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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Impact of coronavirus disease on different manifestations of
sale and sexual exploitation of children****Report of the Special Rapporteur on the sale and sexual exploitation of
children, including child prostitution, child pornography and other
child sexual abuse material, Mama Fatima Singhateh****Summary*

In the present report, the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Mama Fatima Singhateh, focuses on the impact of the coronavirus disease (COVID-19) pandemic on increased risk and various manifestations of sale and sexual exploitation of children. The Special Rapporteur outlines the push and pull factors, protection challenges and good practices, and provides recommendations on measures to address the heightened risks of sale and sexual exploitation of children, both online and offline, during and in the aftermath of the COVID-19 crisis and the ensuing lockdowns.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 7/13, and to resolution 43/22 in which the Council renewed the mandate of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material and appointed Mama Fatima Singhathe as the new Special Rapporteur. The Special Rapporteur is grateful for the trust bestowed upon her by the Human Rights Council.
2. In her first report to the General Assembly (A/75/210), submitted pursuant to General Assembly resolution 74/133 and Human Rights Council resolution 43/22, and presented on 12 October 2020, the newly appointed Special Rapporteur provided an outline of her initial reflections on the mandate and the strategic direction that she plans to take during her three-year tenure.
3. The present report contains a thematic study on the impact of COVID-19 on the heightened risks of sale and sexual exploitation of children, and on how the mitigation measures to contain the crisis threaten to further erode the situation of children whose vulnerability may have been exacerbated by the exceptional circumstances created by the pandemic. The report contains a set of recommendations on measures to address the heightened risks of sale and sexual exploitation of children, both online and offline, during and in the aftermath of the COVID-19 crisis and the ensuing lockdowns. The recommendations are also aimed at operationalizing the pledges made under the 2030 Agenda for Sustainable Development insofar as they relate to targets 5.3, 8.7 and 16.2 and at ensuring the implementation of effective child protection responses arising in the context of emergencies.
4. The report is based on responses and evidence which were provided by a wide range of stakeholders and which were sought via a joint call for inputs through questionnaires issued by special procedure mandate holders.¹

II. Activities of the Special Rapporteur

A. Country visits

5. Activities undertaken by the Special Rapporteur from May to July 2020, and those carried out by her predecessor from March to May 2020, are outlined in her first report to the General Assembly (A/75/210). The report on the country visit to the Gambia, conducted by the former Special Rapporteur from 21 to 29 October 2019, is presented as an addendum to the present report (A/HRC/46/31/Add.1). The Special Rapporteur sent country visit requests to Botswana, Kenya, Mauritius, Montenegro, Senegal, Turkey and Ukraine. She highly appreciates the positive responses received from the Governments of Mauritius, Montenegro, Sierra Leone (requested by her predecessor), Turkey and Ukraine to requests for visits and looks forward to agreeing on official dates for visits in 2021. She regrets that due to travel restrictions imposed on account of the pandemic, she was not able to conduct a country visit to Ukraine in 2020.

B. Other activities

Conferences and engagement with stakeholders

6. The Special Rapporteur assumed her functions on 1 May 2020, amid the pandemic. On 6 May, she issued a press release in which she warned that a reported surge in violence against children and new forms of sexual exploitation and abuse of children during COVID-19 lockdowns would have lifelong implications for millions of children worldwide who were already in a precarious socioeconomic situation, even before the hidden impact of the outbreak emerged. She noted that a comprehensive mapping and rapid and responsive child

¹ See www.ohchr.org/EN/Issues/Children/Pages/callCovid19.aspx.

protection measures were paramount in order to assess the impact of the crisis on the most vulnerable children.

7. Since her appointment, the Special Rapporteur has conducted initial online consultations with the Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Representative of the Secretary-General on Sexual Violence in Conflict, the United Nations Children's Fund (UNICEF), the International Telecommunication Union (ITU), the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on trafficking in persons, especially women and children, and various non-governmental organizations (NGOs). She has initiated consultations with relevant regional mechanisms, in particular the African Committee of Experts on the Rights and Welfare of the Child, the Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Committee), the Office of the Rapporteur on the Rights of the Child of the Inter-American Commission on Human Rights, Alliance 8.7 led by the International Labour Organization, and the Global Partnership to End Violence Against Children. The Special Rapporteur participated as a keynote speaker at the launching in the Commonwealth of Independent States of the Child Online Protection Guidelines, organized by ITU. She also delivered the opening statement at the launch of *The African Report on Child Wellbeing 2020*, organized by the African Child Policy Forum, and held an interactive dialogue with the African Committee of Experts on the Rights and Welfare of the Child. On 12 October, the Special Rapporteur presented her annual report (A/75/210) to the General Assembly remotely.

8. Since assuming the functions of the mandate, the Special Rapporteur has transmitted 11 communications jointly with other mandate holders on behalf of children who were reportedly victims of sale and/or sexual exploitation.

III. Preliminary analysis of the impact of COVID-19 on the heightened risk of sale and sexual exploitation of children

A. Objective and methodology

9. In the present report, the Special Rapporteur focuses on the impact of COVID-19 on the heightened risks of sale and sexual exploitation of children by identifying push and pull factors, protection challenges, and good practices to be scaled up, and providing recommendations on how to mitigate the exacerbated risks of sale and sexual exploitation of children, both online and offline, during and in the aftermath of the COVID-19 crisis and the lockdowns that have ensued.

10. With a view to informing the report, the Special Rapporteur, together with several other special procedure mandate holders, issued a call for inputs,² seeking information on the impact of the pandemic on the enjoyment of human rights from a wide range of stakeholders, including Member States, national human rights institutions, civil society organizations, United Nations agencies and regional organizations. She has also drawn on the evidence and information gathered through literature review and consultations held with various actors. The Special Rapporteur wishes to thank all stakeholders who responded to her call for submissions and welcomes the engagement demonstrated in this process.

11. The Special Rapporteur notes that given the evolving nature of the pandemic, the adverse impact of the crisis is still being evaluated and some of the long-term consequences might be difficult to foresee. However, the available data indicate that the crisis has already had implications on the scale and magnitude of child sexual exploitation and abuse.

² Ibid.

B. Impact of the pandemic on increased risks and various manifestations of sale and sexual exploitation of children

1. Overview and multifaceted impacts of the pandemic on children

12. The pandemic has quickly morphed into a full-fledged economic and social crisis, the effects of which will reverberate for years to come. COVID-19 has pushed the global economy into its worst crisis since the Second World War, with the International Monetary Fund forecasting that more than 170 countries will experience negative per capita income growth in 2020 and a projected cumulative output loss of \$9 trillion.³ What started as a public health emergency has snowballed into a formidable test for global development and for the prospects of today's young generation.⁴ Globally, confinement measures, economic shutdown and the disrupted provision of already limited child protection services have exacerbated the vulnerability of the most vulnerable children in the most fragile communities where social cohesion is already undermined and institutional capacity and services are limited.

13. The socioeconomic impact – and from the containment and mitigation measures – has been potentially catastrophic for millions of children. According to an estimate by UNICEF, approximately 150 million additional children are living in multidimensional poverty – without access to essential services – due to the COVID-19 pandemic. The number of children living in multidimensional poverty has soared to 1.2 billion – a 15 per cent increase since the pandemic hit in early 2020.⁵ Children may well be among the biggest victims of the crisis in the long term, because their education, nutrition, safety and health will be significantly undermined by the socioeconomic impact and by unintended consequences of the pandemic response.

14. As at September 2020, an estimated 827 million learners, or 47 per cent of the total number of enrolled children, were affected by school closures. As a result, 346 million children were estimated to be missing school meals, 47 per cent of whom were girls.⁶ UNICEF has reported that without urgent action to protect families from the economic impacts of the pandemic, the number of children living below national poverty lines in low- and middle-income countries could increase by 15 per cent in 2020, reaching 672 million. And the World Food Programme has estimated that the number of young children suffering acute malnutrition could increase by 10 million in 2020, a 20 per cent increase in global rates. The pandemic and its accompanying economic crisis⁷ and global recession⁸ will put poor children at even greater risk and greatly exacerbate existing inequalities.⁹

2. Increased vulnerability of children at risk and new risk factors

15. The unprecedented socioeconomic crises caused by the pandemic have exacerbated existing stark inequalities and the vulnerabilities of the most disadvantaged children, thereby amplifying the risks of exposing them to sale, trafficking and sexual exploitation globally.

16. Whether induced by armed conflict, natural disasters or protracted humanitarian situations, crises are accompanied by a breakdown in public institutions, violations of human rights, the erosion of essential services, inequalities and impoverishment, which are further compounded by increased exposure and susceptibility of the most vulnerable to sale, trafficking and exploitation. Crises tend to fuel impunity, the breakdown of law and order and the destruction of communities, and foster the conditions in which trafficking and other forms of exploitation flourish, often past the point at which the crisis ceases. Other

³ See www.un.org/pga/75/wp-content/uploads/sites/100/2020/10/un_comprehensive_response_to_covid.pdf.

⁴ See www.un.org/sites/un2.un.org/files/policy_brief_on_covid_impact_on_children_16_april_2020.pdf.

⁵ See www.unicef.org/press-releases/150-million-additional-children-plunged-poverty-due-covid-19-unicef-save-children.

⁶ See www.un.org/pga/75/wp-content/uploads/sites/100/2020/10/un_comprehensive_response_to_covid.pdf.

⁷ World Bank, *Global Economic Prospects, June 2020* (Washington, D.C., 2020), p. 6.

⁸ International Monetary Fund, "World economic outlook update, June 2020", p. 2.

⁹ See www.hrw.org/news/2020/04/09/covid-19-and-childrens-rights#_Toc37256531.

aggravating factors are related to discrimination, whether gender-based, ethnic, racial, religious, social, within a community or at the national level.¹⁰

17. The current patterns of the sale and sexual exploitation of children are explained by a number of critical aspects of the protective environment around children and unfold in a context in which those aspects are affected. Vulnerability is a function of a child's exposure to risk and his or her resilience; it depends on the situation of the child, but most importantly on the child's immediate environment and the broader context. Today, the gravity of these risks has increased due to the combined effect of profound and lasting disruptions in children's protective environments and the development of global integration and instruments for committing crimes.¹¹

18. Lessons learned from other crisis situations show that the crises increase children's risk of sexual exploitation. In West Africa, for example, the Ebola epidemic of 2014 and 2015 was linked to spikes in sexual abuse and teenage pregnancy. One survey found that vulnerable girls, including those who had lost relatives to Ebola, had turned to transactional sex to pay for food and other basic needs. Without adequate access to contraception and safe abortion, this serious form of child exploitation contributed to a teenage pregnancy rate that increased by 65 per cent in many Ebola-affected areas over the course of the outbreak.¹² Women and children are at greater risk of exploitation and sexual violence, as seen in other crisis contexts.

19. Children's exposure to increased risks as a result of the COVID-19 crisis may occur through a number of pathways, for example directly, by the loss of parental care due to death, illness or separation, thereby placing children at heightened risk of violence, neglect or exploitation. This could manifest itself as a result of the immediate situation and containment measures, but could also stem from economic crises that may result from the current situation and families' reduced capacity to care for children in the long term. More indirectly, mitigating measures adopted by many countries to address the pandemic have resulted in disruptions to children's everyday environments, routines and relationships. Furthermore, many of the prevention and control measures have resulted in disruptions to the reporting and referral mechanisms of child protection services, leaving many children and families vulnerable. Moreover, measures to contain the virus have affected delivery of vital support and treatment services as well as contact with informal support networks.¹³

(a) Socioeconomic consequences of the outbreak: increase in poverty rates and food insecurity

20. Around the world, communities already suffering from poverty and exploitation have borne the brunt of the virus and its accompanying economic fallout. A joint analysis conducted by Save the Children and UNICEF revealed that 586 million children – almost 1 out of 3 children in low- and middle-income countries – already lived in monetarily poor households (as defined by national governments) before the pandemic hit.¹⁴ Without urgent action to protect families from the financial hardships caused by COVID-19, the total number of children living in households that cannot make ends meet in low- and middle-income countries could increase by up to 106 million children (according to Save the Children estimates).

21. The rise in poverty levels, in the Americas, for example, will likely lead to increases in the exploitation of children, including child labour.¹⁵ The national lockdown in India posed extremely difficult challenges for large groups of people, especially children who live in the streets, including undocumented children who have migrated or been trafficked, who currently have no opportunity to meet their basic needs and are at great risk of being trafficked and/or sexually exploited.¹⁶ Countries heavily dependent on remittances have

¹⁰ A/72/164, para. 17.

¹¹ A/HRC/25/48, para. 29.

¹² See www.hrw.org/news/2020/04/09/covid-19-and-childrens-rights#_Toc37256532.

¹³ See <https://data.unicef.org/topic/child-protection/covid-19/>.

¹⁴ Submission by Save the Children.

¹⁵ Submission of the National Human Rights Commission of Mexico.

¹⁶ Terre des hommes submission.

experienced an abrupt loss of remittances, combined with increased economic difficulties; this presents an additional risk factor, increasing the vulnerability of children left behind by migrating parents to sale and exploitation, including commercial sexual exploitation.¹⁷

(b) Discrimination, inequality and exclusion on the rise

22. International human rights mechanisms have highlighted the disproportionate impact of COVID-19 on women and girls¹⁸ during the pandemic and in the context of confinement and quarantine measures.¹⁹ Girls already face a host of barriers to education that result in substantial gender disparities. Gender-based violence has been increasing exponentially. The number of calls to dedicated hotlines has increased exponentially, while the provision of specialized services has been curtailed. The United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) estimates that globally during 2020, 243 million women and girls aged 15–49 years were subjected to sexual and/or physical violence perpetrated by an intimate partner.²⁰ Female genital mutilation has been reported to be on the rise globally.²¹ Experts project that for every three months that the lockdown continues, an additional 15 million women and girls could experience gender-based violence,²² and an additional 13 million child marriages could take place between 2020 and 2030 that otherwise would not have occurred.²³

23. Under confinement, many girls – usually more vulnerable than boys – are exposed to physical and sexual violence at home, frequently by the same abusers, increasing their exposure to violence and their levels of fear and stress. Others may be facing physical and sexual abuse for the first time in their lives. At the same time, during lockdown and social isolation measures, girls are having less access to sexual and reproductive health care or to gender-based violence services, which in many places are not considered “essential services”.

(c) Mitigation measures and adverse impact on prevention of sexual abuse and exploitation of children

24. While the data available so far are only indicative, the mitigation measures to respond to COVID-19 have heightened the risk of children experiencing or being exposed to violence at home on account of school closures, lockdowns, movement restrictions, disruption of the provision of already limited child protection services, or added family stress related to job loss, isolation and anxieties over health and finances.²⁴

25. The widespread use of online platforms has increased unsupervised time spent on the Internet, exacerbating already existing patterns of sexual exploitation and cyberbullying. The European Union Agency for Law Enforcement Cooperation (Europol) has reported an increase in online activity by those seeking child abuse material, on account of increased time spent and opportunities presented online owing to COVID-19.²⁵ Shortly after the introduction of lockdowns, child helplines in a number of European countries noticed an increase in demand. In Spain, a helpline registered 475 cases of children seeking help since the start of the lockdown. In about 200 of those cases, children said they had experienced physical violence. The organization running the helpline warned that “many children and adolescents are suffering more violence and vulnerability than ever”. In one of the worst-affected regions of northern Italy, a juvenile court issued 92 urgent measures for the protection of minors

¹⁷ Submission by the United Nations Children’s Fund (UNICEF) in Kyrgyzstan.

¹⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25749&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25746&LangID=E.

¹⁹ Center for Reproductive Rights submission.

²⁰ Global Humanitarian Response Plan for COVID-19, United Nations coordinated appeal (April–December 2020).

²¹ See www.unfpa.org/resources/covid-19-disrupting-sdg-53-eliminating-female-genital-mutilation.

²² See www.globalprotectioncluster.org/wp-content/uploads/GPC-SitRep_August_FINAL_7_updated.pdf.

²³ See www.unfpa.org/press/new-unfpa-projections-predict-calamitous-impact-womens-health-Covid-19-pandemic-continues.

²⁴ A/75/149, para. 56.

²⁵ *Ibid.*, paras. 57–58; and see www.europol.europa.eu/newsroom/news/covid-19-sparks-upward-trend-in-cybercrime.

between 10 and 26 March alone. France and Germany have seen an increase in violence against children being reported to helplines. According to Child Helpline International, a global network of national helpline associations, the reports of violence against children that have emerged so far are likely to be only the tip of the iceberg, as lockdown situations often make it harder for victims to find the privacy and tools necessary to reach out.²⁶

26. In the United States of America, the National Sexual Assault Hotline reported that 2020 was the first year that the majority of “visitors” were minors, 79 per cent reportedly living with their abuser during the pandemic. ChildHelp, a national child abuse hotline, reported a 31 per cent increase in calls during the first months of the first COVID-19 lockdown, and the National Center for Missing and Exploited Children reported an even larger (106 per cent) increase in reports of sexual exploitation made to their helpline.²⁷

27. In April 2020, the child helpline in Kyrgyzstan registered 11,450 calls, an increase of 400 per cent compared to the pre-COVID period. Of 1,525 calls concerning children, 124 came from children (62 per cent from girls and 38 per cent from boys), of which 31 calls were about child abuse and violence. The gender-based violence rate against women and children under the lockdown measures reportedly increased by 65 per cent, against a backdrop of limited outreach by human rights institutions due to restrictions on movement and the state of emergency.²⁸

28. In Mexico, 115,614 emergency calls to 911 have been registered for incidents such as sexual abuse, sexual harassment, rape, intimate partner violence and family violence. The number of reports received in March 2020 was 28 per cent higher than in January 2019.²⁹

29. Botswana, Kenya, Peru and Uganda have recorded increased incidents of child sex abuse, despite the concerns that lockdown measures have made it more difficult to report abuses. Although official records in Jamaica show a decline in reports of child sex abuse, those working for national child welfare institutions are concerned that while reports continue to come in through WhatsApp and toll-free lines, children could be in situations where the pathways for identifying or reporting abuse are less accessible due to the closure of schools, and that abuse is most likely taking place at home or at the hands of relatives.³⁰

(d) Disruption of service provision, diversion of resources, lack of reporting and oversight

30. Violence prevention and response services have been severely disrupted and crucial resources diverted away from social protection programmes during the COVID-19 pandemic, mostly due to genuine limits on resources and bandwidth amidst the pandemic, leaving children at increased risk of violence, exploitation and abuse.

31. Of 136 countries that responded to the UNICEF socioeconomic impact survey of COVID-19 response, 104 countries reported a disruption in services related to violence against children. Around two thirds of countries reported that at least one service had been severely affected, including South Africa, Malaysia, Nigeria and Pakistan. South Asia, Eastern Europe and Central Asia had the highest proportion of countries reporting disruptions in the availability of services. As countries adopted prevention and control measures to contain COVID-19, many vital violence prevention and response services were suspended or interrupted as a result. More than half of the countries reported disruptions in case management, referral services, and home visits by child welfare and social workers to children and women at risk of abuse. Violence prevention programmes, children’s access to child welfare authorities, and national helpline services had also been affected in many countries.³¹

²⁶ See www.hrw.org/news/2020/04/24/millions-children-threatened-violence-risk-being-forgotten-amid-coronavirus.

²⁷ Submission by the François-Xavier Bagnoud Center for Health and Human Rights at Harvard University.

²⁸ Submission by UNICEF in Kyrgyzstan.

²⁹ Submission of the National Human Rights Commission of Mexico.

³⁰ See www.unaids.org/sites/default/files/media_asset/rights-in-a-pandemic_en.pdf.

³¹ See www.unicef.org/press-releases/covid-19-causes-disruptions-child-protection-services-more-100-countries-unicef.

32. Lockdown and other restrictive measures taken in response to COVID-19 appear to have led to significant challenges in assuring the provision of uninterrupted services in relation to child sexual exploitation and sexual abuse. Children at risk have faced reduced access to potential reporters of abuse, including teachers, social workers and others who may carry out home visits or other inspections. Services relating to the detection and handling of child sexual abuse material have also faced operational challenges. During the twenty-seventh meeting of the Council of Europe's Lanzarote Committee, for example, it was reported that hotline and helpline providers faced reduced capacity to carry out legal assessments of reports of potential child sexual abuse material. As a consequence, unassessed material was being passed directly to law enforcement authorities, and leading to both an increase in "false positives" and a heavier work burden on law enforcement authorities. There had also been a slowdown in the delisting of URLs of websites containing child sexual abuse images, as companies faced reduced capacity to carry out content moderation. A significant contributing factor to these operational challenges was the fact that workers could not handle such material in a non-secured, "teleworking" environment.³²

33. The challenges faced by NGOs in accessing child victims and survivors was highlighted in many submissions. Many NGOs have made immediate efforts to remain operational and assist victims, but this has not always been possible due to movement restrictions. Many have switched to online services, but not all children have been able to access these due to restricted access to technology³³ and substantial digital divides.

(e) Weakened community safety nets, disrupted education and isolation of children

34. The guidelines about social distancing and self-isolation may have left the victims of child sexual abuse feeling especially vulnerable. Expert insight and some data suggest that hidden harms may be rising.³⁴ Nationwide closures, self-isolation measures, the cessation of child protection services and the closure of schools, kindergartens or other childcare centres have aggravated the vulnerability of children living in poverty in temporary shelters or residential care institutions, including for children with disabilities, pushing them further away from their support groups.³⁵

35. In the United States, the closure of schools and day care centres in response to the pandemic has increased children's exposure to domestic abuse, while reducing their access to traditional in-person support networks and mandatory reporters. The city of New York, the epicentre of the pandemic in the United States in 2020, had witnessed a 51 per cent drop in child abuse reporting, which experts believe very likely signals a proportional increase in unaddressed abuse, neglect or mistreatment indicative of a "shattering" of the child protection system. Reported rates of abuse and neglect in Washington, D.C. declined by 62 per cent between mid-March and mid-April of 2020, according to the Child and Family Services Agency in Washington, D.C., and referrals from school staff in Maryland and Virginia to child protection services declined by 94 per cent during the same period.³⁶

36. In Europe, there are anecdotal reports that the rates of disclosure of child abuse and calls for assistance from helplines increased during lockdown, and in the period immediately after the lifting of lockdown measures. The closing of schools in the Lao People's Democratic Republic increased the risk of violence against children when at home, of child labour and of early marriage.³⁷ At the same time, Council of Europe project officers implementing cooperation activities in Ukraine and the Republic of Moldova have noticed that, in both countries, the number of reported cases of child abuse have decreased considerably. This is thought to be a negative trend and could be attributed to a number of reasons discussed above.³⁸

³² Council of Europe submission.

³³ Commonwealth Human Rights Initiative submission.

³⁴ Submission of the United Kingdom of Great Britain and Northern Ireland.

³⁵ Submissions by ECPAT International and by Humanity and Inclusion.

³⁶ Submission by the François-Xavier Bagnoud Center for Health and Human Rights at Harvard University.

³⁷ Submission by the United Nations country team in the Lao People's Democratic Republic.

³⁸ Council of Europe submission.

3. Increase in various forms of sale and sexual exploitation of children

(a) Sexual exploitation in the context of travel and tourism

37. Up to 100 million jobs are at risk of impact in the travel and tourism industry due to the pandemic, according to estimates made by the World Travel and Tourism Council in 2020. This is likely to dramatically increase the economic vulnerability of families, particularly in countries that depend on income from tourism. With people struggling financially due to the crisis, the circumstances may allow offenders to gain trust and access victims more easily than ever before, both online and through physical domestic and foreign travel. Offenders who sexually exploit children during travel are both domestic and international, and are not only tourists, but also long-term expatriates, people who work abroad and others who live in a country for extended periods. Most importantly, they are making increasing use of fast-developing technologies to commit their crimes. Under COVID-19-related travel restrictions, while opportunities for foreign travel are limited, some offenders may be encouraged to offend domestically. Also, some offenders are grooming children online with the prospect of making direct contact and abusing children once domestic, interregional and then international travel restrictions have been eased.³⁹ Furthermore, in the places where the travel and tourism industry, which is now completely shut down, is the main source of income, families and children with no other means of providing themselves with income may be compelled to offer sex in exchange for primary necessities of life.

(b) Child marriage

38. The mitigation policies for, and economic repercussions of, COVID-19 are likely to have devastating effects for many children's right to be protected from harmful practices and violence, especially for adolescent girls. The pandemic could cause an estimated 13 million more child marriages globally by 2030 that could otherwise have been averted,⁴⁰ due to a combination of prevention programmes being paused and potential effects of increasing poverty on the prevalence of early marriage.⁴¹ This mirrors previous evidence from the Ebola outbreak in Liberia, however the impact of such shocks on child marriage may vary depending on the cultural context.⁴²

39. The Special Rapporteur on contemporary forms of slavery, including its causes and consequences, has noted in his report that civil society organizations and United Nations agencies in Africa, the Middle East and South Asia have reported a spike in sexual violence against children, including a significant increase in the number of girls married off before the age of 18, and in unplanned teenage pregnancies.⁴³

40. According to the African Committee of Experts on the Rights and Welfare of the Child, the lockdown and other measures, despite their "temporary" nature, may lead to permanent dropping out of school, particularly for girls, children with disabilities and children coming from economically disadvantaged families,⁴⁴ thereby increasing their vulnerability to falling victim to forced marriage, forced labour, domestic servitude, sexual abuse and sexual exploitation, including that perpetrated by members of their inner circle of trust.

³⁹ Submission by ECPAT International.

⁴⁰ United Nations Population Fund, "Millions more cases of violence, child marriage, female genital mutilation, unintended pregnancy expected due to the COVID-19 pandemic", press release of 28 April 2020.

⁴¹ Submission by the François-Xavier Bagnoud Center for Health and Human Rights at Harvard University.

⁴² Submission by Save the Children.

⁴³ A/HRC/45/8, para. 33.

⁴⁴ Guiding note for member States issued by the African Committee of Experts on the Rights and Welfare of the Child, available at www.acerwc.africa/guiding-note-on-childrens-rights-during-covid-19/.

(c) Sale and trafficking of children, including for purposes of sexual exploitation

41. According to the Global Data Hub on Human Trafficking, of the cases of trafficking reported in 164 countries in 2019 (i.e. 108,000 cases), more than 23 per cent involved minors. One in twenty cases involved children under 8 years of age.⁴⁵ These latest numbers are in line with earlier studies, which estimated that of more than 40 million victims of trafficking or exploitation in the world, 10 million were younger than 18 years old.⁴⁶ Children make up a quarter of all victims of trafficking or exploitation, with the COVID-19 pandemic isolating victims further and making it even harder to reach them.⁴⁷

42. The COVID-19 crisis has also changed the usual models of trafficking and exploitation. Criminal groups dedicated to sexual exploitation have been very quick to adapt their ways of working, by escalating the use of online communication and exploitation in homes. According to the European Commission, in some member States of the European Union the demand for child pornography has increased by up to 25 per cent during the COVID-19 lockdowns.⁴⁸ At the same time, the lockdowns have forced institutions and NGOs to deal with greater difficulties in prevention and support activities for victims.⁴⁹

43. National partners of ECPAT International have observed the following changes with regard to the sale and trafficking of children for sexual purposes: In some countries, restrictions and closures of hotels and entertainment venues have resulted in children being sold by traffickers inside vehicles and also children being driven to a meeting point to meet customers there. “Drive by” sale of children has been observed in several countries where heavy restrictions were imposed; restrictions and curfews have also moved the sale and trafficking of children online. Previously used physical locations for exploitation of children have now given way to selling children through social media and messaging applications. Several reports from refugee and migrant camps have emerged indicating that, by reason of significant decreases of humanitarian aid and heavy restrictions on travel, children have been sold for food and basic supplies, and also children themselves have been forced to engage in sexual activities in exchange for food. Due to international travel restrictions, the domestic trafficking of children has also been noted to increase, creating a surge in demand for local children.⁵⁰

44. The reported surge in rampant exploitation, including for hazardous work, of the most vulnerable children has further exacerbated their vulnerability to sale, trafficking and sexual exploitation. Currently, there are 152 million children in work, 72 million of whom are in hazardous work.⁵¹ In Ghana and Nigeria, more children are being seen in street situations and being exploited for criminal activities.⁵² Children from marginalized minority groups, child migrants, children with disabilities, and children who are homeless or from single-parent or child-headed households or disaster-affected areas are more at risk of child labour and other forms of exploitation and abuse.⁵³ An increase in the number of boys working in dangerous conditions in mines was reported in the Central African Republic and Mali, while asylum seekers, migrants and refugees in Libya were reported to have been frequently exposed to labour exploitation when pursuing livelihood opportunities.⁵⁴ The Special Rapporteur on contemporary forms of slavery, including its causes and consequences, was also concerned about the anecdotal information from Burkina Faso, Cameroon, Ghana, Mali, Mozambique,

⁴⁵ See www.ctdatacollaborative.org/story/age-victims-children-and-adults.

⁴⁶ See <https://reliefweb.int/report/world/covid-19-pushed-victims-child-trafficking-and-exploitation-further-isolation-save>.

⁴⁷ See www.savethechildren.net/news/covid-19-pushed-victims-child-trafficking-and-exploitation-further-isolation-save-children.

⁴⁸ See https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20200724_com-2020-607-commission-communication_en.pdf.

⁴⁹ United Nations Office on Drugs and Crime, “Impact of the COVID-19 pandemic on trafficking in persons: preliminary findings and messaging based on rapid stocktaking” (2020).

⁵⁰ Submission by ECPAT International.

⁵¹ International Labour Organization, *Global Estimates of Child Labour: Results and Trends, 2012–2016*.

⁵² Commonwealth Human Rights Initiative submission.

⁵³ Submission by the United Nations country team in the Lao People’s Democratic Republic.

⁵⁴ See www.globalprotectioncluster.org/wp-content/uploads/Global-Protection-Update_191120-1.pdf.

the Niger and Uganda⁵⁵ suggesting that the combination of severe economic shocks, food shortages, school closures and deteriorating security situations creates fertile ground for the forced recruitment of children by armed groups.⁵⁶

(d) Impact on children born from surrogacy

45. The vulnerability of children to abusive practices in both unregulated and regulated international commercial surrogacy arrangements has been previously examined by the mandate (see A/HRC/37/60). The vulnerability of children born in transnational surrogacy arrangements has been further exacerbated as a result of the restrictions to freedom of movement imposed on account of the pandemic. In Ukraine, for example, by August 2020, an estimated of more than 100 babies born as a result of cross-border surrogacy were reported to have been stranded after the closure of the borders, and an additional 1,000 babies were expected to be born in Ukraine before the travel ban was lifted completely. BioTexCom, a Ukrainian company responsible for brokering cross-border surrogacy contracts, was forced to turn a hotel into a makeshift hospital for 46 babies awaiting “collection” by their intended parents. Likewise, in the United States, surrogacy agencies and charitable organizations were “preparing” health-care professionals, childcare providers, agency workers, and in some cases families and friends of commissioning parents, to take over the responsibility of postnatal care for newborns stranded due to travel restrictions. As a result, newborns that do not have birth certificates or passports to fly home are left medically uninsured in the hands of strangers, increasing the uncertainty of their legal status, and their access to health care, thus stripping them of their rights to best interests protection and making them increasingly vulnerable.⁵⁷

(e) Online forms of sale and sexual exploitation

46. Over recent years, the number of reports of child sexual abuse has increased enormously to reach the staggering figure of nearly 17 million in 2019; this included nearly 70 million images and videos, of which more than 3 million images and videos concerned cases in the European Union. The COVID-19 pandemic has further exacerbated this situation. The National Center for Missing and Exploited Children has seen a 106 per cent increase in global reports of suspected child sexual exploitation to its CyberTipline compared with March 2019.

47. According to the most recent Europol report,⁵⁸ child sexual abuse online in the European Union has increased and has become one of the top cybercrime threats, as a result of the lockdown measures put in place during the COVID-19 pandemic. The COVID-19 crisis has changed the pattern of sexual exploitation, which is now operating less on the streets and more “indoors” or “online”.⁵⁹ Online and ICT-facilitated violence against women and girls, which includes physical threats, sexual harassment, sex trolling, sextortion, online pornography and Zoombombing, is reported to be on rise.⁶⁰ According to Europol, during the pandemic and in its aftermath, law enforcement authorities reported “increased online activity by those seeking child abuse material”. For example, the agency cites postings in dedicated forums and boards by offenders “welcoming opportunities” to engage with children whom they expect to be more vulnerable due to isolation, less supervision and greater online exposure. The Federal Bureau of Investigation, of the United States, has also

⁵⁵ Submission by Defence for Children International.

⁵⁶ Global Protection Cluster, “The coping crisis: the rise of adverse survival strategies”, COVID-19 protection risks and responses, 30 June 2020, available at www.globalprotectioncluster.org/2020/06/30/covid-19-protection-risks-responses-situation-report-no-6-as-of-30-june-2020/.

⁵⁷ Submission by Alliance Defending Freedom (ADF) International.

⁵⁸ See www.europol.europa.eu/publications-documents/exploiting-isolation-offenders-and-victims-of-online-child-sexual-abuse-during-covid-19-pandemic.

⁵⁹ See www.savethechildren.net/news/covid-19-pushed-victims-child-trafficking-and-exploitation-further-isolation-save-children.

⁶⁰ See www.itu.int/net4/wsis/forum/2020/Files/talkx/Session13/brief-online-and-ict-facilitated-violence-against-women-and-girls-during-covid-19-en.pdf.

warned that children's increased online presence because of school closures resulting from COVID-19 could put them at an inadvertent risk.⁶¹

48. According to members of ECPAT International,⁶² restrictions imposed by governments worldwide to curb the coronavirus had a heavy impact on children in that they changed certain manifestations of child sexual exploitation and sexual abuse. There were indications of an increase in sexual exploitation and abuse facilitated by information and communications technologies (ICTs), including the live streaming of abuse, grooming, and so-called "sexting" (including the production, distribution and possession of self-generated sexually explicit videos or images). There were also indications of increased attempts to access child sexual abuse material online during this period, and of an increase in group chats or forums which have, as their purpose, the exchange of child sexual abuse imagery.⁶³

4. Children at risk

49. Globally, confinement measures, economic shutdowns and the disrupted provision of already limited child protection services have exacerbated the vulnerability of the most vulnerable children. These include children with disabilities; children living in poverty; children in street situations; migrant, asylum-seeking, refugee and internally displaced children; minority and indigenous children; children with underlying health conditions, including HIV/AIDS; children deprived of their liberty or confined in police lock-up facilities, care centres, migrant detention centres or camps; and children living in institutions. The risks of sexual and gender-based violence against vulnerable children living in isolated and disturbed areas, including in refugee and internally displaced persons' camps and conflict-affected areas, have reportedly risen.⁶⁴

(a) Children in institutional settings

50. This includes children living in psychiatric institutions, orphanages, refugee camps, immigration detention centres and other closed facilities, as cases of violence, sexual abuse and exploitation of children confined in these premises are likely to go undetected.⁶⁵ Millions of children are already in institutions, including so-called "orphanages", due to poverty, disability, discrimination and a lack of access to services. During the COVID-19 pandemic and lockdowns, the defining negative aspects of institutionalization have become increasingly blatant and tend only to worsen with the disruption of service provision and the lack of reporting and oversight.⁶⁶

(b) Children on the move

51. The impact of COVID-19 is disproportionately hard for millions of people on the move, including forcibly displaced, refugee and internally displaced girls and boys, among whom unaccompanied and separated children are particularly vulnerable and are exposed to a high risk of being sold or trafficked and becoming victims of forced labour, domestic servitude, forced marriage, sexual abuse and sexual exploitation. The pandemic has reinforced the vulnerabilities of those suffering the consequences of protracted humanitarian crises. For instance, internally displaced persons and returnees in Afghanistan have been exposed to harmful traditional practices and to coping strategies such as early and forced marriages, indebtedness, child labour and forced begging. Humanitarian agencies have warned that refugees and internally displaced persons may increasingly resort to negative coping mechanisms, such as child labour, child marriage and survival sex.⁶⁷

⁶¹ See www.hrw.org/news/2020/04/09/covid-19-and-childrens-rights#_Toc37256532.

⁶² See www.ecpat.org/news/covid-19-sexual-abuse.

⁶³ Council of Europe submission.

⁶⁴ See <https://unsdg.un.org/sites/default/files/2020-05/Policy-brief-Impact-of-COVID-19-in-Africa.pdf>.

⁶⁵ See www.hrw.org/news/2020/04/09/covid-19-and-childrens-rights#_Toc37256533.

⁶⁶ Lumos Foundation submission.

⁶⁷ A/HRC/45/8, para. 45.

(c) Children belonging to minority groups and indigenous peoples

52. Although data about the impact of COVID-19 on children belonging to minority groups and on indigenous persons is limited, they remain particularly vulnerable due to discrimination, marginalization, economic inequalities and poverty, lack of access to social protection, and obstacles in accessing justice.

53. The pandemic has had a disproportionate impact on black and Hispanic communities in the United States, including children – a reflection of endemic structural racism and deep-seated inequality across all key socioeconomic domains. The pandemic has also unleashed renewed anti-Roma racism, including physical and emotional violence, targeted at children. This is an aspect of the broader racialization of the pandemic that casts minorities as contaminators. Roma children and their families have also experienced greater food scarcity since the pandemic's onset. Forty per cent of Roma in Spain participating in a 2020 study reported hardships in accessing food, with 20 per cent of Roma Spanish children deprived of the free school meals they had been receiving.⁶⁸ This places them in situations of heightened risk to exploitation and violence. Families and children with no other means of providing themselves with income may also be compelled to offer sex in exchange for primary necessities of life.

(d) Children in street situations

54. Although the number of children living or working on the streets fluctuates according to socioeconomic, political and cultural conditions, including growing inequalities and patterns of urbanization, COVID-19 will further exacerbate this situation as the rise in poverty will most likely lead to an increase in the number of children on the streets.

55. Prior to the lockdown, there were reportedly at least 2 million children living on the streets in India. They work as ragpickers, as street vendors, and are often forced through violence into networks of beggars. After the lockdown, many remained in the streets or began walking back to rural areas where they had family. No child-specific provisions were included in the Government's lockdown announcement. Instead, the children had to fend for themselves, by calling hotlines and sending videos of themselves requesting food and other essentials. There were reports of children eating only once every two or three days, or unable to fetch water or firewood. After an urgent call from the National Commission for Protection of Child Rights to bring children to shelters instead of distributing food to them on the streets, a large number of children were brought to State-run shelter homes or returned to their home districts.⁶⁹

56. Concerns were also expressed about the situation of talibe children, for example in Mauritania and Senegal, who are reportedly exposed to worst forms of child labour, such as forced begging, but also become victims of sexual exploitation and abuse which most often goes undetected. It is worth noting, however, that in Senegal, the Government included talibe children in special COVID-19 protection measures, including family reunification.⁷⁰

(e) Children with disabilities

57. Children with disabilities face an increased risk of being exposed to sexual abuse and sexual exploitation, due to, among other things, overreliance on their caregivers, making them vulnerable to child labour, domestic servitude, commercial sexual exploitation, forced begging and other exploitative situations. Further confounding these issues is the fact that "children with disabilities" as an umbrella term represents an extremely diverse population with different impairments and support requirements, who face significant barriers in exercising their rights. For instance, children with intellectual or psychosocial disabilities or children who are deafblind face even greater marginalization, as they are more likely to be excluded from various programmes, to live or be detained in institutions, and to experience

⁶⁸ Submission by the François-Xavier Bagnoud Center for Health and Human Rights at Harvard University.

⁶⁹ Ibid.

⁷⁰ Submissions by S.O.S. Esclaves Mauritanie and by Human Rights Watch; and see www.unodc.org/westandcentralafrica/en/2020-04-27-talibes-covid.html.

higher rates of violence, neglect and abuse.⁷¹ The risk increases further if they are forced to isolate with a perpetrator of abuse or with an individual with a propensity to abuse.⁷²

C. Preventing and combating the sale and sexual exploitation of children during the pandemic: good practices and persistent challenges

1. Good practices

58. The mandate has concluded in the past that an initial problem pinpointed in times of humanitarian crisis and natural disaster has been the absence of a comprehensive framework for the coordination and allocation of roles and responsibilities of multiple international and local responders, which frequently leads to confusion, unnecessary duplication of efforts and substantial protection gaps. In order for prevention to be effective, it is fundamental to have sustained political will, a sound knowledge base, an institutional presence, a multidisciplinary approach and coordination between different institutions, the participation of children and their families, outreach to communities at the grass-roots level, especially to marginalized groups, and attention to gender issues and the concerns of groups exposed to higher risks of sexual exploitation, as well as adequate human and financial resources.⁷³

59. In the face of alarming trends, many countries have introduced new or scaled-up social protection services for children. By July 2020, at least 60 countries⁷⁴ had strengthened social protection for children and families as a response to COVID-19, including by setting up new child grant programmes, increasing the value of existing child grants, and extending the coverage of targeted cash transfer programmes. These interventions have mitigated the risk of children falling into poverty and given impetus to calls to establish permanent systems of social protection, including through universal child grants that can support vulnerable children and their families as well as restorative justice.

60. Community engagement is also critical to preventing, mitigating and responding to abuse, neglect, exploitation and violence against children during the COVID-19 crisis. Community members, including children and youth, are well placed to identify and respond to risks: they know how to strengthen and maintain protective environments for their children and families. By working in collaboration with community members – formally and informally, and across sectors and all genders and ages – children will be at less risk and communities can sustain their commitment to safety.⁷⁵

61. Measures have been introduced by the authorities in Spain to mitigate the impact of the pandemic on children, which have included extra personnel for social care centres, maintaining online psychosocial therapies and support for minors, and economic support for families in vulnerable situations.⁷⁶

62. The Government of Albania has been conducting weekly online meetings between front-line professionals, UNICEF and child protection actors to discuss child protection issues.⁷⁷

63. The Government of the United Kingdom of Great Britain and Northern Ireland has maintained essential services and has made it clear that the household isolation measures for COVID-19 do not apply if someone needs to leave home to escape domestic abuse. It has also supported independent charities, including those assisting children at risk of sexual abuse. The Government has also taken forward the Domestic Abuse Bill to better protect victims and bring perpetrators to justice. It has increased funding to support victims and survivors of child sexual abuse by launching a £2.4 million fund for organizations providing direct support

⁷¹ Centre for Human Rights and Sports submission.

⁷² World Federation of the Deaf submission.

⁷³ See E/CN.4/2004/9 and A/68/275.

⁷⁴ See www.un.org/other/afics/sites/www.un.org.other.afics/files/sg-pdf-20200916-un_comprehensive_response_to_covid-16_sep_2020_002_0.pdf.

⁷⁵ See https://reliefweb.int/sites/reliefweb.int/files/resources/the_alliance_covid_19_tn_version_2_05.27.20_final.pdf.

⁷⁶ Submission by Spain.

⁷⁷ Submission by Albania.

to victims and survivors of child sexual abuse at the national level including via support lines, online resources and remote counselling.⁷⁸

64. The country's National Crime Agency has stepped up its messaging about staying safe online through its #OnlineSafetyAtHome campaign and its ThinkUKnow resources and has published guidance for parents and carers on the gov.uk website. The Government has funded the National Crime Agency with £9.86 million through targeted investments in investigation and intelligence, including targeting the dark web. Through a newly established vulnerable children's hub, the Government has sought to ensure that its activity on safeguarding vulnerable children is coordinated effectively and it has driven action on this agenda through ministerial implementation groups and other forums.⁷⁹

65. Another submission received from the United Kingdom indicated gaps in the Government's response to online child exploitation, and inadequate regulation of Internet companies such as social media platforms frequently used by children. Opportunities to strengthen protections for children online were reportedly missed when the Government failed to implement the recommendations of the 2019 Online Harms White Paper and create a robust regulatory framework for Internet providers. It also reportedly failed to implement the Age-Appropriate Design Code, of the Information Commissioner's Office, which was only belatedly laid before Parliament in June 2020, and delayed implementing part 3 of the Digital Economy Act 2017 which brought into law additional safeguards for children online, including age verification processes and protections related to sexual exploitation imagery. These delays or failures to act have created an online environment that is less regulated and less equipped to protect children from exploitation than they might have been.⁸⁰

66. In addition to providing operational support to European Union member States and other partners throughout the COVID-19 pandemic, Europol has also sought to increase ongoing prevention and awareness campaigns that highlight the risks to children's safety online, such as the #SayNo! campaign.⁸¹

67. The federal Government of Mexico has made available to the public information on different risks to which children and adolescents are exposed during the lockdown. This information was accompanied by a toll-free helpline number, as well as instructions for identifying specific care services and requesting access to sexual and reproductive health services. The federal Government has also issued measures and guidelines for the mitigation of COVID-19 in childcare centres, as well as in shelters and external care centres for women who experience extreme violence and for their children.⁸²

68. Ghana has seen a concerted effort by the Government, pushed by civil society organizations, to task child protection agencies with stepping up efforts to monitor and disrupt online child sexual exploitation by enabling child protection through awareness-raising, online reporting and legal reforms. The Government has made commitments to strengthen these agencies by providing the necessary resources. It also undertook to raise public awareness on the rights of victims of violence, and on how to report abuse.⁸³

69. The Government of Sweden has taken measures to finance civil society organizations working to combat violence against children, including children in vulnerable situations, and against lesbian, gay, bisexual, transgender and intersex persons, and to stop honour-related violence and oppression. Although Sweden has legislation prohibiting child marriage, forced marriage, female genital mutilation and violence against children, the main problem reportedly was lack of knowledge of the judicial system and a lack of prioritization of resources.⁸⁴

70. Argentina, Colombia, Peru and South Africa have taken steps to prioritize and strengthen the responses of the police and protective authorities and to expedite judicial

⁷⁸ Submission by the United Kingdom of Great Britain and Northern Ireland.

⁷⁹ Ibid.

⁸⁰ Submission by ECPAT United Kingdom.

⁸¹ Europol annual report 2020.

⁸² Submission of the National Human Rights Commission of Mexico.

⁸³ Commonwealth Human Rights Initiative submission.

⁸⁴ Joint Swedish civil society submission.

proceedings against abusers. Argentina, Botswana, Chile, El Salvador, Kenya, Nigeria, Peru and South Africa have strengthened gender-based violence reporting systems by expanding hotlines and offering new WhatsApp, text or email reporting options for those who cannot make a phone call because of being within earshot of their abusers.⁸⁵

71. In Kenya, several measures have been put in place, which include: technical and financial support for the Child Helpline, which now allows counsellors to access calls remotely; dissemination of key prevention and response messages; advocacy with State duty bearers to enforce relevant laws and policies and to deliver essential services; the continuation of case management services; advocacy for child protection to be included as an essential service in the COVID-19 response; and efforts to strengthen the child protection volunteer workforce at the local level.

72. In Guinea-Bissau, support was provided until the end of June 2020 for mobile services in urban and rural settings to prevent domestic violence, violence against children, child marriage and female genital mutilation, in 109 rural communities and the city of Bissau, targeting a total of 12,000 people. Refresher training was conducted, and personal protective equipment was provided, along with guidance materials.⁸⁶

2. Persistent challenges

73. The pandemic has exacerbated the existing vulnerability of children. Governments around the world needed to adapt, extend and scale up support measures for families. In their responses to the COVID-19 pandemic, States were called upon to take into account multiple and intersecting forms of violence, discrimination, stigmatization, exclusion and inequality.⁸⁷ States were called upon to integrate prevention, mitigation and response efforts and reinforce plans and structures to counter the increase of sexual and gender-based violence, including domestic violence and violence in digital contexts, and harmful practices such as child, early and forced marriage, as part of their COVID-19 responses, including by maintaining and designating protection shelters, hotlines and help desks, health and support services as well as legal protection and support as essential services.⁸⁸

74. The mandate has previously observed that in general, and in the context of crises created by humanitarian and natural disasters, while a large number of action plans and strategies are developed, they are very often only partially or incompletely implemented, owing to – inter alia – weak capacities of the institutions responsible for the design, implementation and monitoring of action plans and strategies; inadequate allocations of budgetary and qualified human resources; multiple sectoral action plans and insufficient coordination among actors, leading to duplication of work and misuse of resources; and shortages or an absence of monitoring and assessment mechanisms to measure the impact of the actions taken.⁸⁹

75. In many places, low capacities, including low levels of financial and human resources, thwart efforts to tackle any form of abuse, violence and exploitation of children and to care for victims. Significant efforts are needed to train professionals to identify and address the relevant crimes and foster child-sensitive approaches to prevent and combat these child rights violations. Capacity-building also necessitates adequate budgetary allocations to enable the relevant institutions and services to operate effectively.

76. The collection and analysis of reliable data on the sale and sexual exploitation of children continues to be a major challenge. The lack of reliable data reduces the visibility of the issue, and hinders the development of adequate responses and preventive measures. Furthermore, many States lack an integrated data-collection system. Such systems require harmonized quality indicators, and the collection by various actors and parts of government

⁸⁵ See www.unaids.org/en/resources/documents/2020/rights-in-a-pandemic.

⁸⁶ See <https://data.unicef.org/resources/protecting-children-from-violence-in-the-time-of-COVID-19-brochure/>.

⁸⁷ General Assembly resolution 74/306.

⁸⁸ *Ibid.*, para. 26.

⁸⁹ A/HRC/25/48, para. 59.

of data that is adequately disaggregated, centralized, regularly shared among government agencies, and disseminated publicly.

77. Children and young people will face a new and a different reality after the crisis. Child participation has never been so critical to the development of any national strategy based on child rights that is designed to prevent the sale and sexual exploitation of children and to ensure children's protection, recovery and reintegration.⁹⁰ Nevertheless, children appear often to have been excluded from national conversations on the pandemic, and when determining responses to it. Meanwhile, restrictive response measures have led to the suspension of or delays to many participation and consultation processes for children. According to the Council of Europe's children's rights division, as restrictive measures begin to lift, Council of Europe member States will begin to tackle backlogs and delays that have built up within decision-making processes and judicial proceedings: there is concern that some may be tempted to expedite these processes, by dispensing with the right of children to be heard.⁹¹

78. Finally, as noted by the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, it is also desirable that economic sanctions and other coercive measures imposed on some States be temporarily relaxed during the pandemic. Furthermore, as has been clearly recognized by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, such measures greatly affect international solidarity and cooperation in fighting COVID-19.⁹²

IV. Conclusions and recommendations

A. Conclusions

79. **The COVID-19 pandemic has unleashed an unprecedented crisis, with the world's poorest and most vulnerable affected the most. While States retain primary responsibility for the protection of children in crises, fulfilment of these obligations is frequently made difficult because of absent or incapacitated institutional and legal structures. Despite the many actors and stakeholders providing emergency response services in natural disasters, children continue to face significant risk, both within and outside the protection framework.**

80. **The absence of a comprehensive framework for the coordination and allocation of roles and responsibilities at times of crises on such a scale frequently leads to confusion, unnecessary duplication of efforts and substantial protection gaps. Child protection efforts, including the implementation of mandated delivery of services and of inter-agency initiatives and guidelines, are inhibited by a serious shortage of financial support. Protection gaps are also due to the lack the capacity or experience to give effect to child protection guidelines and standards. The focus must be shifted from crisis response to preparation and planning, coupled with mandated accountability, monitoring and regular and sustained follow-up.**⁹³

81. **The disproportionate exposure to pandemic-related harm of some groups of vulnerable and marginalized children affords an opportunity to rethink and improve child protection mechanisms affecting these children beyond the confines of the current situation. The 2030 Agenda for Sustainable Development should be the blueprint for building back better towards more sustainable, peaceful, just, equitable, inclusive and resilient societies where no one is left behind⁹⁴ and for shifting the focus of our interventions to who are the most at risk of falling victim to this crime and what needs to be done to mitigate their vulnerability and ensure their protection needs in all settings, including institutional, online and familial. This includes amending legislation,**

⁹⁰ A/67/291, para. 95.

⁹¹ Council of Europe submission.

⁹² A/HRC/45/8, paras. 83–85.

⁹³ A/HRC/19/63, paras. 89–90.

⁹⁴ General Assembly resolution 74/306.

standards and policies as necessary to ensure that they are not discriminatory – either directly or indirectly, considering that specific groups are at greater risk of being left behind, as well as ensuring systematic monitoring and collating and disseminating transparent accurate and disaggregated data.

82. Child protection frameworks should be further strengthened by combating existing inequalities based on a number of grounds including sex, gender, age, race, and other factors that increase the susceptibility of vulnerable groups of children to sale and sexual exploitation. At a time of heightened risk for children, greater investment of resources for child protection is urgently needed. International solidarity will be critical to address this global challenge together and to accelerate action in implementing the Sustainable Development Goals, towards a sustainable and resilient recovery from the COVID-19 pandemic.

83. Efforts to prioritize prevention through education and awareness-raising campaigns are insufficient. Comprehensive legal systems, holistic policies and proper data collection are the first steps. These policies must be rooted in the framework of an overall strategy to address the sale and sexual exploitation of children, both offline and online – which should be implemented in a collaborative manner, with coordination across sectors and States. States must step up their efforts and allocate the resources necessary to achieve targets 8.7 and 16.2 of the Sustainable Development Goals and ensure that measures to leave no child behind are embedded into the legislative and policy response to a sustainable and resilient recovery from COVID-19.

84. Children and young people will face a new and a different reality after the crisis. Child participation has never been so critical to the development of any national strategy based on child rights that is designed to prevent the sale and sexual exploitation of children and ensure their protection, recovery and reintegration.

85. As we enter 2021, the aftershocks of 2020 will begin to take effect. The dual role of protection – responding to immediate needs, while putting in place systems to counter deeply rooted negative beliefs that allow abuse and exploitation to thrive – has never been so critical. Investing in these systems is our litmus test if we are to preserve the hard-fought-for gains in combating sale and sexual exploitation of children, trafficking and other related abuses.⁹⁵

B. Recommendations

86. In order to effectively prevent and combat the sale and sexual exploitation of children, especially in the context of the COVID-19 pandemic and its resulting socioeconomic crisis, the Special Rapporteur invites all States to accelerate efforts to achieve comprehensive and child rights-centred protection systems, and to support and promote a coordinated global response to eradicate the sale and sexual exploitation of children.

1. At the national level

87. Governments have an obligation to put in place a robust, rights-based child protection system. This should be in place before disaster strikes in order to prevent or mitigate the increased risks of violence, abuse, neglect and exploitation of children in times of national emergency or a public health crisis.

88. Data collection is essential for tracking the impact of any emergency situation. There is therefore a need for systematic data collection and analysis on the impact of COVID-19, in order to understand and track the phenomenon, which would in turn inform decision-making.

89. Governments and relevant authorities must develop rapid assessment tools to evaluate the impact of the pandemic on essential services for victims, as well as on law

⁹⁵ See also www.globalprotectioncluster.org/wp-content/uploads/Global-Protection-Update_191120-1.pdf.

enforcement and justice capacities. They should ensure child-centred, integrated, individualized trauma-informed support for suspected and identified child victims.

90. Children must be actively involved in the decision-making process in the development of any national strategy on mitigation, recovery and reintegration measures for the prevention of sale and sexual exploitation of children.

91. Child participation must therefore be institutionalized and included as a process. It must be a core and cross-cutting component of a comprehensive, context-specific, rights-based child protection system in compliance with international standards and norms (see A/67/291, para. 100).

92. As the pandemic eases, resources should be focused on supporting family-based and community-based programmes and services in order to reduce family separation for children, including those whose parents are unable to care for them as a result of the economic impact of the pandemic, or who find themselves orphaned as a result of the death of a parent from the disease.

93. Governments should also consider the establishment of a multisectoral and participatory national-level coordinating agency with the capacity to identify priorities, allocate roles and responsibilities and make commitments to contribute resources for targeted interventions for children as we ease out of this pandemic.

94. During the provision of necessary support to families and children, Governments and development partners must work closely with community-based NGOs to ensure that targeted cash transfer programmes are extended to those who are most vulnerable and in greater need of support.

95. Community-based NGOs that work with and support child-abuse victims and survivors and those at risk should also be considered as essential workers. This would ensure that children at risk or victims are accessed and provided with the necessary support.

2. At the international level

96. The international community, including United Nations agencies, donor organizations and States, should provide technical and financial support to States that lack the capacity and resources to fulfil their obligations to uphold and protect the rights of children. Steps should also be taken to ensure the multisectoral integration of child protection as a core element of humanitarian response, data collection, capacity-building, coordination and advocacy. It is critical that due diligence be exercised in the recruitment and training of relevant personnel.

97. During the pandemic, economic sanctions and other coercive measures imposed upon some States should be relaxed to enable them to commit adequate resources for measures that would protect children from sexual exploitation and abuse.

3. Regarding corporate social responsibility

98. States should ensure that private companies put in place effective online child protection mechanisms. A more robust collaboration between private industry and law enforcement authorities is key to ensuring early detection of cases and the effective blocking and removal of child sexual exploitation material online. Such operations require dedicated and trained police forces to monitor the encrypted paedophile networks, lawfully access retained IP addresses to secure evidence, and engage with the relevant overseas companies and enforcement agencies while strictly following international human rights law.

4. Cooperation between States, international and national organizations, and associations

99. All stakeholders must work together to identify and support intersectoral coordination of the allocation of roles and responsibilities for child protection issues from the earliest stages of the emergency. Steps should be taken to ensure that

information exchange and coordination mechanisms are established and strengthened before emergencies occur.

100. All stakeholders must ensure that their policy and programmatic activities are regularly reviewed and in full compliance with the guidelines and standards established by international organizations and inter-agency initiatives in relation to child protection in times of emergency, so as to ensure that their systems and practices do not, even inadvertently, heighten the risks faced by children.

101. Protection must be deliberately integrated into the early design and implementation of assistance programmes and extensive attention must be paid to policy, threats, risks, community assets, practice, capacity-building and effective monitoring and reporting.

102. The formulation of cooperation agreements among States and with participating organizations should be encouraged, in order to ensure a timely, rapid response and effective coordination of activities and assistance in the event of an emergency or crisis.
