



Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

Sexual exploitation and sexual abuse are amongst the worst forms of violence against children. According to Unicef, approximately 2 million children are used in the "sex industry" each year. There are more than 1 million images of 10-20 000 sexually abused children posted on the Internet. Few of these children have been identified. Most are anonymous, abandoned and probably still being abused.

There are no statistics on the extent of child sexual abuse in Europe, but it is well known that there is a large discrepancy between the number of reported cases and actual cases. The data we do have show that in Europe most sexual abuse against children is committed in the family, by persons close to the child or in the child's social environment. Protecting children from violence, especially sexual violence, has been a long-standing priority at the Council of Europe.

About the Council of Europe

Founded in 1949, the Council of Europe seeks to develop common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals, including children.

The programme "Building a Europe for and with children" was set up to secure and promote children's human rights, and to protect children from all forms of violence.

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What is the purpose of the convention?

The new Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse is a major step forward in the prevention of sexual offences against children, the prosecution of perpetrators and the protection of child victims.

Protecting children is at the heart of this convention. It focuses throughout on respect for children's rights, ensuring their well-being, responding to their views, needs and concerns, and acting at all times in their best interests.



What does the convention require states to do?

Preventive measures

- ▶ screen, recruit and train persons working in contact with children;
- ▶ ensure that children are made aware of the risks of sexual exploitation and sexual abuse and of how to protect themselves;
- ▶ ensure regularly monitored intervention measures for both offenders and potential offenders, aimed at preventing sexual offences against children.

Protective measures

- ▶ establish programmes to support victims and their families. Set up therapeutic assistance and emergency psychological care;
- ▶ encourage the reporting of suspicion of sexual exploitation or sexual abuse;
- ▶ set up telephone and Internet helplines to provide advice.

Criminal law measures

- ▶ ensure that certain types of conduct are criminal offences, such as engaging in sexual activities with a child below the legal age for such activities;
- ▶ criminalise conduct which makes use of new technologies, in particular the Internet, to sexually harm children, for example grooming (soliciting children for sexual purposes);
- ▶ establish common clear criteria to ensure that an effective, proportionate and dissuasive punitive system is put in place;
- ▶ collect and store data on convicted offenders of sexual offences against children.

Child-friendly investigative and judicial procedures

- ▶ ensure that child victims are well protected during proceedings, and that the trauma experienced is not aggravated;
- ▶ protect the privacy, identity and image of child victims;
- ▶ establish measures adapted to the needs of child victims, respecting the rights of children and their families;
- ▶ limit the number of interviews with child victims; ensure they take place in reassuring surroundings, with professionals trained for the purpose.

Monitoring

- ▶ set up a specific monitoring mechanism to ensure the implementation of the convention. This ensures states' compliance with the convention and is a guarantee of its long-term effectiveness.

Which offences are covered?

The convention describes behaviour constituting sexual exploitation and sexual abuse in Articles 18 to 23.

This is the first time that an international treaty has identified and criminalised the offence of sexual abuse. Research has shown that sexual abuse of children from those that they know and associate with is one of the most psychologically damaging forms of child sexual violence, with long-lasting consequences for the victim. The convention criminalises cases where an adult has sexual relations with a child, particularly when use is made of force or threats.

The convention also criminalises:

- ▶ offences concerning child prostitution;
The demand for child prostitutes has increased markedly, and is often linked to organised crime and trafficking. The convention establishes links between demand and supply of child prostitutes by requiring criminal sanctions for both the "recruiters" and the "users".
- ▶ offences concerning child pornography;
The production, offering, distribution, possession and online viewing of child pornography are criminalised in the convention.
- ▶ the solicitation of children for sexual purposes (grooming);
Grooming has been included in an international treaty for the first time, reflecting the increasingly worrying phenomenon of children being sexually harmed when meeting up with adults initially encountered in cyberspace, specifically in Internet chat rooms or game sites. The term "grooming" refers to the preparation of a child for sexual abuse, motivated by the desire to use the child for sexual gratification.



Who can be punished?

Anyone who commits any of the offences established in the convention can be prosecuted. In relation to the most serious offences, even where the act is committed abroad in a state where the same conduct is not criminalised, the perpetrator can be prosecuted on return to his/her country of nationality. This is intended to combat the phenomenon of child sex tourism.