

## PRESIDÊNCIA DA REPÚBLICA

### Decreto do Presidente da República n.º 14/2003

de 5 de Março

O Presidente da República decreta, nos termos do artigo 135.º, alínea b), da Constituição, o seguinte:

É ratificado o Protocolo Facultativo à Convenção sobre os Direitos da Criança Relativo à Venda de Crianças, Prostituição Infantil e Pornografia Infantil, adoptado em Nova Iorque em 25 de Maio de 2000, aprovado, para ratificação, pela Resolução da Assembleia da República n.º 16/2003, em 5 de Dezembro de 2002.

Assinado em 10 de Fevereiro de 2003.

Publique-se.

O Presidente da República, JORGE SAMPAIO.

Referendado em 11 de Fevereiro de 2003.

O Primeiro-Ministro, *José Manuel Durão Barroso*.

## ASSEMBLEIA DA REPÚBLICA

### Resolução da Assembleia da República n.º 16/2003

**Aprova, para ratificação, o Protocolo Facultativo à Convenção sobre os Direitos da Criança Relativo à Venda de Crianças, Prostituição Infantil e Pornografia Infantil, adoptado em Nova Iorque em 25 de Maio de 2000.**

A Assembleia da República resolve, nos termos da alínea i) do artigo 161.º e do n.º 5 do artigo 166.º da Constituição, aprovar, para ratificação, o Protocolo Facultativo à Convenção sobre os Direitos da Criança Relativo à Venda de Crianças, Prostituição Infantil e Pornografia Infantil, adoptado em Nova Iorque, em 25 de Maio de 2000, cuja cópia autenticada da versão em língua inglesa e respectiva tradução em língua portuguesa constam de anexo à presente resolução.

Aprovada em 5 de Dezembro de 2002.

O Presidente da Assembleia da República, *João Bosco Mota Amaral*.

#### ANEXO

### OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY.

The States Parties to the present Protocol:

Considering that, in order further to achieve the purposes of the Convention on the Rights of the Child and the implementation of its provisions, especially articles 1, 11, 21, 32, 33, 34, 35 and 36, it would be appropriate to extend the measures that States Parties should undertake in order to guarantee the protection of the child from the sale of children, child prostitution and child pornography;

Considering also that the Convention on the Rights of the Child recognizes the right of the child to be protected from economic exploitation and

from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

Gravely concerned at the significant and increasing international traffic of children for the purpose of the sale of children, child prostitution and child pornography;

Deeply concerned at the widespread and continuing practice of sex tourism, to which children are especially vulnerable, as it directly promotes the sale of children, child prostitution and child pornography;

Recognizing that a number of particularly vulnerable groups, including girl children, are at greater risk of sexual exploitation, and that girl children are disproportionately represented among the sexually exploited;

Concerned about the growing availability of child pornography on the Internet and other evolving technologies, and recalling the International Conference on Combating Child Pornography on the Internet (Vienna, 1999) and, in particular, its conclusion calling for the worldwide criminalization of the production, distribution, exportation, transmission, importation, intentional possession and advertising of child pornography, and stressing the importance of closer cooperation and partnership between Governments and the Internet industry;

Believing that the elimination of the sale of children, child prostitution and child pornography will be facilitated by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structure, dysfunctioning families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking of children;

Believing that efforts to raise public awareness are needed to reduce consumer demand for the sale of children, child prostitution and child pornography, and also believing in the importance of strengthening global partnership among all actors and of improving law enforcement at the national level;

Noting the provisions of international legal instruments relevant to the protection of children, including the Hague Convention on the Protection of Children and Cooperation with Respect to Inter-Country Adoption, the Hague Convention on the Civil Aspects of International Child Abduction, the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, and International Labour Organization Convention no. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists for the promotion and protection of the rights of the child;