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## Committee on Social Affairs, Health and Sustainable Development

### Consideration of replies from the Committee of Ministers to recommendations emanating from the Committee

#### [Recommendation 2269 \(2024\)](#)

##### **Child abuse in institutions in Europe**

(Rapporteur : Mr Pierre-Alain Fridez, Switzerland, SOC, [Doc. 15889](#))

##### **Comments by the Rapporteur**

1. The rapporteur notes the consistent findings of the Committee of Ministers (CM) regarding the persistence of violence against children in Europe and throughout the world, including in institutions, and its willingness to remedy the situation.
2. He welcomes the fact that the Lanzarote Committee has undertaken to study the issues raised in his report during its third monitoring cycle on the protection of children from abuse within the circle of trust and to consider the Parliamentary Assembly's recommendations. In this respect, he points out that the Assembly's recommendation concerns all institutions, regardless of their nature - public, private or religious. The rapporteur himself presented his report to the Lanzarote Committee in February 2024, which aroused keen interest on the part of the members and the Chair of the Lanzarote Committee, who emphasised the fruitful cooperation with the Assembly, and to the Steering Committee for the Rights of the Child (CDENF) in May 2024.
3. He welcomes the mandate given to the CDENF to examine the implementation of the CM Recommendation Rec(2005)5 on the rights of children living in institutions. He calls for particular vigilance with regard to the effective implementation by the Member States of the recommendations made as early as 2008 in the [report on the implementation](#) of this recommendation.
4. He emphasises that [his report](#) is inspired by the good example of Switzerland, which focuses in particular on 1) the recognition by the States of all the suffering endured, 2) full reparation for all violence committed against children, in particular sexual abuse, physical violence and mistreatment in institutions, and 3) memorialisation efforts for the benefit of future generations. In this regard, he emphasises the success of [the conference of 6 December 2024 on "Combating child abuse in institutions in Europe"](#), organised by the Committee on Social Affairs, Health and Sustainable Development of the PACE, in collaboration with the Swiss delegation to the PACE and the Guido Fluri Foundation, as part of the follow-up to his report. At the invitation of the organisers, permanent representatives to the Council of Europe and members of the CDENF participated in this conference, highlighting the relevance of synergy between the intergovernmental committees and of monitoring, and the institutional bodies of the Council of Europe.
5. Finally, the various "cases" that are making the news (for example the so-called "Abbé Pierre" and "Notre-Dame de Bétharram institution" cases in France, and the "Protestant Church" case in Germany), in which often-time-barred acts of violence and sexual abuse against children are alleged, show the need, at the very least, for political awareness and official recognition of the abuse. The rapporteur reiterated his statement at the conference on 6 December: "Beyond the physical assaults in childhood, the fact that there is no recognition is an assault". On this point, the rapporteur expresses his dissatisfaction with the response of the CM, which does not present any concrete action in favour of official recognition and unconditional compensation. In addition, these cases raise issues examined by the Assembly and the Lanzarote Committee, such as the non-applicability of statutory limitations to offences, which should be explored in greater depth.
6. In conclusion, the rapporteur wishes that the issue of child abuse in institutions in Europe remains on the Organisation's agenda so that the Member States take concrete measures following the example of Switzerland and that to this end cooperation between the various entities is strengthened.

<sup>1</sup> Document declassified by the Committee on Social Affairs, Health and Sustainable Development at its meeting on 7 March 2025.

<b><u>PACE Recommendation 2269 (2024)</u></b> (adopted on 26.01.2024)	<b>Reply by the CM</b> (adopted on 23.10.24) – <a href="#">Doc. 16071</a>
<p>1. Referring to its Resolution 2533 (2024) “Child abuse in institutions in Europe”, the Parliamentary Assembly proposes to take advantage of good practice and wishes to open a Europe-wide debate on the full reparation for crimes committed against children in public, private and religious institutions in Europe.</p> <p>2. The Assembly welcomes the launch by the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee) of the third monitoring round on the protection of children against sexual abuse in the circle of trust.</p> <p>3. The Assembly invites the Committee of Ministers to encourage the Lanzarote Committee to:</p> <p>3.1. take into account the example of good practice in Switzerland, which has recognised its share of the responsibility for violations of the rights of children placed in institutions and has presented public apologies to victims;</p> <p>3.2. support the memorial efforts of member States, as well as co-operation and exchange of good practices, by encouraging the creation of such memorials which commemorate the victims of institutional mistreatment and highlight the fundamental values of the Council of Europe – human rights, democracy and the rule of law – in order to educate future generations on the best interests of the child and the protection of its well-being.</p> <p>4. Finally, it encourages the Committee of Ministers to support the efforts of member States to recognise the suffering inflicted and deal with its consequences; issue an official and formal apology to past and present victims subjected to any form of physical, sexual or psychological violence, regardless of their age; compensate victims for the damage suffered with no time limit in relation to how long ago the offence occurred; and prosecute the perpetrators of such crimes without a statute of limitations.</p>	<p>1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2269 (2024) “Child abuse in institutions in Europe”. It has forwarded it to the relevant committees for information and possible comments.<sup>1</sup> It welcomes the Assembly’s constant attentions to the rights of the child, and in particular to promoting the protection of children from suffering, abuse and violence, sexual or otherwise. Children are still too often the victims of abuse, without a voice, and we must strive to ensure that no child in our member States, including those in institutions, should ever be subject to violence or ill-treatment.</p> <p>2. In paragraph 3 of its recommendation, the Assembly encourages the Lanzarote Committee to “take into account the example of good practice in Switzerland, which has recognised its share of the responsibility for violations of the rights of children placed in institutions and has presented public apologies to victims” and to “support the memorial efforts of the member States”. In this context, the Committee of Ministers can inform the Assembly that the Lanzarote Committee, in considering the recommendation, held a discussion which touched upon the issues raised by extradition, the challenges related to tackling child abuse in faith-based and sports institutions, and the abuse of children in non-Catholic institutions. The Lanzarote Committee confirmed that the issues raised in the Parliamentary Assembly’s report would be looked into in the course of the ongoing third monitoring round on the protection of children against abuse in the circle of trust, and the Parliamentary Assembly’s recommendations would be considered.</p> <p>3. The Committee of Ministers also informs the Assembly that the Steering Committee for the Rights of the Child (CDENF) has been tasked, under its terms of reference, to conduct an implementation review on Recommendation Rec(2005)5 on the rights of children living in residential institutions by the end of 2027.</p> <p>4. Finally, the Committee of Ministers has taken good note of the Assembly’s recommendation in paragraph 4 which encourages it to support the efforts of member States to recognise the suffering inflicted and deal with its consequences. It invites all member States to give this matter due consideration.</p> <p><sup>1</sup> Steering Committee for the Rights of the Child (CDENF), Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee).</p>