catalogues or live or filmed presentations, bearing in mind that the use of teenage girls to model adult fashions may create the impression that thin pre-pubescent bodies are the most sexually desirable and inadvertently communicate to paedophiles the message that their desires are "normal", especially as the children are encouraged to look and behave like adults in front of the camera; and
- ♦ care must be taken in relation to the use, by advertisers, of images of children as sexual objects "to sell almost anything from food to perfume and cars".

Commentary on the protection of children against harmful influences through the media is based on two elements: (a) the potential for direct harm to the child as viewer of the material, and (b) the less direct but equally dangerous impact upon the behaviour of adults towards children, when they are repeatedly exposed to material which "normalizes" juvenile sexual activity. The report notes approaches that have been considered or enacted to protect children from harm, including the "V-chip", viz. the encoding of programmes on the basis of a common classification system and a mechanism on each television enabling parents to filter out certain programmes.

The section addressing respect for the integrity of the child in media reporting cites the two main issues addressed by the Committee on the Rights of the Child: (a) the way in which the media should approach children; and (b) the child's access to the media.

Consideration of new media builds on previous work done by the SR with regard to the commercial sexual exploitation of children on the Internet. The report notes, *inter alia*, that: no single entity administers the Internet;