



## High Level Cross-Regional Meeting on the Protection of Children from Sexual Violence

co-organised by the Special Representative of the UN Secretary-General on Violence against Children and the Council of Europe

**Strasbourg, 18-19 June 2015**

### **Speech by Ms Gabriella Battaini-Dragoni, Deputy Secretary General of the Council of Europe**

#### **Official Opening Session, 18 June**

Special Representative of the United Nations Secretary General on Violence against Children, dear Marta,

Special Rapporteur of the United Nations on the sale of children, child prostitution and child pornography, dear Maud,

Excellencies  
Ladies and gentlemen,

We all want a society where children's rights are upheld in law and in practice, and where they can live free from violence. Together our organisations are working to make children's rights a reality.

Let me thank Marta Santos Pais for her tireless work to ensure that children live a life free from violence. Marta has been the real engine behind these annual meetings, which bring together the World's regions around the issue of violence against children and show that, in spite of our differences, it is possible to have common priorities and commitment across the Globe. A commitment to combat violence against children that Marta showed even before she was appointed in her current position, when - from her Headquarters at the Unicef Innocenti Center in downtown Florence – she has been instrumental in bridging the cooperation between the UN and the Council of Europe on combating violence against children.



I would also like to thank my predecessor, Maud de Boer Buquicchio: her vision and leadership placed children's rights high on the Council of Europe's agenda – where it has remained. Working hand in hand with Marta, the two have helped place children's rights high on the international community's agenda, too. And Maud has remained committed to the cause by acting as Special Rapporteur of the United Nations on the sale of children, child prostitution and child pornography. We are grateful for her presence here today.

### *Sexual Violence Against Children*

The work of the Council of Europe, and our 47 member States, is firmly grounded in the UN Convention for the Rights of the Child, in its protocols, and the General Comments. This convention, together with our European Convention on Human Rights and European Social Charter, set – if you like – the overarching framework for our shared, European approach to children's rights. And it is through our programme “Building a Europe for and with Children”, launched in 2006, that we strive to help our member States develop the policies needed to deliver on the promises enshrined in these legal texts. Within all this, as a human rights organisation, the Council of Europe pursues a child rights approach.

Today I am going to focus on specifically what we are doing to help combat sexual violence against children – the theme of our meeting.

I don't need to tell anyone in this room about the many children whose lives are still devastated by these crimes – across all nations, across all cultures.

You are here because you already know the statistics; you already know the horror stories; and you want to do something about them.

My job, instead, is to tell you about Europe's approach. What are our nations doing, together, to protect our children from the crimes that rob them of their innocence and stay with them their entire lives?

The best way for you to understand our approach is to think of it in three parts.

The normative part – where we negotiate international, legally binding standards, which embody our shared values and which then define the obligations our governments must meet.

The monitoring part – where our member States open their doors to experts who evaluate whether or not they are sticking to these obligations. On the basis of their findings we can then work with our governments to drive through necessary reforms.

And the awareness raising part – where we strive, often partnering with civil society, to educate, to lift a lid on abuse, and to challenge the taboos which leave too many children suffering in silence.

Let me say a word on each.

### *Legal standards*

First, on our legal standards:

Over recent years the CoE has established a set of four Conventions: four international treaties which, together help create a protective wall around our children. Each, in its own way, has broken new ground, pushing our member States to reconsider and redefine what constitutes sexual violence against children – and to put in place the laws and practices needed to stop it.

- The Convention on the **Protection of Children against Sexual Exploitation and Sexual Abuse** - better known as the Lanzarote Convention.

Lanzarote now has 36 state parties. It criminalizes all kinds of sexual offences against children, including – and this has been a major breakthrough – sexual abuse in the circle of trust. It outlines in great detail the measures which must be taken to prevent such offences, to protect the child victims and to bring perpetrators to justice. This Convention is the blueprint for how states should design their legal framework and improve their practices.

- The **Convention on Preventing and Combating Violence against Women and Domestic violence** - better known as the Istanbul Convention.

Perhaps more than any other, Istanbul has taken states out of their comfort-zone, because it frames violence against women and girls as a cause and consequence of inequality between the sexes.

It enables states not just to prevent harmful acts, not just to protect victims, not just to prosecute the offenders – but to do all three.

- **The Convention on Action against Trafficking in Human Beings...**

...which celebrated its ten year anniversary just a few days ago, and which creates clear, specific protections for children who are – or could be – trafficked for sexual exploitation. Just five European states have not yet ratified this treaty. This week the Secretary General stepped up pressure on them to do so, and already one – Turkey – has confirmed that this will be a priority for their new parliament.

- **Finally, we also have our Cybercrime Convention**, or the Budapest Convention.

It has 46 state parties, including 7 States outside of Europe. It criminalizes a range of offences committed on, against or through computer systems and – crucially – this includes child pornography on the Internet. Budapest prescribes investigative tools and practices which are vastly more effective in an internet age, empowering law enforcement authorities to go after paedophiles. It also provides for a 24/7 international cooperation network, meaning that these authorities – when confronted with evidence or suspicious activity – can act quickly, and act together.

These 4 conventions are the bricks in the protective wall I described. They lock together, complementing one and other: so that child victims can be protected and assisted, so that perpetrators can be brought to justice, and so that Europe's police, courts and governments can work together – instead of each of us fighting this fight alone.

For instance, a girl identified as a victim of trafficking for sexual exploitation benefits from the assistance and protection measures of the Anti-Trafficking and, as a victim of violence, of

the Istanbul Conventions. If the crime committed against her occurred abroad, the authorities would be able to prosecute the perpetrators under the Lanzarote Convention's extra-territorial jurisdiction provisions. Thanks to the Cybercrime Convention, investigators would be able to gather computer-related evidence, on a 24/7 basis, and to secure international cooperation.

And these Conventions aren't just for Europe. All four are open for accession by any State across the globe. I encourage you to use this meeting to explore the potential they may have for your regions.

## *Monitoring*

Of course, we all know that treaties are not worth the paper they are written on unless they are implemented. To that end – and this is the second pillar of our approach – we have monitoring bodies which you will learn more about today.

Monitoring activities, of course, have their limitations: change and reform cannot be driven by Strasbourg alone. Ultimately it depends on political will in the State in question.

But by working with our members, by getting into the countries to see what is really going on the ground, and by looking for constructive and realistic reforms, immensely important steps have been taken.

GRETA, for example, is the Group of Experts on Action Against Trafficking in Human Beings – they are the only body in the world of their kind. Over the last five years they have evaluated the anti-trafficking legislation, policy and practice of 39 countries, publishing detailed, country-by-country reports setting out what works, what doesn't - and coming up with real solutions.

In its most recent report on the state of trafficking across Europe, GRETA's main finding was that, as a continent, we are not doing enough to identify child victims in particular. There are some good examples.

In "the former Yugoslav Republic of Macedonia" efforts are now being made to combat school drop-out in the Roma community specifically – because we know this group is especially vulnerable to trafficking. In the Netherlands, programmes are underway to work with children themselves, so that they understand the risks. Again, something we know can work well. But much more needs to be done, and – as a result of our monitoring work – this is where we can now put our energies to help reverse worrying trends.

I would also like to highlight the work of the Lanzarote Committee. In its first monitoring round, the Committee is focusing on the protection of children against sexual abuse in the circle of trust. For so long this part of a child's life was considered beyond the reach of state authorities – but so often it is where the abuse takes place.

This first round is showing us that – across many of our states – we need a much more multidisciplinary and coordinated approach to ensure that all child victims are heard, recognised and respected at all levels, and that actions are taken by every relevant authority on the basis of the best interests and well-being of the child.

And monitoring is a two way street: it also allows states to tell us the challenges they face and what we need to do. We now know, for example, through the Lanzarote Committee, that many governments are finding it difficult to criminalise new types of sexual exploitation and abuse, such as the production of self-generated sexual material, or sexual extortion, or live distant streamlining of sexual abuse. The original Convention did not sufficiently cover these more modern challenges, so the Lanzarote Committee is now exchanging ideas on how the authorities can best protect children from new sexual crimes.

### *Awareness-raising*

Finally, the third pillar: raising awareness about these crimes. Because you can have treaties, you can have laws, you can have monitoring bodies – but if a society doesn't fully understand the nature or scale of sexual violence against children – and if it isn't prepared to talk about it – too many victims will continue to suffer in silence and too many perpetrators will be allowed to behave with impunity.

To this end we have had our “One in Five Campaign” – its name comes from the fact that one in five European children are believed to have experienced this abuse at some point. It has had some real successes. In 2013, in Serbia, for example, the campaign helped secure the government's decision to repeal, from its criminal code, the statute of limitation for bringing proceedings on sexual offences against children. In Italy, it helped secure the establishment of the “Observatory against paedophilia”.

Council of Europe member States have also recently agreed to mark – on 18 November, every year - the new European Day to protect children from sexual exploitation and sexual abuse. Some people say that such actions don't matter. That they are mere symbols. Well I say that this symbol does matter. Because, in this context, we are helping give children the confidence to speak up; and this day will be an opportunity for our whole continent to speak with a single voice against these heinous crimes.

So shared legal standards; effective monitoring; raising awareness. I hope that I have given you a clear overview of our work and the way in which Europe's nations are, step-by-step, brick-by-brick building a system of common laws and practices, where we put real emphasis on implementation and where speak up and speak out against these crimes.

### *Post-2015 Sustainable Development Agenda*

Before I conclude, let me add that the Council of Europe is following with great interest the important work of the UN on the Post-2015 Sustainable Development Agenda. We attach great importance to the current focus on addressing the main global challenges, which we in Europe face along with the rest of the world. We cannot work in isolation.

In this context, I trust that our standards and policies, as well as the findings of our monitoring bodies, will serve as a “yardstick” for our member States to evaluate developments and address the challenges our societies face, including in the area of children's rights.

I want to thank again our friend Marta for the excellent cooperation we have established throughout the years; Maud for honouring us with her presence today; and all of you who have come from different regions of the world to join us here today. Few issues matter as much as keeping our children safe, and I am grateful for your insights and commitment. I wish you all the best for the coming days.