

THE LANZAROTE CONVENTION

PROTECTING CHILDREN
AGAINST SEXUAL EXPLOITATION
AND SEXUAL ABUSE

ARTICLE 23 | SOLICITATION OF CHILDREN FOR SEXUAL PURPOSES



**Council of Europe Project
Combating violence against
children in Ukraine**



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

ARTICLE 23

SOLICITATION OF CHILDREN FOR SEXUAL PURPOSES

Each Party shall take the necessary legislative or other measures to criminalise the intentional proposal, through information and communication technologies, of an adult to meet a child who has not reached the age set in application of Article 18, paragraph 2, for the purpose of committing any of the offences established in accordance with Article 18, paragraph 1.a, or Article 20, paragraph 1.a, against him or her, where this proposal has been followed by material acts leading to such a meeting.

Clarifications

The Lanzarote Convention is the first international legal instrument to define grooming, and the Convention refers to this act as “solicitation of children for sexual purposes”.

The term “grooming” refers to the preparation of a child for sexual abuse, motivated by the desire to use the child for sexual gratification. It may involve the befriending of a child, often through the adult pretending to be another young person, drawing the child into discussing intimate matters, and gradually exposing the child to sexually explicit materials in order to reduce resistance or inhibitions about sex (sexual abuse – Article 18). The child may also be drawn into producing child pornography by sending compromising personal photos using a digital camera, web-cam or phone-cam, which provides the groomer with a means of controlling the child through threats (child pornography - Article 20). Where a physical meeting is arranged the child may be sexually abused or otherwise harmed.

The solicitation of children through information and communication technologies does not necessarily result in a meeting in person. It may remain online and nonetheless cause serious harm to the child. The sexual offences which are intentionally perpetrated during an online meeting through communication technologies are often linked to the production, possession and transmission of child pornography. Therefore, Parties should consider extending the criminalisation of grooming also to cases where sexual abuse is not the result of a meeting in person, but is committed online.

¹Under the age of sexual consent according to the national legislation, Article 18, paragraph 2.

²Opinion on Solicitation of children for sexual purposes through information and communication technologies (Grooming) available here:

<http://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168064de98>

www.coe.int/lanzarote

The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) available here:

<http://rm.coe.int/protection-of-children-against-sexual-exploitation-and-sexual-abuse/1680794e97>



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