



Resolution 1307 (2002)¹

Sexual exploitation of children: zero tolerance

Parliamentary Assembly

1. Since 1996 in particular, the international community has been taking action to combat the sexual exploitation of children. The Parliamentary Assembly wishes to recall the importance of the 1989 United Nations Convention on the Rights of the Child, ratified by all member states of the Council of Europe, in the struggle for the right of children to grow up in a world without exploitation. All the international governmental and non-governmental organisations concerned have been striving to devise an arsenal of measures and proposals to eradicate this scourge.

2. The Assembly nevertheless has to note that the sexual exploitation of minors – through trafficking, prostitution and child pornography – is unremitting and knows no borders, whether geographical, cultural or social, and that we are a long way from halting its expansion. Child pornography in itself represents sexual abuse of children and encourages further such abuse.

3. The problem of sexual abuse of children is aggravated when the Internet is used as a medium, because of the increasing number of users, its anonymity and ease of use, and the contacts it permits.

4. The Assembly believes that it would be futile to create new legal instruments. The member states of the Council of Europe have yet to subscribe to – and to apply – those that already exist, particularly a recent Committee of Ministers recommendation, namely Recommendation Rec (2001) 16 on the protection of children against sexual exploitation. We must move on from words to deeds and make clear our determination to reject the sexual exploitation of children in any form.

5. The Assembly therefore invites all Council of Europe member states:

to adopt legislation which is, at the very least, in line with the principles set out in Committee of Ministers Recommendation Rec (2001) 16 and, in order to achieve this, to request the assistance of the Group of Specialists on the Protection of Children against Sexual Exploitation (PC-S-ES), set up at the Council of Europe;

to declare the combating of sexual exploitation in any form as a national objective, and, should priorities have to be decided in this context, to give precedence to eradicating the dangers posed to children by the Internet, in the light of its present and future impact;

to ratify the Council of Europe's recent Convention on Cybercrime, which is aimed particularly at child pornography on the Internet.

6. The Assembly calls on states to take a zero tolerance approach to crimes committed against children in adopting a proactive policy:

which allows no crime or attempted crime to go unpunished;

which gives priority attention to the rights and views of child victims, and which strives actively to find and identify victims so that they may be rehabilitated and fairly compensated;

1. Assembly debate on 27 September 2002 (32nd Sitting) (see [Doc. 9535](#), report of the Social, Health and Family Affairs Committee, rapporteur: Mr Provera; [Doc. 9573](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Piscitello; and [Doc. 9575](#), opinion of the Committee on Culture, Science and Education, rapporteur: Baroness Hooper). Text adopted by the Assembly on 27 September 2002 (32nd Sitting).



which aims to arrest criminals without giving them the slightest possibility – especially on procedural or geographical grounds – of eluding justice, and which applies penalties severe enough to fit the crime committed;

which uses every means to prevent further offences, including compulsory treatment for offenders and the banning of convicted criminals from certain occupations which bring them into contact with children.

7. The Assembly asks member states to develop information and prevention classes in schools to inform pupils about the sexual exploitation of children.
8. The Assembly urges member states to tackle the problem of sexual abuse by people in positions of trust, such as parents, caregivers, teachers, police or the clergy, through the appropriate bodies. Attention should also be paid to the problem of defamation that may arise from vindictive accusations or press hysteria.
9. The Assembly asks every member state to acquire the means to combat computer crime, especially child pornography, and, to this end, to set up a special sufficiently staffed and equipped police unit comprising members trained in children's rights and new technologies. At the same time, co-operation with Internet professionals at national and international level should be improved in order to develop the appropriate technical and legislative means for the protection of children against illicit and harmful content related to sexual exploitation.
10. The Assembly invites member states to shake out of its indifference a society which needs to be called on as a whole to take action against this scourge, and also to:
 - encourage and draw attention to the duty of ordinary people to report sexual crimes and abuses against children;*
 - make emergency hotlines available free of charge; and*
 - provide assistance, especially of a financial nature, to those non-governmental organisations which are already active in this field to help them to provide their information and prevention service to children and their parents, particularly in respect of the use of new technologies, such as the Internet.*
11. The Assembly calls on states to set up national "observatories" of sexual crimes and abuses against children, with responsibility, inter alia, for developing and improving data compilation and initiating research, so as to ascertain, among other things, the numbers and origins of child victims and the causes of this scourge, in order to prepare appropriate responses, and also so as to follow up victims' cases and find suitable ways of preventing further offences.
12. The Assembly also draws attention to its repeated invitation to member states to appoint, as a matter of necessity, at every national level, an official to defend children's rights (an ombudsman or children's rights commissioner).
13. The Assembly calls on members and future members of the European Union to take the opportunity offered by the Convention on the future of Europe, set up to revise the EU institutions, to propose ways of remedying the deficiencies in, and advancing the cause of, children's rights.
14. The Assembly asks the member states of the Council of Europe to increase the regulation of children's homes.
15. The Assembly asks the member states of Europol to:
 - support Europol in its task of combating trafficking in human beings, including child pornography;*
 - support and invest in the Europol information service specifically dealing with child abuse, including the registration of names of those convicted of such crimes.*
16. Lastly, the Assembly urges the European Union to open the Europol Convention, by amendment of the convention, to states outside the EU, in relation to the specific questions of trafficking in human beings and child pornography and, regardless of the outcome of this request, urges the Council of Europe member states to co-operate fully with Europol on these issues.