



ECPAT International welcomes the removal of the ‘Pedophile Guide’ from Amazon.com and condemns any representation that depicts or justifies sexual abuse of children, a crime that cannot be rationalized or accepted under any circumstance

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According to international law, the United Nations *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography* (OPSC), child pornography is defined as “**any representation, by whatever means** of a child engaged in sexual activity”(Article 2(c)). Accordingly, domestic legal definitions of the offence of child pornography in countries having ratified the Optional Protocol should include visual and audio representations of sexually abused children as well as written depictions of children engaged in sexual activity such as those embodied in the publication called *The Pedophile’s Guide to Love and Pleasure: a Child Lover’s Code of Conduct*, recently available for sale on Amazon.com and subsequently removed after international outrage and threats to boycott the US-based online retailer.

Although it has ratified the OPSC, the US Government has made a reservation to Article 2(c), stipulating that the US define child pornography as purely visual representations of children engaged in sexual activities. Consequently, written and audio recordings of the abuse of a child remain legal. This constitutes a major legal gap with regard to child protection against child pornography in the US and is particularly relevant in the case of the book authored by Mr Greaves and sold by Amazon.com.

It is precisely this kind of **dangerous legal loophole** that allows Mr Christopher Finan, president of the American Booksellers Foundation for Free Expression, to claim that “Amazon has the right under the First Amendment to sell any book that is not child pornography or legally obscene”. Finan was quoted by Fox News as having stated that “Greaves’ book doesn’t amount to either because it does not include illustrations”.

This illustrates that when States choose to make reservations to international human rights treaties, it weakens the possibilities and scope to respond to human rights violations. ECPAT International also wishes to underscore that beyond the **ethical responsibility of the private sector towards society, in particular children**, they must have the same legal responsibility as other parts of society.

ECPAT International is shocked to hear that “Amazon believes it is censorship not to sell certain books simply because we or others believe their message is

objectionable,” and claims to “support the right of every individual to make their own purchasing decisions” when referring to Mr Greaves’ book.

The call for comprehensive laws that protect the right of children from sexual abuse and exploitation must not be framed in opposition to individual rights to expressive freedoms, as all rights of adults and children must be protected without hierarchy. Written materials that describe and guide the sexual abuse of a child are child pornography under international law and must not be considered a particular form of expression in any situation such that they are abstracted from their fundamental purpose, use and effect on children. ECPAT finds it unacceptable that Amazon should exempt itself from responsibility in what it promotes and sells through its worldwide Internet platform. Indeed, the marketing of such child abuse material only serves to justify, rationalize and normalize the sexual abuse of children building greater and greater social tolerance for the existence of such crimes.

ECPAT International firmly believes that under no circumstances whatsoever can such crimes be justified. It further considers it critical that large content providers whose services span across the globe and reach millions of people worldwide such as Amazon take measures and show commitment to protect children’s rights and not use freedom of speech as a pretence to help distribute materials that are harmful to the protection of their rights.

ECPAT International urges private sector organizations to take a more proactive stance and to adopt a unified approach for removing all possible materials in their control that portray children as sexual objects.

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**For further information:**

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**Note to the editors:**

ECPAT International is a specialized child rights network of organizations in 82 countries around the world working together for the elimination of child prostitution, child pornography and the trafficking of children for sexual purposes. It seeks to encourage the world community to ensure that children everywhere enjoy their fundamental rights free and secure from all forms of commercial sexual exploitation.

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