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(ENGLISH only)

Council of Europe Convention on the Protection of Children  
against Sexual Exploitation and Sexual Abuse  
(CETS No. 201)

**The right of children to be protected against sexual violence  
Relevant case-law**

**Reference document prepared by the Secretariat**

## Introduction

While preparing the questionnaires to be addressed to the Parties of the Lanzarote Convention to (1) take stock of the implementation of the Lanzarote Convention and to (2) carry out the first monitoring round of the implementation of the Lanzarote Convention in States Parties,<sup>1</sup> the Lanzarote Committee agreed to address to the Parties a non-exhaustive summary of the Council of Europe<sup>2</sup> case-law concerning the right of children to be protected against sexual violence.<sup>3</sup>

The aim of this document is therefore to briefly introduce the relevant case-law of the European Court of Human Rights<sup>4</sup> and of the European Committee of Social Rights.<sup>5</sup> This case-law is in fact the natural framework of reference for the Lanzarote Committee as the Parties to the Lanzarote Convention are also all Parties to the two main Council of Europe human rights treaties, the European Convention on Human Rights and the European Social Charter.

The non-exhaustive summary below is up-dated until 2011 included.

- More recent judgments of the European Court of Human Rights concerning the right of children to protection against sexual violence are available by accessing the **Theseus database** at [http://www.coe.int/t/dg3/children/wcd/simplesearch\\_EN.asp](http://www.coe.int/t/dg3/children/wcd/simplesearch_EN.asp)? You should enter the relevant key word(s) such as “sexual abuse” in the search engine.
- The full text of all conclusions and/or decisions of the European Committee of Social Rights concerning protection of children against violence (including sexual) is available by accessing the **ESC Case-law database** at: <http://hudoc.esc.coe.int/esc2008/query.asp?language=en>  
The main provision of the European Social Charter to be entered in the search engine is Article 7§10. Relevant case-law might however also be found under Articles 16 and 17.

### I. [The relevant case law of the European Court of Human Rights](#)

### II. [The relevant case law of the European Committee of Social Rights](#)

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<sup>1</sup> Both questionnaires are available at: [www.coe.int/lanzarote](http://www.coe.int/lanzarote)

<sup>2</sup> For the relevant General Comments of the UN Committee for the Rights of the Child, click on: <http://www2.ohchr.org/english/bodies/crc/comments.htm>

<sup>3</sup> See the report of the 4<sup>th</sup> meeting of the Lanzarote Committee (document T-ES(2013)06, § 22) available at: [http://www.coe.int/t/dghl/standardsetting/children/Documents4thmeeting\\_en.asp](http://www.coe.int/t/dghl/standardsetting/children/Documents4thmeeting_en.asp)

<sup>4</sup> For comprehensive information on the European Court of Human Rights, please visit: [www.echr.coe.int](http://www.echr.coe.int)

<sup>5</sup> For comprehensive information on the European Committee of Social Rights, please visit: [www.coe.int/socialcharter](http://www.coe.int/socialcharter)