

## Fighting Child Sexual Exploitation and Abuse in Europe

### Key points

- Statistics show that in developed western democracies around one in ten children and young adults suffer some form of sexual abuse (figures taken from the National Society for the Protection of Children NSPCC, UK).
- Figures from the National Society for the Protection of Children (NSPCC) in the UK showed that one in every ten child under 16 had experienced sexual abuse during childhood by people known to them. One in every hundred had been abused by a parent or carer, and one in every fifteen by a stranger.
- In a study carried out by the European Union in five countries (Denmark, Iceland, Ireland, Norway and Sweden) 11,000 children and parents were interviewed about their online use, and between 24% (Iceland) and 36% (Denmark) of the children said they had received unwanted sexual comments on the internet. Nine per cent (Denmark) to 35% of the children had met a person online claiming to be their own age who subsequently turned out to be an adult.
- On 13 July 2007, the Committee of Ministers of the Council of Europe has adopted the [Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#). It sets out detailed measures for countries to provide legal safeguards against all the different forms of sexual exploitation and abuse. This new Convention is the first instrument to establish the various forms of sexual abuse of children as criminal offences, including such abuse committed in the home or family,
- The Council of Europe's programme "Building a Europe For and With Children" aims to root children's rights firmly into the human rights canon. One of its tasks is to protect children from violence, to prevent abuse and to get children to participate. This way the Council of Europe will reach children – and adults - with the message that sex abuse and exploitation is not acceptable; showing them ways that they can say "no" and campaign to stop it.

### Summary

As the leading human rights body in Europe, the Council has always focused on the rights of children. A number of legal texts aimed at protecting children were already in place by the 1990s. These included a Recommendation on sexual exploitation, pornography, prostitution and trafficking and the 1996 European Convention on the Exercise of Children's Rights. In 1996, the Council represented Europe at the first World Congress on Sexual Exploitation, as well as the follow up conference in Yokohama. For the past few years a special committee of experts has worked under the aegis of the Council on the issue. A convention on the theme is the logical next step – bringing together all the 47 member countries to fight this violation of children's rights.

The Council has decided to act now because there is growing evidence of how big

the problem actually is. As one of the international law-making bodies, it is also able to provide a shared solution.

Sexual exploitation and abuse was a little known subject up until about ten years ago; much of it was taboo and very little research was done into the extent of the problem. Work since then has broken many of the myths around the subject. The old idea that children are abused only by clinical paedophiles - “the stranger with sweeties” - has been turned around by statistics that show that in developed western democracies around one in ten children and young adults suffer some form of sexual abuse (figures taken from the National Society for the Protection of Children NSPCC, UK)

The problem of sex tourism – with children in holiday destinations provided for sex by tour operators – has come to light thanks to the work of NGOs such as ECPAT (End Child Prostitution in Asian Tourism). Responsible tour operators have reacted by trying to make travellers aware of the problem, and some governments have brought in laws to try to stop this form of abuse.

## Questions and Answers

### What does the Convention say?

The Convention takes a holistic approach to the problem. It proposes tools that can prevent exploitation and abuse – such as training and awareness-raising for people working with children, and class work for children in primary and secondary schools so they can learn how to protect themselves. It proposes that each country set up an internet helpline and make sure there are services to victims to help them to recover. It also sets out ways that abusers can get help.

Most importantly, it sets out detailed measures for countries to provide legal safeguards against all the different forms of sexual exploitation and abuse – ranging from criminalising all sexual abuse to stopping child prostitution and child pornography.

### What is the difference between sexual exploitation and sexual abuse?

It is actually quite difficult to distinguish the two, to the point where the experts who drew up the convention decided to give one single definition for both. Traditionally, sexual abuse is generally accepted to take place “behind closed doors” by abusers who have the trust of the child, and the child is vulnerable. Sexual exploitation usually includes acts with a commercial factor – child prostitution, sex tourism or child pornography. One thing is certain though – sexual abuse and exploitation are much more widespread than is generally believed.

### What is extraterritoriality and why can it help solve the problems of child abuse?

Extraterritoriality is the name given when a country prosecutes one of its citizens for

a crime committed abroad. For example, this sort of law allows prosecution to be brought against sex tourists in Thailand when they return to their home country, out of the Thai legal jurisdiction.

The first country to bring in this type of measure was Germany, which changed the criminal code in September 1993 to make it possible to prosecute German citizens for crimes committed in another jurisdiction. Many other countries followed suite, and the Council of Europe is now urging all its 47 members to bring in such laws as part of the Convention.

### **What about pornography on the internet?**

The Council's [Cybercrime Convention](#) was the first international treaty to tackle the issue of crime on the internet, and includes articles on grooming and child pornography. It was opened for signature in Budapest in 2001 and is now in force in 21 countries, including the United States. It makes child pornography over the internet a criminal offence and provides means for police to work together internationally to combat it.

### **What will happen now?**

The Convention will be opened for signature for all members of the Council of Europe at the Conference of European Ministers of Justice in Lanzarote on 25 and 26 October this year – providing an effective tool in the fight against child sexual exploitation and abuse.

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