

THE YOKOHAMA GLOBAL COMMITMENT 2001

I. Our Follow-up:

1.

We, representatives from governments, intergovernmental organizations, non-governmental organizations, the private sector, and members of civil society from around the world, have gathered together in Yokohama, Japan, at the 2nd World Congress against Commercial Sexual Exploitation of Children (17-20 Decembert 2001) (“the Yokohama Congress”). Five years after the first World Congress against Commercial Sexual Exploitation of Children held in Stockholm, Sweden, in 1996, we have reviewed developments as a follow-up process to strengthen our commitment to protect children from sexual exploitation and sexual abuse.,

2.

We reaffirm, as our primary considerations, the protection and promotion of the interests and rights of the child to be protected from all forms of sexual exploitation, and we welcome the following developments, visible in a number of countries, since the first World Congress:

- the greater emphasis on the rights of the child and the call for more effective implementation of the Convention on the Rights of the Child by States Party to create an environment where children are able to enjoy their rights;
- the increasing mobilization of governments, local authorities and the non-governmental sector, as well as the international community, to promote and protect the rights of the child and to empower children and their families to safeguard their future;
- the adoption of multi-faceted, inter-disciplinary measures, including policies, laws, programmes, mechanisms, resources and dissemination of the rights of the child, to ensure that children are able to grow up in safety and dignity;
- enhanced actions against child prostitution, child pornography and trafficking of children for sexual purposes, including national and international agendas, strategies or plans of action to protect children from sexual exploitation, and new laws to criminalize this phenomenon, including provisions with extra-territorial effect;
- the promotion of more effective implementation/enforcement of policies, laws and gender-sensitive programmes to prevent and address the phenomenon of sexual exploitation of children, including information campaigns to raise awareness, better educational access for children, social support measures for families and children to counter poverty, action against criminality and the demand for sexual exploitation of children, and prosecution of those who exploit children;
- the provision of child-sensitive facilities such as telephone helplines, shelters, and judicial and administrative procedures to prevent violations of the rights of the child and to provide effective remedies;
- the comprehensive, systematic and sustained involvement of the private sector, such as workers’ and employers’ organizations, members of the travel and tourism industry, including Internet Service Providers and other businesses, in enhancing child

protection, including their adoption and implementation of corporate policies and codes of conduct to protect children from sexual exploitation;

- greater participation by children and young people in promoting and protecting their rights, notably through young people's networks and forums, and the involvement of young people as peer communicators and counselors;
- the development of international and regional standards to protect children from sexual exploitation through new instruments, including the following: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (2000), and the Convention on Cybercrime (2001), while noting relevant provisions of the Rome Statutes of the International Criminal Court (1998);
- the entry into force of the International Labour Organization (ILO)'s Convention No.182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (complemented by ILO Recommendation No.190) on 19 November 2000, and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography on 18 January 2002;
- the progress made in the preparations for the forthcoming Special Session of the United Nations General Assembly on Children, including its outcome document;
- the emergence of a broader partnership among and between local and national governments, intergovernmental organizations, non-governmental organizations, regional/sub-regional and international organizations, communities, and other key actors, and closer linkage between the United Nations and other monitoring mechanisms on the issue, especially the Committee on the Rights of the Child and the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography of the Commission on Human Rights under the United Nations Commission on Human Rights.

3.

We take into account with appreciation the regional consultations held in Bangkok, Thailand; Rabat, Morocco; Dhaka, Bangladesh; Montevideo, Uruguay; Budapest, Hungary; and Philadelphia, United States of America (see Annex); and various national seminars leading up to the Yokohama Congress, and related activities including those with young people's participation, and their conclusions and recommendations enriching the content of our follow-up action, and we encourage their effective implementation by governments that have participated in them, in partnership with stakeholders, including non-governmental organizations, intergovernmental organizations and young people.

4.

We recognize that much more needs to be done to protect children globally, and express our concerns at the delays in the adoption of needed measures in various parts of the world.

II. Our Global Commitment:

5. We have come together to:

- **reiterate** the importance and the call for more effective implementation of the Convention on the Rights of the Child by States Party and related instruments, and **underline** our belief in the rights of children to be protected from commercial sexual

exploitation in the form of child prostitution, child pornography and trafficking of children for sexual purposes;

- **encourage** early ratification of the relevant international instruments, in particular ILO Convention No.182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography;

- **reaffirm** our commitment to build a culture of respect for all persons based upon the principle of non-discrimination and to eliminate commercial sexual exploitation of children, in particular by sharing the lessons learnt since the first World Congress, and by improving cooperation in this regard;

- **recommit** to the Declaration and Agenda for Action of the first World Congress (“the Stockholm Declaration and Agenda for Action”), and in particular to developing national agendas, strategies or plans of action, designated focal points and comprehensive gender-disaggregated data collection, and effective implementation of measures, including child-rights based laws and law enforcement;

- **reinforce** our efforts against commercial sexual exploitation of children, in particular by addressing root causes that put children at risk of exploitation, such as poverty, inequality, discrimination, persecution, violence, armed conflicts, HIV/AIDS, dysfunctioning families, the demand factor, criminality, and violations of the rights of the child, through comprehensive measures including improved educational access for children, especially girls, anti-poverty programmes, social support measures, public awareness raising, physical and psychological recovery and social reintegration of child victims, and action to criminalize the commercial sexual exploitation of children in all its forms and in accordance with the relevant international instruments, while not criminalizing or penalizing the child victims;

- **emphasize** that the way forward is to promote closer networking among key actors to combat the commercial sexual exploitation of children at the international, inter-regional, regional/sub-regional, bilateral, national and local levels, in particular, among communities and the judicial, immigration and police authorities, as well as through initiatives inter-linking the young people themselves;

- **ensure** adequate resource allocation to counter commercial sexual exploitation of children, and to promote education and information to protect children from sexual exploitation, including educational and training programmes on the rights of the child addressed to children, parents, law enforcers, service providers and other key actors;

- **reiterate** that an essential way of sustaining global action is through regional/sub-regional and national agendas, strategies or plans of action, that build on regional/sub-regional and national monitoring mechanisms and through strengthening and reviewing existing international mechanisms with a monitoring process, to improve their effectiveness as well as the follow-up of their recommendations, and to identify any reforms that might be required.;

- **take** adequate measures to address negative aspects of new technologies, in particular child pornography on the Internet, while recognizing the potential of new technologies for the protection of children from commercial sexual exploitation, through dissemination and exchange of information and networking among partners;

- **reaffirm** the importance of family and **strengthen** social protection of children, young people and families through awareness-raising campaigns and community-based surveillance/monitoring of commercial sexual exploitation of children;
- **commit** ourselves to promoting cooperation at all levels and to combining efforts to eliminate all forms of sexual exploitation and sexual abuse of children worldwide;
- **declare** that the sexual exploitation of children must not be tolerated and **pledge** to act accordingly.

Annex

- “ Regional Commitment and Action Plan of the East Asia and Pacific Region against Commercial Sexual Exploitation of Children, adopted at the East Asia and the Pacific Regional Consultation for the 2nd World Congress against Commercial Sexual Exploitation of Children, held in Bangkok 16-18 October 2001
- “ Declaration of the Arab-African Forum against Sexual Exploitation of Children, adopted at the Arab-African Forum against Sexual Exploitation of Children, held in Rabat 24-26 October 2001
- “ South Asia Strategy, adopted at the South Asia Consultation for the 2nd World Congress against Commercial Sexual Exploitation of Children, held in Dhaka 4-6 November 2001
- “ Commitment to a Strategy against Commercial Sexual Exploitation and Other Forms of Sexual Violence against Children and Adolescents in the Latin American-Caribbean Region, adopted at the Inter-American Congress against Sexual Exploitation of Children, held in Montevideo 7-9 November 2001
- “ Commitment and Plan of Action for Protection of Children from Sexual Exploitation in Europe and Central Asia, adopted at the Conference on the Protection of Children against Sexual Exploitation, held in Budapest 20-21 November 2001
- “ Recommendation from the Regional Consultation on Commercial Sexual Exploitation of Children in Canada, Mexico and United States of America, held in Philadelphia 2-3 December 2001
- “ Declaration and Agenda for Action, adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm 27-31 August 1996.

Appendix: Explanatory Statements

The following documents were submitted to the Chair at the conclusion of the Second World Congress against Commercial Sexual Exploitation of Children.

“ **European countries: Explanatory declaration on the Yokohama Global Commitment**

“ **The United States of America**

“ **Republic of India**

“ **Islamic Republic of Iran**

“ **Arab and African States participating in the conference**

**European countries:
Explanatory declaration on the Yokohama Global Commitment**

The European countries, as well as all countries meeting together in Yokohama, consider that the protection of the child is a major challenge of civilization based on the responsibility of adults concerning young generations and the values on which they will build the mankind of future.

Through this explanatory declaration and referring to the Commitment and Plan of Action adopted on 21 November 2001 in Budapest, and to the Recommendation (2001) 16 of the Council of Europe concerning the protection of children against sexual exploitation adopted on 31 October 2001, the European countries reaffirm their attachment to the following principles:

1. The fight against sexual exploitation is extended to all forms of sexual violence and sexual abuse.
2. The protection of the child includes all boys and girls up to the age of 18 in all countries.
3. The noticeable commitment of some countries to the prosecution of those who sexually exploit children, the broadening of criminal offences to the various forms of sexual exploitation of children, including its international and transnational aspects, by establishing extra-territorial responsibility, and recognizing the relationship between organized crime and many forms of sexual exploitation of children.
4. The actions concerning the protection of the child need to be conducted in close cooperation with civil society.
5. The fight against poverty as well as the improvement of health and education of children must be a major priority.

The European countries request that the Heads and representatives of State and governments who will meet next May on the occasion of the United Nations Special Session on Children, take into account the will to act and progress as expressed during the 2nd World Congress in Yokohama. They also encourage all countries to consider to ratify, sign, accede and fully implement the United Nations Convention on the Rights

of the Child and its second Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

The United States of America

The United States is pleased to join the consensus on the Yokohama outcome document for the 2nd World Congress on the Commercial Sexual Exploitation of Children. We would again like to thank particularly the Government of Japan for hosting and co-sponsoring this extraordinary event.

This conference has provided an important opportunity to review the actions the world has taken since Stockholm and to recommit ourselves to national and international actions to eliminate the commercial sexual exploitation of children.

One important area that we would like to highlight concerns the increased protections provided to children under the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and ILO Convention No.182 on the Worst Forms of Child Labor. The Sale of Children Protocol, unlike the Convention itself, requires that States Party criminalize all activities relating to prostitution and pornography with children under the age of 18, without reference to state law or the age of sexual consent. ILO 182 further requires that States Party “take effective and time-bound measures to ensure access to free basic education and, wherever possible, appropriate vocational training, for all children removed from the worst forms of child labor”, which includes child prostitution and child pornography.

The United States believes that the Optional Protocol and ILO 182 provide a clear starting point for international action concerning the elimination of commercial sexual exploitation of children. The United States was one of the first countries to ratify ILO Convention 182 in December of 1999. Moreover, the Bush Administration has turned its immediate attention to ratification of the Optional Protocol.

Islamic Republic of Iran

In the name of God, the Compassionate, the Merciful

The delegation of the Islamic Republic of Iran to the 2nd World Congress against Commercial Sexual Exploitation of Children would like to state the following remarks as its position regarding the final document of the Congress, entitled “The Yokohama Global Commitment 2001”.

The Islamic Republic of Iran considers the above-mentioned document as an important and valuable initiative designed to further contribute to combat the evil phenomenon of commercial sexual exploitation of children. The Yokohama document, while referring to the progress made since the first World Congress, provides for further and strengthened commitments on the part of all stakeholders, in particular the governments and non-governmental organizations, for the years ahead. Nevertheless, in the view of the Islamic Republic of Iran, such a significant document needed to be negotiated in a more transparent and participatory manner as any document of international character and universal value.

Moreover, the Islamic Republic of Iran rejects the concept of extraterritoriality, wherever appears in the above-said document, as being too broad and inconsistent with international law. In this context, Iran believes that laws and policies of all countries, in combating the crime of commercial sexual exploitation, should be fully

respected and should by no means be substituted by the application of extraterritorial laws and measures.

The Islamic Republic of Iran is also of view that, in order to reinforce the efforts against commercial sexual exploitation of children, all actions must be taken to criminalize such an evil phenomenon in all its forms and manifestations, and the status of child victims should be given due consideration.

The Iranian delegation requires the Secretariat of the 2nd World Congress to include the aforesaid remarks to the final report of the Congress as the position of the Government of the Islamic Republic of Iran.

Republic of India

The Yokohama Global Commitment 2001: Written Statement by Republic of India

India endorses the Yokohama Global Commitment 2001, which presents a coherent and vibrant framework for action at national, regional and international levels to eradicate commercial sexual exploitation of children (CSEC). As suggested by the countries of the South Asia region, at regional consultations in Dhaka (4-6 November 2001), it is desirable to set up international and regional mechanisms to continually take stock of the progress in the fight against CSEC.

The crime of CSEC respects no national boundaries. It is imperative that States cooperate in bringing the offenders to justice. It is our understanding that the reference to extra-territorial criminal laws in the Stockholm Declaration [Para 3(e)] and the Yokohama Global Commitment [Para 2, Bullet No.4] is intended to ensure that the offender is tried in the country in whose jurisdiction the offence is committed; if he cannot be so tried by virtue of his being not present in that country and his being not extradited for facing trial, he is tried in the country of which he is a national or in the country of which he is a habitual resident or in the country where he is present. The cardinal principle is that the offender does not go scot-free. We also note that this intention is reflected in the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

It is necessary to develop international principles, norms and procedures so as to avoid overlapping jurisdictions. It is also desirable to develop frameworks for enhanced regional and international mutual assistance for investigation and criminal proceedings regarding "extra territorial" CSEC offenders. To this end, we hope mechanisms would soon fall in place and further consultations are organized.

Arab and African States participating in the conferences

To include in the appendix reference to the following documents:

" The African Common Position and the report of the Pan-African Forum on the future of Children, Cairo, 28-31 May 2001. It includes the report of the Organization of African Unity's conference on African children in situations of armed conflicts.

" The Arab Common Position document adopted by the Arab high-level conference of the League of Arab States, Cairo, 2-4 July 2001.

This proposal is submitted on behalf of Arab and African States participating in the conferences.

On their behalf, the delegation of Egypt,
Head of Delegation
Ambassador Moushira Khattab.

Similar proposals were submitted in handwriting by a number of delegations including Saudi Arabia, Qatar, Sudan.