



SC (06/2) 7 E
Original: English

SUPPLEMENTARY ITEM

DRAFT RESOLUTION

ON

**COMBATING TRAFFICKING AND THE EXPLOITATION
OF CHILDREN IN PORNOGRAPHY**

**Principal Sponsor
Mr. Christopher H. Smith
USA**

BRUSSELS, 3 TO 7 JULY 2006

SUPPLEMENTARY ITEM

on

Combating Trafficking and the Exploitation of Children in Pornography

By Mr. Christopher H. Smith (USA)
OSCE Parliamentary Assembly
Special Representative on Human Trafficking

1. Recognizing that child pornography is a multi-billion dollar enterprise, involving in 2001 an estimated 100,000 child pornography websites on the Internet, contributing to the abuse and exploitation of children throughout the OSCE region and beyond;
2. Deeply concerned over the impact of this form of abuse and exploitation on the well-being of children;
3. Recalling the commitments agreed by the participating States at Istanbul to “undertake measures to eliminate all forms of discrimination against women, and to end violence against women and children as well as sexual exploitation and all forms of trafficking in human beings” and to “promote the adoption or strengthening of legislation to hold accountable persons responsible for these acts and strengthen the protection of victims.”;
4. Noting that anecdotal evidence indicates that one of the purposes for which children are trafficked, internally within a country or internationally, is for the production of pornography;
5. Recalling the OSCE Parliamentary Assembly’s Edinburgh Declaration which called upon participating States to sign and ratify the Optional Protocol to the Convention on the Rights of Child on the Sale of Children, Child Prostitution and Child Pornography, and also the International Labour Organization Convention No. 182, calling for immediate action to ban the worst forms of child labour, including child prostitution and child pornography,
6. Recalling the Ministerial Council’s continued attention, in its 2005 Ljubljana decision, to the international obligations taken by those OSCE participating States which have signed and ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and in its 2004 Sofia decision, to the Special Needs for Child Victims of Trafficking for Protection and Assistance, and in its 2000 Vienna decision, which calls upon all participating States to sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography;
7. Deploring the sexual exploitation and abuse of children through prostitution and pornography;

8. Noting that research and law enforcement experience have documented a significant likelihood that a possessor of child pornography will also be involved in sexually abusing children;
9. Acknowledging that an increasing number of child molesters are using home-computer and Internet technology to create, organize, maintain, and expand their child pornography collections;
10. Recognizing that the production and distribution of child pornography using home-computer and Internet technology has transformed the distribution of such images by decreasing barriers to possession and dissemination, and by decreasing the cost of production and distribution, including across international borders;
11. Recognizing that the lives of children exploited through child pornography are forever altered, not only by the sexual abuse involved in production of the pornography, but by the permanent record of the exploitation documented on film or video, as images of child pornography placed in the public domain, including cyberspace, are irretrievable and can continue to circulate forever, thus causing a child to be re-victimized as his or her images are viewed repeatedly;
12. Noting with deepest regret that no country is immune from this form of child sexual exploitation;
13. Noting that individuals who produce or disseminate child pornography are able to evade criminal liability by operating in countries that have weak laws against child abuse and child pornography;
14. Welcoming Interpol's efforts to combat child pornography, including, in collaboration with the International Centre for Missing & Exploited Children, the creation of an International Resource Centre for the public and law enforcement on the issue of child pornography;
15. Commending the International Centre for Missing & Exploited Children for its research and report entitled "Child Pornography: Model Legislation & Global Review (2006)" which reveals a need in many OSCE countries to adopt or strengthen legislation to criminalize child pornography and related activities;

The OSCE Parliamentary Assembly

16. Condemns the sexual abuse and exploitation of children, including through child pornography and related crimes;
17. Calls on OSCE participating States to ensure that the production, distribution, dissemination, importation, exportation, offering, selling or possessing of child pornography, or any attempt to commit any of these acts, or any complicity or participation in any of these acts, are fully covered under national criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis, and are punishable by appropriate penalties that take into account their grave nature;

18. Urges the OSCE participating States to adopt a comprehensive strategy at the Brussels Ministerial Council aimed at combating child pornography throughout the OSCE region, including enhancing cooperation that allows law enforcement to aggressively investigate and prosecute those responsible for child sexual exploitation and related crimes;
19. Encourages OSCE participating States to undertake measures, in collaboration with non-governmental organizations and appropriate industry representatives, to reduce the consumer demand for child pornography;
20. Encourages OSCE participating States, perhaps in collaboration with non-governmental organizations, to consider creating telephone or Internet hotlines where individuals can anonymously report instances of child pornography encountered on the Internet so that such reports can be investigated by law enforcement;
21. Encourages OSCE participating States to collect data in criminal investigations of child pornography regarding whether the child or children involved were trafficked, internally or internationally, for the purpose of creating child pornography;
22. Reminds the OSCE participating States of their commitments to provide protection and assistance to victims of trafficking, and to protect children from all forms of violence, including sexual exploitation, and stressing the importance of respecting the special needs of children for protection and assistance;
23. Requests the OSCE Strategic Police Matters Unit to examine ways in which the OSCE can assist participating States in combating child pornography, including through information sharing, joint databases, and specialized training programs;
24. Requests the OSCE Office for Democratic Institutions and Human Rights to examine ways in which the OSCE can assist participating States in combating child pornography, including through technical assistance with legislative drafting.

AMENDMENT TO SUPPLEMENTARY ITEM

on

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OF CHILDREN IN PORNOGRAPHY**

[Set out text of Amendment here:]

Principal Sponsor:

Mr/Mrs	Family Name in Capital Letters	Country	Signature

Co-sponsored by:

Mr/Mrs	Family Name in Capital Letters	Country	Signature

