

THE BILL OF RIGHTS FOR CHILD VICTIMS OF SEXUAL EXPLOITATION AND ABUSE:

QUESTIONS & ANSWERS



Many of you have heard, seen or even participated in the development of this Bill of Rights. In order for all of us to understand how this tool should be used, promoted and most importantly explained to professionals and children, we've elaborated a number of Questions and Answers which, we hope, will provide you with the necessary guidance and information.

1. [Why the need to elaborate the Bill of Rights for child victims of sexual exploitation and abuse?](#)

Today, children are still too often fearful and ashamed to report their abuse and exploitation. Moreover, many are also unaware that they are victims of a crime and that this status gives them **the right to access justice and remedies adapted to their best interests.**

The results of the Access to Justice and Remedies Research for Victims of Sexual Exploitation, a multi-country study initiated by ECPAT in 2014 - in which the voices of children from a range of countries were heard, including over 100 SEC (Sexual Exploitation of Children) survivors from Thailand, Tanzania, India, Moldova, Nepal and the Philippines - confirmed that **one of the major barriers to children accessing justice is a low level of awareness of their rights.**

While there are numerous child-friendly versions of the Convention on the Rights of the Child, **there are few, if any, child-friendly documents specifically discussing or elucidating the rights of child victims of violence, particularly sexual exploitation and sexual abuse.** Child victims of sexual exploitation and abuse have unique needs which can therefore go unacknowledged by justice sector providers, care-givers and other child protection professionals.

The Bill of Right therefore tries to fill this void by:

- Explaining to children what sexual abuse and exploitation is and telling them that they are the victims of a crime not the ones violating the law;

- Making child victims aware of their right to be protected from sexual exploitation and abuse;
- Helping them understand how they can call for help and seek remedies.

2. [Does the Bill of Rights introduce new rights?](#)

The Bill of Rights for child victims of sexual exploitation and abuse does not introduce any new rights but instead highlights existing ones with a focus on the issue of child sexual exploitation. It is derived from internationally endorsed treaties, such as the Convention on the Rights of the Child's Optional Protocol on Sale of Children, Child Prostitution and Child Pornography, the ILO Convention, specifically number 182 on the Elimination of the Worst Forms of Child Labour, the African Charter on the Rights and Welfare of Children, and the Lanzarote Convention.

3. [How was the Bill of Rights elaborated and why is it also known as the "Know Your Rights" poster?](#)

Following the results of the Access to Justice and Remedies Research for Victims of Sexual Exploitation, the Bill of Rights was drafted and then shaped and validated through **three rounds of consultations with over 400 children and youth from 28 countries¹ the majority of whom are survivors of SEC.**

In the first round, children and young people decided what rights and information should be included in the Bill of Rights. They are the ones

who suggested that the Bill of Rights be designed as a poster.

Considering that the name “Bill of Rights” is not understood equally by children from different countries and regions, it was decided to use the title “KNOW YOUR RIGHTS”.

For the second round of consultations, three draft ‘KNOW YOUR RIGHTS’ posters were elaborated and sent to both ECPAT’s International Children and Youth Advisory Committee (EICYAC) and Child Helpline International’s Youth Advisory Council (CHI). They assessed all three posters and provided their comments on the layout, colours used and overall design. Thanks to their valuable feedback and input, one final poster was designed.

The third round of consultations was organised through the Global Survivors’ Forum (organised by ECPAT International and hosted by the Council of Europe on 18 November 2016) and its national preparatory consultations. Through these, the Bill of Rights and its poster were endorsed by survivors themselves and recommended to be widely disseminated around the world.

In order to encourage wider dissemination, ECPAT is also looking at the possibility of having a digital version of the Bill of Rights.

4 [Who is the target audience?](#)

Taking into account the design and most importantly the language used, this poster is aimed at **young people aged 13 to 18**. A version and design for younger children is under development. As suggested during the three rounds of consultations, different formats were suggested by young people, such as the Bill of Rights being digitally adapted and for it to be designed into a postcard format, thereby giving children the possibility to bring the Bill of Rights back to their homes.

In addition, the ‘KNOW YOUR RIGHTS’ poster is addressed to **adults and most importantly to professionals working on the front line**. They are the ones who will help children recover and who will give them the means and information on how to claim their rights and feel empowered. This cannot be achieved if adults themselves are unaware of the specific rights for child victims of sexual exploitation and abuse.

5. [How can the ‘KNOW YOUR RIGHTS’ poster be used and where should it feature?](#)

The information provided in the ‘KNOW YOUR RIGHTS’ poster should be made **available to all children involved in the justice system**, such as when being brought to a police station, when sitting in a judge’s office or when having to talk to a social worker.

This poster should also be made available to children who are at **school** and to those who are in **health clinics or hospitals** obtaining medical assistance, as well as to those visiting **community or youth centres** to seek services.

Finally, the ‘KNOW YOUR RIGHTS’ poster is needed in institutions of all types in order to ensure that adults are also constantly aware of the rights of children and of their duty to protect them.

6. [In what languages is the Bill of Rights available?](#)

The Bill of Rights and its poster are available in English, French and Spanish and are planned to be translated into other languages. The Russian, Bengali and Thai versions will be available in March 2017.

When translating the text of the Bill of Rights into your own national language, it is paramount to take into account the following points:

- Respecting the youth friendly language and writing style;
- Asking young people to review your text in order to ensure that it is adapted to their age and understanding. We strongly recommend you doing so before publishing your text into poster format.

7. [Can the Bill of Rights be adapted at the national level?](#)

The Bill of Rights and its poster should be considered as a starting point in which the general and internationally recognized standards provided should not be changed. For it to be meaningful at national levels, you are strongly encouraged to develop tools that would give children specific information on the rights and procedures according to your national legislation and to add your national helpline number on the poster itself. To adapt the Bill of Rights according to your national legislation and distribute it thereafter, a strong cooperation should be initiated with the judiciary, law enforcement agencies, as well as education, social welfare and medical systems.

1. Albania, Bangladesh, Cambodia, Colombia, Croatia, France, the Gambia, India, Indonesia, Ivory Coast, Kenya, Korea, Luxembourg, Madagascar, Malaysia, Malawi, New Zealand, Nepal, the Netherlands, Nigeria, Pakistan, Peru, the Philippines, Sierra Leone, Thailand, UK, USA and Zambia

HOW IS THE KNOW YOUR RIGHTS POSTER STRUCTURED?



KNOW YOUR RIGHTS

IT MEANS YOU ARE A VICTIM OF SEXUAL EXPLOITATION AND ABUSE WHICH IS A CRIME UNDER INTERNATIONAL LAW. NO ONE IS ALLOWED TO DO THESE THINGS TO YOU, BECAUSE YOU HAVE THE RIGHT TO BE SAFE FROM SEXUAL EXPLOITATION AND ABUSE.

NONE OF THEM CAN BLAME YOU FOR WHAT HAS HAPPENED TO YOU BECAUSE IT IS NOT YOUR FAULT.

You have, like any other person, **RIGHTS**. They are the things every child should have to lead happy, healthy and safe lives and rights like your parents, teachers or your government, are supposed to provide you with opportunities to be able to use your Rights. This poster tells you about your Rights listed in the United Nations Convention on the Rights of the Child, its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and other international treaties. Children just like you helped to write this poster for you to understand and find out how to get the protection and care you are entitled to.

The Convention has four general principles that must be applied across all children's Rights:

- YOU HAVE THE RIGHT TO BE PROTECTED FROM CRIMINATION. Teachers, social workers, police officers, lawyers and others must do their best to treat you fairly and protect all of your Rights, no matter who you are or where you come from, or who you love.
- YOU HAVE THE RIGHT FOR YOUR BEST INTERESTS TO BE GIVEN PRIORITY CONSIDERATION. All actions and decisions that affect you should be based on what is best for you.
- YOU HAVE THE RIGHT TO LIFE AND DEVELOPMENT. You have the Right to grow up and develop in a healthy manner and in a safe environment. Adults should help you in realising this Right.
- YOU HAVE THE RIGHT TO BE HEARD AND INFLUENCE WHAT HAPPENS TO YOU. When adults are making decisions that affect you, you have the Right to say freely what you think should happen to you and your opinion has to be listened to and taken seriously.

SPECIFIC RIGHTS FOR CHILD VICTIMS OF SEXUAL EXPLOITATION AND ABUSE ARE:

1 YOU HAVE THE RIGHT TO REPORT WHAT HAS HAPPENED TO YOU
You should not feel scared or ashamed to tell a safe person, a trusted organisation, or the police what has happened, or is happening to you. A safe person is someone who has never hurt you. He or she could be a family member, friend, teacher, lawyer, doctor or social worker. If you do tell a safe person or a trusted organisation to help you, they might have to tell the police what happened to you.

2 YOU HAVE THE RIGHT TO BE PROTECTED
Your Right to be protected includes your Right to be rescued from the sexual exploitation and abuse. Police have a duty to prevent and detect crimes and to help you in getting out of danger and away from people who hurt you. Often the police will work with other people such as social workers, doctors and others to make sure that all your needs are met and you are supported.

3 YOU HAVE THE RIGHT TO FILE A CRIMINAL COMPLAINT AGAINST THE PEOPLE WHO HURT YOU
You have the Right to decide if you want to officially complain about the person who hurt you. If you do, the police should investigate your complaint. Together with prosecutors, judges and lawyers, they should handle your complaint as quickly as possible, but the process can sometimes be long and tiring. If, at the end of the process the people who hurt you are found guilty, they should be punished.

4 YOU HAVE THE RIGHT TO SPECIAL TREATMENT WHEN YOU PARTICIPATE IN THE LEGAL PROCESS
You have an important role in the legal process. You may have to tell your story more than once and you will probably have to go to court. This can be difficult, but taking part in the legal process should never be harmful to you. If you are asked to do anything during the legal process that makes you afraid or upset, speak up because special measures can be taken to help you.

5 YOU HAVE A RIGHT TO GET HELP THAT CAN MAKE THE LEGAL PROCESS EASIER FOR YOU
During the legal process you may want legal advice, help with translation, or just some information about how the legal system works. You can sometimes get this help for free at the hospital, police station, prosecutor's office, courthouse or from your social worker. There are also community organisations, such as legal aid societies or children's rights groups, who can give you the help you need.

6 YOU HAVE THE RIGHT TO BE SAFE DURING THE LEGAL PROCESS
You and your family have a Right to be protected from threats or harassment during the legal process. No one should try to make you change your story or take back what you have said.

7 YOU HAVE THE RIGHT TO HAVE YOUR PRIVACY RESPECTED DURING THE LEGAL PROCESS
Police, prosecutors, judges and lawyers should ensure that no information that could help the public identify you (for example, your name, address, and picture) gets out.

8 YOU HAVE THE RIGHT TO FREE MEDICAL AND SOCIAL SERVICES TO HELP YOU COPE AND GET BETTER BEFORE AND DURING THE LEGAL PROCESS AND UNTIL YOU FEEL OKAY AGAIN
You have the Right to have your basic needs met, including food, clothing and shelter. You also have a Right to receive or continue your education, and any care or support you may need, such as medical treatment and counselling. Receiving these services shouldn't depend on whether there is a criminal complaint or not.

9 YOU HAVE THE RIGHT TO GET INFORMATION RELATED TO THE LEGAL PROCESS
You have the Right to know what is happening with your complaint. The information you receive should be in a language that you understand. You have the Right to ask questions at any time.

10 YOU HAVE THE RIGHT TO CLAIM COMPENSATION FOR THE HARM DONE TO YOU
You can start a process against the person(s) who hurt you to receive money or other benefits, to make up for the harm caused to you. You might also be able to receive money from the government to pay for any costs you have had or for any services you have used (such as counselling and medical expenses) to help you get better.

Reading this poster was really important because you have the "Right to know about all your Rights!". There are a lot of people and organisations who can help and protect you, including social services, non-governmental organisations, and helplines.

If you, or someone you know is, in danger and you're not sure what to do, you should call your national helpline number. They will be able to tell you how you can get help.

Find out who can help you in your country: www.ecpat.org/where-we-work
Look out for your national helpline number: www.childhelplineinternational.org/where-we-work

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FOR HELP CALL [ADD NATIONAL HELPLINE NUMBER]

What is SEC?

In order for children to understand that they are victims of a crime, they need to be able to recognize the crime in the first place. This part therefore explains what is sexual exploitation and abuse and by whom and how it can be committed.

1

What are rights ?

Children need to understand that they have specific and internationally recognised rights. If they are victims of a crime, these rights and special measures need to be applied to all children, regardless of their age, gender, background etc. This section therefore contains the four guiding principles of the CRC that are general requirement for all other rights applied to children.

2

What are the rights for child victims?

These 10 rights are the most relevant for child victims of sexual exploitation and abuse. All come from various legally binding treaties, and are there to guide the child to access justice and remedies against possible violations of his/her rights.

3

Who can help ?

A crucial element in this poster is to give the child the possibility to call out for help. All partners using this poster are strongly encouraged to add their national helpline number here.

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