



EXECUTIVE SUMMARY OF THE ALTERNATIVE REPORT

FOLLOWING THE INITIAL REPORT SUBMITTED BY FRANCE ON THE IMPLEMENTATION OF THE OPTIONAL PROTOCOL TO THE UN CONVENTION ON THE RIGHTS OF THE CHILD, CONCERNING THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

In France, no precise study of the commercial sexual exploitation of children (CSEC) exists. Moreover, the report of the French Government does not show disaggregated data on the subject of the sale of children, nor on the number of children victim of various forms of prostitution, pornography or trafficking. ECPAT therefore recommends that the French Government carry out a specific in-depth study into the commercial sexual exploitation of children in France to identify precisely the situation of children involved in prostitution, pornography and trafficking on French territory and also to assess their evolution and various manifestations, to allow for effective planning of strategies to deal with these problems. The French Government should also adopt a National Plan of Action against CSEC, define precise objectives based on the problems that have been identified, allocate appropriate resources to enable the above strategies to be carried out and equip itself with the necessary tools for follow-up and assessment to honour the commitments made in Stockholm and Yokohama and to work towards implementing the Optional Protocol.

It should be noted however that significant efforts have been made by France to provide itself with a complete legal arsenal for punishing the numerous offences and crimes related to the sexual exploitation of children. Nevertheless, ECPAT recommends reinforcing legislation against CSEC, in particular law number 2002-305 incriminating minors engaged in prostitution and to collect data on procedures established under laws against CSEC. It is also recommended that application of extraterritorial legislation be strengthened and that the number of French liaison officers assigned to embassies be increased.

At the level of protecting child victims, the Alternative Report recommends that the French Government ensure systematic use by investigating services and magistrates, of audiovisual recordings of testimonies of child victims of sexual offences, except in cases where the victim refuses. It should also ensure the systematic presence of a third party at hearings and allocate the physical and human resources necessary for carrying out these procedures to protect the child. Finally, it is imperative to establish protocols for identification, assistance and intervention for children who are victims of sexual exploitation and to increase the capacity as well as the number of training sessions for members of the police forces and legal services, notably lawyers and judges, when questioning the child, to ensure that specialized services including qualified staff are operational throughout French territory.

It falls within the competence of the police and *gendarmerie* to interview the minor who is victim of physical or sexual ill treatment. However, it is surprising to note an absence of unity in their practices depending on departments. It is therefore recommended that structures be put in place throughout French territory for taking care of children who are victims of sexual exploitation so that all receive the same attention and benefit from the same specialized services out of respect for the best interests of the child and the principle of non-discrimination.



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The Alternative Report also recommends improving the care of victims, in particular children who are victims of prostitution and pornography, by specialized staff, notably by increasing the capacity of child protection services as well as developing alternative care services to admit and welcome children, ensuring a safe and secure environment favourable to the recovery of victims of sexual exploitation. Special protocols should also be established to provide for the identification, support, assistance and intervention on behalf of child victims. It is also recommended to take into account and to respond specifically to the special needs of children who are victims of prostitution, notably isolated foreign minors.

In terms of prevention, major awareness-raising campaigns have been conducted to combat child sex tourism, and to provide information about the risks encountered on the Internet with regard to sexual abuse and child pornography. Such prevention measures on the whole are aimed at the general public, but few specific actions targeting children who are especially vulnerable to sexual exploitation have been identified.

With reference to combating child sex tourism, the French Government should see to it that the governmental Programme of actions against the sexual exploitation of children by tourism presented to the Council of Ministers in March 2006 is implemented, and ensure follow-up.

Specific training with regard to the care of child victims of sexual exploitation must be put in place, for social workers and others working to protect children, by introducing a study unit into basic and advanced training. This module should be based on intervention protocols already established so as to reinforce the implementation of such procedures for the prevention, protection and assistance to victims.

Since the number of foreign, isolated minors in France has greatly increased over the past few years, the Government is required to take specific action. Among others, the detection and care of isolated foreign minors must be reinforced, procedures need to be harmonized throughout the territory and concrete measures implemented that are adapted to protect these children at risk from commercial sexual exploitation. Information and prevention campaigns also need to be developed and strengthened as well as prevention and protection measures targeting high-risk groups, such as foreign isolated minors.

Finally, at the level of assistance and international cooperation, the Alternative Report recommends proceeding with an assessment of the results and application of the bilateral agreement signed between France and Romania so as to be able to assess its impact, and the putting in place of genuine regional and international cooperation, in particular with the country of origin of children who are victims of trafficking by means of prevention programmes and return to their families when conditions are favourable.