

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 350 (2012)¹ Regional legislation and action to combat sexual exploitation and abuse of children

1. Sexual violence is a complex, sensitive and alarmingly widespread threat to the well-being and healthy development of all children across Europe, regardless of their age, sex or ethnic and religious background. It can take many forms including incest, pornography, prostitution, trafficking in human beings, corruption, solicitation via the Internet, sexual exploitation and sexual abuse.

2. Child sexual abuse and exploitation are often referred to as the “secret crime” as child victims typically experience great difficulty in disclosing it. This and the lack of standardised and comparable data collection methods mean it is difficult to obtain a clear picture of the scope of the problem. However, available data suggest that about one child in five in Europe is a victim of some form of sexual violence, one of the worst forms of violence against children.

3. Although public attention is most often drawn towards the lurking stranger depicted in the media, children are most at risk of abuse from those around them. Indeed it is estimated that in 70% to 85% of cases, the abuser is somebody the child knows and trusts such as family members and friends, care-givers, even peers.

4. The pain of child abuse does not always end after the physical act, as afterwards child victims are subjected to numerous interviews with social, legal and law enforcement agencies. The repetition of the painful details of the abuse might lead to further emotional trauma to the victim. Multidisciplinary centres, where all agencies having to intervene in the investigation of cases of child sexual abuse can do so under one roof, avoid this re-victimisation of the child.

5. The Council of Europe has been fighting sexual violence and abuse against children for more than fifteen years and in 2007 the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201), also known as the “Lanzarote Convention”, was opened for signature. This is the first international instrument to establish the various forms of sexual abuse of children as criminal offences, including such abuse committed in the home or family, with the use of force, coercion or threats.

6. The ONE in FIVE Campaign to stop sexual violence against children was launched by the Council of Europe in 2010 and aims to achieve further signature, ratification and implementation of the Lanzarote Convention, as well as to

equip children, their families/carers and societies at large with the knowledge and tools to prevent and report sexual violence against children, thereby raising awareness of its extent.

7. The Lanzarote Convention does not indicate specifically whether the legislation and measures it advocates to prevent and protect child victims of sexual abuse and exploitation should be enacted at the State or regional level. Whilst many measures will need to be transposed into criminal and civil law, which are usually a State competence, some crucial issues in the field of child protection may come under the remit of regions, such as the regulation and organisation of welfare, social and health services and the adoption of specific measures and structures to prevent sexual exploitation and abuse and to protect children.

8. An independent, competent regional body for the protection of children against sexual abuse and exploitation is of paramount importance to ensure a comprehensive, multi-agency and interdisciplinary strategy. It may co-ordinate the various agencies including the education, social and health sectors, law enforcement and judicial authorities, and co-operate with national and local agencies working to ensure the child’s rights are effectively implemented when dealing with cases of child sexual abuse and exploitation.

9. Regions may promote and conduct awareness-raising campaigns on the phenomenon of child sexual abuse and exploitation addressed to the general public, preferably in co-operation with local and central agencies. They can encourage and finance third sector programmes and projects which promote the participation of children, parents, the media and the private sector in fighting child sexual abuse and exploitation.

10. In areas under their responsibility, regional authorities should ensure that all persons working with children receive adequate training on the phenomenon of sexual abuse and exploitation, including on the rights of the child in such circumstances, and on what to do where sexual violence is suspected. This includes people working in social services, the education, health, judicial and law-enforcement sectors, as well as in areas relating to sport, culture and leisure activities. In addition, awareness of online-related child abuse and exploitation needs to be embedded in child protection systems.

11. Regions should define strategies that recognise existing roles and resources in this field and identify good practices as well as potentialities and challenges ahead to improve concerted action to protect children.

12. The Congress of Local and Regional Authorities of the Council of Europe therefore invites regional authorities and, in particular, those of regions with legislative powers, to integrate the following provisions of the Lanzarote Convention into regional legislation and administrative practice in order to complement the respective activities by national authorities:

a. set up child-friendly, multi-agency and interdisciplinary centres for child victims and witnesses of sexual abuse and exploitation where children can be interviewed and

medically examined for forensic purposes, comprehensively assessed and can receive all relevant counselling and therapeutic services from appropriate professionals;

b. establish or designate an independent and competent regional body for the protection of children against sexual abuse and exploitation which would co-ordinate the implementation of a comprehensive, multi-agency and interdisciplinary strategy with national and local actions;

c. set up or designate a focal point for the systematic collection of data on child sexual abuse and exploitation and the promotion of regular surveys among children, including in primary and secondary schools with the aim of measuring the prevalence of child sexual exploitation and abuse;

d. conduct awareness-raising campaigns addressed to the general public, parents, children and professionals working with and for children which address all forms of child sexual exploitation and abuse including “grooming” for sexual purposes, child abusive images on the Internet, trafficking and intra-familial sexual abuse; encourage children’s full participation especially with regard to the new communication technologies; produce guidelines explaining appropriate responses or courses of action to be taken where there is a suspicion of abuse;

e. ensure adequate and regular training on different forms of sexual violence for all professionals working for and with children in the different sectors, including the judicial system;

f. ensure that appropriate risk assessment and therapeutic services for young people who commit sex offences and children who display inappropriate sexual behaviour are available and accessible in the region.

13. In addition, the Congress welcomes the adoption by the Council of Europe of its Strategy for the Rights of the Child 2012-2015 and commits to mainstreaming children’s rights into all of its policy areas and activities. In this context, the Congress:

a. invites regional authorities to work actively to promote the aims of the Council of Europe’s ONE in FIVE Campaign to stop sexual violence against children and, in particular, to implement the Strategic Action Plan which addresses the local and regional dimensions of the campaign;

b. recalls its Resolution 289 (2009) on preventing violence against children and repeats its invitation to regional authorities to incorporate the three dimensions of networking and participative planning; regulation and quality standards; and monitoring and evaluation into their child protection strategies;

c. draws the attention of regional authorities to Committee of Ministers’ Recommendation CM/Rec(2011)12 to member States on children’s rights and social services friendly to children and families, and invites them to take into account the appended guidelines as a practical tool for adapting their social services systems for children and families to the specific rights, interests and needs of children and to identify practical remedies to existing shortcomings in social service delivery.

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.