

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Recommendation 332 (2012)<sup>1</sup> Regional legislation and action to combat sexual exploitation and abuse of children

1. The main international legal instruments to protect children's rights are the United Nations Convention on the Rights of the Child (United Nations, 1989) and the Optional Protocol on the sale of children, child prostitution and child pornography (United Nations, 2002). They protect children from all forms of sexual exploitation and abuse, abduction, sale and trafficking, any other form of exploitation and from cruel or inhuman treatment.

2. Among the Council of Europe's legal instruments, the European Social Charter (ETS No. 35, revised in 1996 (ETS No. 163)), the Convention on Cybercrime (ETS No. 185) and the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) give special attention to protecting children and young people against violence or exploitation.

3. The Council of Europe has been fighting sexual violence and abuse against children for more than fifteen years and, based on the conclusions of the Committee of Experts on the Protection of Children against Sexual Exploitation and Sexual Abuse (PC-ES), opened up for signature in 2007 the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, entered into force in 2010), or the "Lanzarote Convention" as it is also known.

4. The Lanzarote Convention is the first international instrument to cover all the various forms of sexual abuse against

children as criminal offences, including such abuse committed in the home or family, with the use of force, coercion or threats. It outlines various preventive measures, as well as programmes which support victims, encourage people to report suspected sexual exploitation and abuse, and set up telephone and Internet helplines for children. The convention also ensures that certain types of conduct are classified as criminal offences, such as engaging in sexual activities with a child who has not attained the legal age, and child prostitution and pornography, and criminalises the use of new technologies – the Internet in particular – to sexually harm or abuse children, for example by "grooming".

5. The Congress of Local and Regional Authorities of the Council of Europe welcomes the adoption by the Council of Europe of its Strategy for the Rights of the Child 2012-2015 and in this context:

*a.* recommends that the Committee of Ministers invite member States to implement fully the strategy, to actively support the Council of Europe ONE in FIVE Campaign to stop sexual violence against children, and to sign and ratify the Lanzarote Convention as soon as possible;

*b.* recommends also that the Committee of Ministers invite member States to support regional action and measures to prevent and deal with the sexual abuse of children;

*c.* echoes the call by the Committee of Ministers to member States to take into account the guidelines that appear in the appendix to Recommendation CM/Rec(2011)12 to member States on children's rights and social services friendly to children and families;

*d.* reiterates its request to the Committee of Ministers to implement its proposals in Congress Recommendation 272 (2009) on preventing violence against children.

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1. Debated and approved by the Chamber of Regions on 17 October 2012 and adopted by the Congress on 18 October 2012, 3rd Sitting (see Document [CPR\(23\)3](#), explanatory memorandum), presented by J. Van Den Hout, Netherlands (R, SOC) on behalf of D. Davidovic, Serbia (R, NR), rapporteur.