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Addressing sexual violence against children: stepping up action and co-operation in Europe

Report¹

Committee on Social Affairs, Health and Sustainable Development

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Summary

The Parliamentary Assembly is deeply concerned by the spread of sexual violence against children. While it is estimated that in Europe at least one in five children suffer from sexual violence, it remains largely unreported due to shame, unbalanced power relations between victims and perpetrators, fear of disclosing intimate information and the fact that disclosure could result in further victimisation.

Today, as Europe is fighting the COVID-19 pandemic, the risk of child sexual abuse is even higher. Many children are confined with their abusers, out of sight of others, who could normally report the potential abuse. Children who live in poverty are increasingly exposed to sexual exploitation. With more time spent by children on social media platforms, on-line risks have grown, too. Child protection systems are not well-equipped to fulfil their mission in times of global health crisis.

Sexual violence against children is an offence against human dignity and a serious violation of human rights, including children's rights. The Assembly calls on the member States to make addressing sexual violence against children a political priority, to make full use of the available resources and to step up their action and increase co-operation.

1. Reference to Committee: [Doc. 14480](#), Reference 4367 of 16 March 2018.



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A. Draft resolution²

1. The Parliamentary Assembly is deeply concerned by the spread of sexual violence against children, and the fact that increasingly young children are victimised. Millions of girls and boys are concerned globally. While it is estimated that in Europe at least one in five children suffer from sexual violence, such violence remains largely unreported due to shame, unbalanced power relations between victims and perpetrators, fear of disclosing intimate information and the fact that disclosure could result in further victimisation, rather than in improving the situation.
2. Today, as Europe is fighting the COVID-19 pandemic and many countries are in lockdown, the risk of child sexual abuse is even higher. Many children are confined with their actual or potential abusers, out of sight of others, who could normally detect, prevent or report the potential abuse. Children who live in poverty are increasingly exposed to sexual exploitation. With more time spent by children on gaming, social media and education platforms, on-line risks have grown, too. Child protection systems are not well-equipped to fulfil their mission in times of global health crisis.
3. Sexual violence against children has serious adverse consequences on the well-being of the children concerned, including later in life. It is an offence against human dignity and a serious violation of human rights, including children's rights.
4. The Assembly notes that sexual violence against children takes place in different settings, ranging from home, school and sports clubs to orphanages and refugee camps, as well as on-line. Such violence can take different forms, from inappropriate touching to gang rape and child sexual abuse by adults in positions of authority. It is therefore a broad phenomenon which requires both comprehensive and targeted approaches and policies, which should be developed and put into practice at different levels.
5. The Assembly takes note of the wealth of national, European and international research, experience and good practice in addressing sexual violence against children. It calls on the Council of Europe member States to make addressing sexual violence against children a political priority, to make full use of the available resources and to step up their action and increase co-operation.
6. To this end, the Assembly urges member States:
 - 6.1. with respect to policy:
 - 6.1.1. to develop and improve existing laws to protect children against sexual violence, with the focus on the best interest of the child, and in line with the United Nations Convention on the Rights of the Child, the United Nations Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention, CETS No. 201), the recommendations of the Lanzarote Committee, and the 2018 Committee of Ministers Guidelines to respect, protect and fulfil the rights of the child in the digital environment;
 - 6.1.2. to set minimum standards and lay down preventive measures to be adopted by educational, cultural, sports, religious and other institutions or organisations where organised activities with children take place, and to implement their legal liability if these requirements are not met, including an obligation to report sexual violence, access to free legal advice for children of any age, protection for whistle-blowers, appropriate recruitment procedures for people in contact with children, and adequate transparency and accountability;
 - 6.1.3. to ensure that the age of sexual consent is not lower than 18 years old, except in the case of consensual relationships between minors or when there is only a small age difference (up to 2 years), in which case it should not be lower than 15;
 - 6.1.4. to abolish the statute of limitations for sexual violence against children, or to at least ensure that the prescription periods for sexual violence against children in civil and criminal law are proportionate to the gravity of the alleged abuse and, in any case, no shorter than 30 years after the victim has reached the age of 18;

2. Draft resolution adopted unanimously by the Committee on 19 May 2020.

- 6.1.5. to consider all possible options to ensure adequate financial compensation for individuals who are victims of sexual violence as children, commensurate with the harm suffered, including by the setting up of national funds for victims who are not compensated by the perpetrator or the liable institution / legal entity;
- 6.1.6. to ensure that international and national frameworks and legislation are effectively translated into action at local levels and that systematic monitoring of implementation takes place; to make full use of parliamentary oversight in relevant monitoring procedures;
- 6.1.7. to support the creation of “Ombudspersons for children” and the strengthening of their role in protecting children from sexual violence;
- 6.1.8. to align policy and practice with research into sexual abuse against children;
- 6.1.9. to develop policy guidelines on child protection against sexual abuse and sexual exploitation during national emergency situations;
- 6.2. with respect to protection and support:
 - 6.2.1. to ensure that adequate and appropriate support to the victims of sexual violence against children is available and accessible, free of charge, including specialised support for both children and adults who were victimised as children;
 - 6.2.2. to promote interdisciplinary co-operation and co-ordination, including by means of setting up child-friendly structures and services for abuse disclosure and child protection, based on the Icelandic model of *Barnahús*, with a view to reducing trauma and re-victimisation of child victims;
 - 6.2.3. to promote training for professionals and volunteers in contact with children, including coaches, health or education professionals and confidential counsellors; such training should include the skills required to identify signs of abuse and to take appropriate action;
 - 6.2.4. to ensure that steps to deal with sexual violence against children are included in the mandates of all establishments that run organised activities with the participation of children; these should include high-level organisations such as National Olympic Committees, international and national sports federations, and also local organisations such as clubs, schools or associations; such mandates should be translated into codes of conduct, rules and regulations; such measures should be required at each level as a condition for receiving public funding;
 - 6.2.5. to ensure that adequate financial and other resources are available, in order to sustain such action, including in times of pandemics or other emergency situations;
- 6.3. with respect to prosecution, to ensure that the requirements of the Lanzarote Convention and of the Council of Europe guidelines on child-friendly justice are fully respected, and:
 - 6.3.1. when children are perpetrators of sexual violence, that alternative measures and restorative justice procedures are applied; criminal prosecution should be used as a last resort;
 - 6.3.2. when children are victims or witnesses, that they are properly supported throughout investigations and court proceedings;
 - 6.3.3. in all cases, the best interests of the child are paramount, as recommended in the United Nations Convention on the Rights of the Child;
- 6.4. with respect to prevention:
 - 6.4.1. to raise public awareness of sexual violence against children by means of campaigns, materials and programmes, including the use of media and social networks; make full use of the European Day for the Protection of Children against Sexual Exploitation and Sexual Abuse – 18 November – as an opportunity for raising awareness of sexual violence against children in this context;
 - 6.4.2. to support comprehensive and appropriate sexuality and relationship education in schools from an early age and as part of life-long learning programmes, including respectful relationship building and practical guidance on how individuals may protect themselves against and report sexual violence;
 - 6.4.3. to provide guidance for the general public on how to respond to suspected child sexual abuse;

6.4.4. to promote a culture of openness in all institutions, in order to ensure that victims of violence receive the support that they need;

6.4.5. to develop and strengthen the social responsibility and accountability of businesses and media, including social media, in preventing the over-sexualisation of children and the “pornification” of youth culture, and in addressing child sexual abuse;

6.4.6. to build alliances with professional trade unions and civil society organisations and seek their advice in developing strategies, legislation, guidelines and good practice;

6.5. with respect to participation and co-operation:

6.5.1. to involve survivors of child sexual abuse in the promotion of children’s rights and in developing legislation, good practice and monitoring systems, while paying due attention to safeguarding integrity and well-being;

6.5.2. to support national, regional, European and international co-operation in the area of protecting children from sexual violence.

7. The Assembly exhorts all States, parliaments, and local and regional authorities, as well as the European Union and the United Nations, to derive the maximum benefit from the Council of Europe’s expertise and experience in addressing sexual violence against children, with a view to working together to eliminate such violence by 2030 in line with the UN Sustainable Development Goals Target 16.2 to “end abuse, exploitation, trafficking and all forms of violence against and torture of children”.

B. Draft recommendation³

1. The Parliamentary Assembly acknowledges the progress made so far at national, European and international levels in addressing sexual violence against children.
2. The Assembly welcomes the work done by the Lanzarote Committee, which supports the implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention, CETS No. 201) by Council of Europe member States. The Convention has established a monitoring mechanism which has been successful in identifying key challenges and providing useful guidance to the States Parties of the Convention. This monitoring function and capacity should be strengthened to meet the evolving needs and respond to States' expectations.
3. The Assembly greatly values the co-operation that has been developed, in particular between the Council of Europe and the UN Committee on the Rights of the Child, as well as with the UN Special Representative of the Secretary-General on Violence against Children and with the UN Special Rapporteur on the sale and sexual exploitation of children.
4. The Assembly is convinced that stronger action is needed on the part of the Council of Europe and its member States to address sexual violence against children. The Council of Europe is in a strategic position to provide the necessary guidance and support, in close co-operation and co-ordination with other European and international institutions and organisations.
5. In the light of the above, the Assembly recommends that the Committee of Ministers:
 - 5.1. call on the Council of Europe member States that have not yet ratified the Lanzarote Convention and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention, CETS No. 210) to do so as a matter of priority, as a contribution to the United Nations Sustainable Development Goals Target 16.2 to "end abuse, exploitation, trafficking and all forms of violence against and torture of children";
 - 5.2. call on the countries that are not member States of the Council of Europe to sign and ratify the Lanzarote Convention;
 - 5.3. support the continuation and further development of the "Start to Talk" Campaign and the design and promotion of Council of Europe materials on addressing sexual violence against children;
 - 5.4. further support the European Day for the Protection of Children against Sexual Exploitation and Sexual Abuse – 18 November – as an opportunity for raising awareness of sexual violence against children;
 - 5.5. call on the UN Committee on the Rights of the Child to support the creation of an observer seat for a Council of Europe representative.

3. Draft recommendation adopted unanimously by the Committee on 19 May 2020.

C. Explanatory memorandum by Baroness Doreen E. Massey, rapporteur

1. Introduction

1. “Every day, across all countries and levels of society, millions of girls and boys face the alarmingly common childhood experience of sexual abuse and exploitation,” said Amina J. Mohammed, the UN Deputy Secretary-General in 2018, – “Preventing violence and exploitation of children is everyone’s business, everywhere, at all times. We must address this challenge and break the silence”.⁴

2. In recent years, much has been done to tackle sexual violence against children. Awareness of the prevalence of such violence has been raised. Past occurrences (“historic child sexual abuse”) have been disclosed in several countries and received significant media attention. International legal standards have been developed. National strategies have been put into place. Innovative approaches, such as *Barnahús* – child-friendly interdisciplinary focal points for abuse disclosure and child protection – have been promoted.

3. Nevertheless, challenges remain. The use of information and communication technologies (ICTs) facilitates sexual violence at an unprecedented level, and the increase of child sexual abuse material on-line is exponential. In 2019 alone, the Internet Watch Foundation dealt with over a quarter of a million reports of on-line images and videos of child sexual abuse, which is twice as many as in 2016.⁵ At the same time, sexual violence against children remains largely unreported, and is often referred to as the “taboo of taboos”. Balance between the best interest of the child and the need to prosecute the perpetrators is not easy to achieve. Lack of co-ordination among relevant agencies often impedes effective responses.

4. Today, with the outbreak of the COVID-19 pandemic, the risks of sexual violence against children are even higher than usual. In some cases, children are confined with their abusers. Be it in the family, in institutions or in refugee camps – these children are isolated and may have no access to any assistance or support. In other cases, children are more exposed to sexual exploitation due to loss of financial stability. Finally, as millions of children and adults are confined with easy access to the Internet, a substantial increase in demand and supply of child sexual exploitation material has already been reported.⁶

5. In 2020, we are celebrating the 10th anniversary of the entry into force of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention, CETS No. 201). In only 10 years, this Convention has been signed by all 47 member States of the Council of Europe. Just one ratification remains outstanding (Ireland). The Convention is also open to countries which are not member States of the Council of Europe, and Tunisia became the 1st such country to join the Convention in 2019. Since 2010, the Lanzarote Convention monitoring system has been in place. The 2nd monitoring round is to be completed in 2020. It is, therefore, a good time to take stock of what has been achieved, and to encourage stronger action.

6. I hope that the present report will be useful for this purpose. In particular, I would like to reflect on the recent developments in addressing sexual violence against children at national, European and international levels and propose actions to step up initiatives and co-operation in this area.

7. In the preparation of this report I worked in close co-operation with the Council of Europe Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee), as well as the “Start to Talk” Campaign and the Children’s Rights Division. It was my great pleasure to represent the committee at the Expert Conference on Sexual Violence against Women and Children in Sports held in Helsinki, Finland, in 2019. A fact-finding visit to Germany on 6-7 May 2019 allowed me to gain insight into the policies developed at the national level. A hearing on 26 June 2019 with the participation of Ms Gioia Scappucci, Executive Secretary of the Lanzarote Committee, and Ms Tineke Sonck, Co-founder of the Belgian Voices in Sport Foundation, provided an opportunity to explore key challenges in this area.

8. I also had the opportunity to speak on several occasions to Ms Najat Maalla M’jid, former UN Special Rapporteur on the sale of children, child prostitution and child pornography, who was appointed Special Representative of the Secretary-General on Violence Against Children on 30 May 2019, as well as with her predecessor, Ms Marta Santos Pais. In July 2019, I was part of a discussion panel organised in New York as a side-event to the UN High-level Political Forum on Sustainable Development (HLPF), which brought together representatives from the Assembly, the Inter-Parliamentary Union (IPU), the International Federation

4. <https://news.un.org/en/story/2018/10/1022152>.

5. www.bbc.com/news/uk-51015711.

6. www.europol.europa.eu/publications-documents/catching-virus-cybercrime-disinformation-and-covid-19-pandemic.

of Association Football (FIFA), the UN Secretary General and UNICEF, and highlighted the urgent need to protect children who face sexual abuse from those in their “circle of trust”. The event included the moving testimony of an Olympic gymnast, who had faced such abuse.⁷

2. What do we mean when we talk about sexual violence against children?

9. Sexual violence against children takes place in different contexts and settings, ranging from home, school and sports clubs to orphanages and refugee camps, as well as on-line. Such violence can take different forms, from inappropriate touching to gang rape and long-lasting propagation of sexual abuse on the part of authority figures. All age groups are concerned. It is therefore a broad phenomenon, which requires both comprehensive and targeted approaches and policies, which should be developed and put into practice at different levels. For the purposes of this report, I will use the definitions mentioned below.

10. In line with international standards and in accordance with the Lanzarote Convention, “child” means any person under the age of 18 years.⁸

11. When dealing with sexual violence against children, the concept of “the age of sexual consent” should also be borne in mind. The age of sexual consent means “the age below which, in accordance with national law, it is prohibited to engage in sexual activities with a child.”⁹ Consequently, an adult who engages in sexual activity with a child under the age of consent cannot claim that the sexual activity was consensual, and such sexual activity is to be considered child sexual abuse or statutory rape. In Europe, the age of consent varies between 14 and 18 years of age, also depending on the age of the older person (e.g. in cases of consensual relationships between minors or when there is only a small age difference), and on whether the older person is in a position of trust or authority, or is recognised to be abusing the younger one.

12. According to the Lanzarote Convention, “sexual exploitation and sexual abuse of children” relate to a broad range of behaviours (as referred to in Articles 18 to 23) including – but not limited to – the following: engaging in sexual activities with a child (except for consensual sexual activities between minors); recruiting, coercing or having recourse to child sexual exploitation; facilitating or possessing child sexual abuse material; intentionally causing, for sexual purposes, a child to witness sexual abuse or sexual activities; and solicitation of children for sexual purposes.¹⁰ Today, the notion of “sexual violence” is increasingly used as an umbrella term that includes sexual exploitation and sexual abuse. Experts point out that “from a child rights perspective, what matters is that the protection granted or sought through both legislation and policies be as broad and effective as possible, leaving no room for loopholes and securing all children’s protection and freedom from harm”.¹¹

13. In recent years, the terminology used in this area has been questioned. The way we frame the discussion is not neutral and is evolving over time. For example, it has been pointed out that the terms “child pornography” and “child prostitution” might be understood to imply children’s consent to their own exploitation and should therefore be avoided. Similarly, the use of the term “survivor” is sometimes preferred to “victim,” as it implies resilience and helps to avoid continued victimisation. While both terms are used interchangeably in different contexts, it is recommended to use caution and never to label a person who does not want to be so called “victim” or “survivor.” Useful advice on terminology is available in the ECPAT Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse (Luxembourg Guidelines), which have been developed by a group of specialists from all over the world and are internationally recognised as a reliable reference tool.¹²

7. On this occasion, UNICEF shared its experience on the ground, the IPU presented its handbooks for parliamentarians, and FIFA discussed its new child safeguarding programme – “FIFA guardians”, <https://assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=7580&lang=2&cat=133>.

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

9. Directive of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0093>.

10. www.coe.int/en/web/conventions/full-list/-/conventions/treaty/201.

11. <http://luxembourgguidelines.org/english-version/>.

12. Useful advice on terminology is available in the ECPAT (“End Child prostitution, child pornography and trafficking of children for sexual purposes”) Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse (Luxembourg Guidelines):

https://www.unicef.org/protection/files/Terminology_guidelines_396922-E.pdf.

3. Why do we need to step up action and co-operation in Europe?

14. Sexual violence against children has been referred to as “one of the largest silent global pandemics of our time,”¹³ as many victims never speak out or only do so decades after the fact. While data is difficult to obtain and should be treated with caution, the academic estimate that globally 120 million (or one in 10) girls under the age of 20 have experienced some form of forced sexual contact,¹⁴ is probably a gross underestimate. Even the analysis of data for 24 countries by UNICEF (primarily in high- and middle-income countries), which showed that sexual violence in childhood ranged from 8% to 31% for girls and 3% to 17% for boys¹⁵, is probably still an underestimate. In Europe,¹⁶ it is estimated that at least 1 in 5 (both boys and girls) have experienced sexual violence.¹⁷ Higher awareness among health and education professionals as well as among the general public, is likely to make it easier for children to speak out about – previously hidden – abuse.

15. High profile scandals have drawn attention to this problem in recent years. In France, an intense debate erupted in January 2020, when Ms Vanessa Springora published her book *Consent* with a personal account of being seduced at the age of 14 by Mr Gabriel Matzneff, a literary celebrity and award winner, who was then in his 50s. Mr Matzneff had always been open about his sexual activities with minors, and has written many books and spoken on television on this subject. Despite this, he had never been convicted, and benefited from wide-spread support in literary circles.¹⁸ It took this witness account to raise public concern. Prosecutors in Paris have opened an investigation into the case and are looking for other victims.¹⁹ In my own country, the United Kingdom, the case of the television presenter Mr Jimmy Savile, whose sexual abuse of hundreds of children was only seriously investigated after his death in 2011,²⁰ caused similar outrage.

16. While elites often have the means and may have the sense of entitlement to disregard ordinary standards of conduct, sexual abuse of children is not limited to one particular social group. All strata of society are concerned. Moreover, both wealthy and poor countries are affected, with some high- and middle-income countries being at the bottom quartile of the overall rankings.²¹ While most perpetrators are men, between 11-23% of perpetrators are estimated to be women.²²

17. Most child sexual abuse happens within the “circle of trust” – within the family, amongst friends, in childcare services. Shockingly, research shows that 90% of perpetrators are known to the child.²³ About 60% of adult perpetrators are non-relative acquaintances trusted by the family, while 30% of abusers are relatives of the child. It is precisely for this reason that the Lanzarote Committee decided to address the issue of sexual abuse in the “circle of trust” in its 1st monitoring round held in 2015-2018.²⁴

18. Too often, it is the very people who have the responsibility to act in the best interest of the child who abuse their position of authority. Multiple scandals have been revealed in the past, such as wide spread child abuse in Irish Catholic-run institutions for children;²⁵ hundreds of children in council care in Nottinghamshire, United Kingdom, being exposed to sexual abuse by staff in 1960-1990s²⁶; the Casa Pia affair in Portugal involving a State-run orphanage;²⁷ as well as the existence of the Dutch Party for Neighbourly Love, Freedom, and Diversity, which was founded by self-described paedophiles (2006-2010).²⁸ While much has

13. www.togetherforgirls.org/wp-content/uploads/2019-11-15-What-Works-to-Prevent-Sexual-Violence-Against-Children-Evidence-Review.pdf.

14. Barth, J., Bermetz, L., Heim, E., Trelle, S., & Tonia, T. (2013). The current prevalence of child sexual abuse worldwide: A systematic review and meta-analysis. *International Journal of Public Health*, 58(3), 469-483.

15. UNICEF. (2014). *Hidden in plain sight: A statistical analysis of violence against children*. New York, NY: UNICEF.

16. www.coe.int/t/dg3/children/1in5/default_en.asp.

17. In the framework of the Council of Europe’s ONEinFIVE campaign, the Parliamentary Assembly conducted a pilot project in Cyprus. A 2016 prevalence study by the University of Cyprus confirmed the 1 in 5 figure for the country, despite previous estimates of prevalence and incidence having been much lower.

www.youtube.com/watch?v=OoNklpEh0OU.

18. www.francetvinfo.fr/culture/livres/affaire-gabriel-matzneff/.

19. www.liberation.fr/france/2020/01/03/affaire-matzneff-le-parquet-de-paris-s-autosaisit_1771595.

20. <https://allthatsinteresting.com/jimmy-savile>.

21. <https://outoftheshadows.eiu.com/>.

22. www.stopauxviolencessexuelles.com/wp-content/uploads/2019/01/19_SLIDES-2019-Assises-Plénière-THOMAS-Jean-Louis-Femmes-auteurs.pdf.

23. www.d2l.org/wp-content/uploads/2017/01/Statistics_2_Perpetrators.pdf.

24. www.coe.int/en/web/children/1st-monitoring-round.

25. http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/8059973.stm.

26. www.theguardian.com/uk-news/2019/jul/31/nottinghamshire-children-in-care-abused-for-decades-report.

27. www.theguardian.com/world/2004/nov/21/childprotection.uk.

28. www.theguardian.com/world/2006/jul/18/topstories3.mainsection.

been done to address such abuse, it has not been eradicated. In 2019, a Vatican ex-diplomat was sentenced to five years in prison on child pornography charges.²⁹ In France, a preliminary investigation is currently underway with respect to a surgeon who is suspected of having committed sexual assaults against hundreds of children hospitalised in the dozen establishments where the doctor had operated for more than 30 years. The first trial is foreseen in March 2020.³⁰ Scandals related to child abuse in sport are being revealed, as more athletes come forward to describe their own experiences with coaches.

19. Although all social groups are concerned, children in vulnerable situations, such as disabled children, children in migration or children in armed conflict, run a higher risk of becoming victims of sexual violence. In 2020, a staggering 168 million people will need humanitarian assistance and protection. This is 1 in 45 people in the world, which is the highest figure in decades.³¹ This makes it particularly difficult to address sexual violence against children, with increased risks of child trafficking, commercial sexual exploitation and “survival sex”. A US Justice Department report released in 2019, said that there were 4 500 complaints in four years concerning child sexual abuse in US immigration detention centres.³²

20. As many as 40% of children who are sexually abused are abused by older, or more powerful children. Juveniles who commit sex offenses against other children are more likely than adult sex offenders to offend in groups and to have younger victims.³³

21. The rapid development of information and communication technologies takes sexual violence against children to an entirely new level. “Sexting”, “revenge porn”, “sex-chatting”, “sextortion” and “on-line grooming” are just some examples of possible ways of abuse.³⁴ While it is estimated that about 175 000 children go on-line for the first time every day, not enough is done to make them aware of possible dangers, and children often mistakenly feel safer sharing private and sensitive information on-line, rather than in other contexts.³⁵ Sexually explicit self-produced images often end up in open access and can be used for cyber-bullying and “sextortion”, with highly traumatic consequences for the children concerned. It is to address this concern that the Lanzarote Committee decided to focus on the issue of sexually explicit self-produced images in its 2nd monitoring round (2017-2020).³⁶

22. The oversexualisation of our societies in general and children in particular, combined with the normalisation of pornography, creates fertile ground for abuse. Ms Gail Dines, Founder of *Culture Reframed*, which was created to address pornography as a public-health crisis, discusses in her blistering Ted Talk how a child abuser had told her that much of the grooming for his victims did not need to be done by him, as it had already been done by the culture.³⁷ “Pornified culture”, transmitted daily through teen magazines, apps and music channels, leaves children “porn prepared”, in other words – willing to comply with expectations in terms of their physical appearance and sexual behaviour. Today, the **average age of first exposure to pornography** is between 9 and 11 years old.³⁸ Sexually suggestive images are used to sell all sorts of products. They can be seen on buses and on-street advertising, and many no longer find this shocking.³⁹ World-famous singers have produced viral hits using “soft porn” imagery, which is presented as an expression of emancipation, success and “girl-power” and promoted by the mainstream media. An online magazine has promoted the idea that prostitution is a legitimate profession like any other.⁴⁰ Children’s perceptions of sexuality are thus being distorted and leave them vulnerable to risky sexual behaviour and to sexual abuse and exploitation.

23. Sexual violence is a grave violation of human dignity. It results in serious damage to the victims’ self-esteem, affects their future relationships and their chances of success in life. In the United Kingdom, a parliamentary inquiry showed that the abuse had a devastating lifelong impact on their: intimate relationships (90% of respondents), family life (81%), career (72%) and education (65%).⁴¹

29. www.bbc.com/news/world-europe-44590887.

30. www.lemonde.fr/societe/article/2020/02/10/affaire-du-chirurgien-pedophile-ma-fille-a-brise-un-silence-long-de-plusieurs-decennies_6029039_3224.html.

31. www.unocha.org/sites/unocha/files/GHO-2020_v9.1.pdf.

32. www.nytimes.com/2019/02/27/us/immigrant-children-sexual-abuse.html.

33. www.d2l.org/wp-content/uploads/2017/01/Statistics_2_Perpetrators.pdf.

34. <https://vimeo.com/search?q=Council+of+Europe+Elizabeth+Milovidov>.

35. www.unicef.org/au/about-us/media/february-2018/with-more-than-175-000-children-going-online-for-t.

36. www.coe.int/en/web/children/2nd-monitoring-round.

37. www.youtube.com/watch?v=_YpHNImNsx8.

38. <https://fightthenewdrug.org/how-much-porn-is-your-kid-watching/>.

39. www.11andmore.com/pornification-society/#.XpGBp25uKUK.

40. www.christianpost.com/news/teen-vogue-pushes-prostitution-as-legit-profession-like-a-medical-doctor-feminists-enraged.html.

41. The United Kingdom All-Party Parliamentary Group (APPG) for Adult Survivors of Childhood Sexual Abuse (2019). Can adult survivors of childhood sexual abuse access justice and support?:

24. Furthermore, sexual violence has consequences on both the mental and physical health of victims and often results in anxiety disorders, depression, obsessive-compulsive disorders, sleep disorders and post-traumatic stress disorder.⁴² In extreme cases, sexual abuse may lead to suicide. One survey, which looked at a sample of 147 sexually abused adolescent girls between 14 and 18 years of age, found that 66% of girls reached a clinical score for posttraumatic stress disorder and 53% reached a clinical score for depressive symptoms. Close to half (46%) reported suicidal thoughts in the past three months.⁴³

25. Other long-term effects, which are less known and underestimated, were identified in relation to sexual abuse, such as eating disorders or alcohol or drug dependence, as well as chronic pain, and gastrointestinal, musculoskeletal, neurological, metabolic, cardiovascular, gynaecological and allergic dermatological disorders.⁴⁴

26. Sexual violence against children has a high social and economic cost. A large study that used automated health plan data on health care use and costs, found that women with a history of childhood sexual abuse had unadjusted annual health care costs that were 18% higher than costs for women without reported abuse.⁴⁵ It is estimated that the total lifetime economic burden of child sexual abuse in the United States was \$9.3 billion, based on child sexual abuse data in 2015.⁴⁶

4. COVID-19: Sexual violence against children in a time of global health crisis

27. At the time of the writing of this report, exceptional measures have been taken by many governments to address the COVID-19 pandemic and to save human lives. Such measures include complete or partial lockdowns, with school closures and movement restrictions. While a health crisis of such scale requires decisive and prompt action, caution has been raised as to the negative impact on the well-being of children and the need for specific child protection measures.

28. With a third of the global population on COVID-19 lockdown, and 1.5 billion children out of school⁴⁷, many children are trapped with their offenders. People who could normally detect potential abuse – family members, teachers and coaches – have no direct contact with these children. Child protection referrals to social services and calls to helplines have plummeted,^{48,49} and therefore professionals see less of vulnerable children, raising concern that abuse remains unreported. With health services under pressure to address the pandemic and providing only minimum support in other cases, the chances of detecting and addressing child sexual abuse are drastically reduced.⁵⁰

29. While at present it is hard to estimate how many children are affected, UNICEF recalls that “Increased rates of abuse and exploitation of children have occurred during previous public health emergencies. School closures during the outbreak of Ebola virus disease in West Africa from 2014 to 2016, for example, contributed to spikes in child labor, neglect, sexual abuse and teenage pregnancies. In Sierra Leone, cases of teenage pregnancy more than doubled to 14 000 from before the outbreak.”⁵¹

30. In many cases, social services are left “without any national rules or advice on how to adapt their approach to ensure even minimal safeguards when contact is limited”.⁵² Social workers might fear for the well-being of children but have no effective means of assessing the situation. Even in cases where children

<https://static1.squarespace.com/static/5c8faf788d97401af928638c/t/5cd05b45eb3931052c31b479/1557158727790/Achieving+quality+information+and+support+for+survivors.pdf>

42. <http://www.stopauxviolencessexuelles.com/wp-content/uploads/2017/11/Thomas-JL-et-al.-The-impact-of-a-history-of-sexual-abuse-on-health-J-Gen-Pract-2017-5.pdf>

43. Alix, S., Cossette, L., Hébert, M., Cyr, M., & Frappier, J. Y. (2017). Posttraumatic Stress Disorder and Suicidal Ideation Among Sexually Abused Adolescent Girls: The Mediating Role of Shame. *Journal of child sexual abuse*, 26(2), 158–174.

44. www.stopauxviolencessexuelles.com/wp-content/uploads/2017/11/Thomas-JL-et-al.-The-impact-of-a-history-of-sexual-abuse-on-health-J-Gen-Pract-2017-5.pdf

45. www.ncbi.nlm.nih.gov/pmc/articles/PMC2359481/

46. www.sciencedaily.com/releases/2018/03/180329190842.htm

47. www.who.int/news-room/detail/08-04-2020-joint-leader-s-statement---violence-against-children-a-hidden-crisis-of-the-covid-19-pandemic

48. www.theguardian.com/society/2020/apr/08/fears-for-child-welfare-as-protection-referrals-plummet-in-england

49. [www.unicef.fr/article/maltraitance-et-confinement-ecoutons-les-cris-des-enfants?](http://www.unicef.fr/article/maltraitance-et-confinement-ecoutons-les-cris-des-enfants?campaign=1956715323&utm_source=base&utm_medium=email&utm_campaign=Newsletter_Confinement_5&utm_content=&reserved_code_marketing=2200332)

[campaign=1956715323&utm_source=base&utm_medium=email&utm_campaign=Newsletter_Confinement_5&utm_content=&reserved_code_marketing=2200332](http://www.unicef.fr/article/maltraitance-et-confinement-ecoutons-les-cris-des-enfants?campaign=1956715323&utm_source=base&utm_medium=email&utm_campaign=Newsletter_Confinement_5&utm_content=&reserved_code_marketing=2200332)

50. www.ecpat.org/news/covid-19-sexual-abuse/

51. www.unicef.org/press-releases/covid-19-children-heightened-risk-abuse-neglect-exploitation-and-violence-amidst

52. www.theguardian.com/society/2020/apr/02/children-safe-social-workers-fears-lockdown-coronavirus

have access to a telephone, they might not have sufficient privacy for an open discussion. Disclosing abuse can be extremely hard for the child, and often requires social workers spending time with children in order to put them at ease through games, toys or drawing. With no such possibilities under lockdowns, social workers are worried about potential harm to the children concerned, as well as possible implications for their accountability and practice, when things go wrong.

31. Many children are confined in a particularly vulnerable situation because of a disability or a situation of dependence. This includes street children, children in out-of-home care, refugee camps and facilities where children are deprived of their liberty. Reduced services and contacts with the outside world lead to further deterioration of these children's mental and physical well-being, and amplify the likelihood of them becoming either victims or perpetrators of sexual abuse.

32. An increased amount of time spent online, including gaming and social media, leaves children exposed to sexual offenders. As education systems across the world have had to introduce distance learning in haste and with no proper reflection, testing and preparation, some of the educational applications used also fail to protect children from unwanted attention from adults or identification of their personal information. Discussions about the COVID-19 pandemic and the opportunities for child sexual exploitation are appearing on the dark web.⁵³

33. With millions of people out of work the demand for pornographic content is rapidly growing. Pornhub, which is one of the world's biggest pornography sites, offered its top service globally for free for one month "in an effort to encourage the importance of staying home and practicing social distancing during the COVID-19 pandemic".⁵⁴ A free trial previously offered to Europe had driven a 61% increase in traffic in Spain, 57% in Italy, and 38% in France. The platform allows anyone with an account to post content, which is then checked by human moderators and automated technologies. In the past, the platform has dealt with allegations of failing to remove images and videos of child sexual abuse. These developments are particularly disturbing, when one considers that over a third of child sexual abuse imagery online is estimated to be 'self-produced'. Meanwhile, an online magazine and a multimedia messaging app have been encouraging their teen audience to create and share sexually explicit material while they are at home during the coronavirus quarantine.⁵⁵

34. On the positive side, many organisations have reacted promptly to raise concern, to provide guidance and to share useful resources. Mr António Guterres, UN Secretary General, issued a stark warning that what had started as a public health emergency was rapidly turning into a human rights crisis.⁵⁶ In its [new report on COVID-19 and human rights](#), the UN highlighted that States must protect children from violence and ensure continuity of support services during the crisis.⁵⁷ The UN Inter-Agency Working Group on Violence against Children has developed an Agenda for Action⁵⁸, which provides examples on how member States can place the protection of children's rights as a top priority during the crisis and calls for using the protection of children as a common cause that can stoke a greater sense of unity among people.⁵⁹ The World Health Organisation and 20 other organisations have called on governments to ensure that COVID-19 response plans integrate age appropriate and gender sensitive measures to protect all children from violence and that child protection services and workers are designated as essential and resourced accordingly.⁶⁰

35. The Lanzarote Committee has called on its States Parties to ensure that all children are confined in safe environments and has stressed the importance of helplines and hotlines.⁶¹ GREVIO (the Group of Experts on Action against Violence against Women and Domestic Violence) has welcomed solutions introduced by the member States to address domestic violence, such as information campaigns and online psycho-social support, as well as the inclusion of domestic violence support services amongst the "essential services", and has encouraged all Parties to the Istanbul Convention to follow in these footsteps.⁶²

53. www.europol.europa.eu/publications-documents/catching-virus-cybercrime-disinformation-and-covid-19-pandemic.

54. www.reuters.com/article/britain-women-trafficking/update-1-porn-sites-free-service-during-coronavirus-raises-sex-trafficking-fears-idUSL8N2BK415.

55. www.christianpost.com/news/teen-vogue-snapchat-urge-teens-to-send-sexually-explicit-sext-messages-during-covid-19-quarantine.html.

56. www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf.

57. www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf.

58. <https://violenceagainstchildren.un.org/news/agenda-action-8-united-nations-entities-launch-roadmap-protect-children-violence-response-covid>.

59. www.theguardian.com/world/2020/apr/23/coronavirus-pandemic-is-becoming-a-human-rights-crisis-un-warns.

60. www.who.int/news-room/detail/08-04-2020-joint-leader-s-statement---violence-against-children-a-hidden-crisis-of-the-covid-19-pandemic.

61. www.coe.int/en/web/children/-/covid-19-confinement-states-must-step-up-protection-of-children-against-sexual-exploitation-and-abuse-says-lanzarote-committee.

62. <https://rm.coe.int/grevio-statement-covid-24-march-2020/pdfa/16809cf55e>.

36. A technical note was developed by the Alliance for Child Protection in Humanitarian Action, to support child protection practitioners during the pandemic.⁶³ Resources for parents, policy makers and child protection professionals have been made available by networks, such as the International society for the prevention of child abuse and neglect⁶⁴ and Global Partnership to End Violence Against Children.⁶⁵

5. A solid basis to build upon

37. In recent years, substantial efforts to address sexual violence against children have been made at national, European and global levels. While it is not possible to provide a comprehensive account of these efforts in the present report, I would like to mention a few selected examples.

5.1. Addressing sexual violence against children at a national level: Germany

38. Sexual violence against children hit the headlines in Germany in 2010, when widespread and serious sexual abuse at Catholic boarding schools, and at a “reform” private boarding school not affiliated with a religious order,⁶⁶ came to light. The cases of Germany and Ireland were already given particular attention in the 2010 Parliamentary Assembly report of our former colleague, Ms Marlene Rupprecht (Germany, SOC), on “Child abuse in institutions: ensuring full protection of the victims”.⁶⁷

39. The German government responded by setting up a “round table” on sexual abuse of children in relationships of dependency and power in private and public institutions and in the family⁶⁸ and appointed an Independent Commissioner in 2010. However, many victims and survivors felt that the response was inadequate and kept up the pressure. An Independent Enquiry into Child Sex Abuse in Germany (CSA) was set up in 2016.⁶⁹ A new German National Council to prevent the sexual abuse of minors met for the first time on 2 December 2019.⁷⁰

5.1.1. The criminal justice system

40. As in many of our countries, the criminal justice system in Germany is not (yet) well equipped to deal with child sexual abuse cases in a way which would encourage reporting. Many victims and survivors (who contacted the Independent Enquiry) who had not reported feared that they would encounter a lack of sensitivity, and that they would not be believed,⁷¹ while they themselves would be put in a role associated with high psychological strain.⁷² This is also one of the reasons why experts (including counselling centres, or NGOs specialising in victim support, like *Wildwasser e.V.*), often recommend not reporting the crimes.⁷³ The length of proceedings, the level of penalties perceived as low, and the statute of limitations are cited as further impeding factors. The Independent Enquiry has issued a set of recommendations to address these problem areas, in particular through appropriate training of prosecutors and judges, expedited proceedings, and equipping the judiciary with the necessary human and material resources in a sustainable manner.

63. www.unicef.org/documents/technical-note-protection-children-coronavirus-disease-2019-covid-19-pandemic.

64. www.ispcan.org/covid19resourcepage/.

65. www.end-violence.org/protecting-children-during-covid-19-outbreak.

66. *Odenwaldschule*. Practically all of the victims in these schools were boys. In Germany, about two-thirds of sexual violence crimes against minors reported to the police are against girls, one-third against boys.

67. Doc. 12358.

68. *Runder Tisch „Sexueller Kindesmissbrauch in Abhängigkeits- und Machtverhältnissen in privaten und öffentlichen Einrichtungen und im familiären Bereich“*, established by a decision of 24 March 2010. Final report (in German) of 30 November 2011 here:

www.bmfsfj.de/blob/93204/2a2c26eb1dd477abc63a6025bb1b24b9/abschlussbericht-runder-tisch-sexueller-kindesmissbrauch-data.pdf.

69. The Independent Enquiry produced a report and recommendations in April 2019. The Commission’s remit was extended for another five years in 2018: www.aufarbeitungskommission.de/. The Commission has recently launched an appeal to victims and survivors of childhood sexual violence in sports to come forward.

70. www.dw.com/en/germany-council-to-fight-sexual-violence-against-children-sets-to-work/a-51504982.

71. Indeed, the German practice of verifying the statements of victims and survivors via “psychological statement validity assessments” is a problem area of its own. *Ibid.*, p. 11-13.

72. *Ibid.*, p.4.

73. Other reasons include loyalty conflicts (especially if the child victim is still in thrall to the perpetrator or fears to break up the family), feelings of shame and guilt (which can lead to self-harm or even suicide) which may be exacerbated by reporting, etc.

41. However, it should be recognised as a big step forward that the statute of limitations was reformed in 2015, and now only begins after the victims and survivors reach the age of 30. Furthermore, in the most severe instances of child sex crimes the statute of limitations can be up to 20 years. However, the new statute of limitations does not apply for victims and survivors for whom the criminal charges were statute-barred on 27 January 2015, when the law came into force, and so has nevertheless left many unsatisfied. The criminal justice reform of 2015 also improved the situation with regard to the prosecution of offences linked to child pornography and sexual abuse of charges/wards (*sexueller MissbrauchSchutzbefohlener*). The criminalisation of cyber grooming was being worked upon during my visit and has recently been written into law according to information received from my colleague Ms Sybille Benning on 19 May 2020. The first children's house based on the Icelandic *Barnahús* model opened in Leipzig in September 2018.

5.1.2. Victim support

42. The three main demands of the NGO "Eckiger Tisch e.V." (set up by survivors of child sexual abuse in Catholic schools run by the Jesuit order), which are quite typical of NGOs set up by victims and survivors in Germany, are "reappraisal" (*Aufarbeitung*), support and compensation. According to this NGO, none of these three demands has been met so far.

43. Regarding reappraisal, the NGO considers the efforts of the Catholic Church in Germany as insufficient. While a September 2018 study of child sex abuse in the German Catholic Church commissioned by the Conference of German Bishops identified 3 677 "proven" victims and 1 670 abusive Catholic priests, other studies claim up to 100 000 victims.⁷⁴ However, the Catholic Church in Germany has been actively putting in place prevention measures and has named persons responsible for dealing with sexual violence against children over the last seven years.

44. There seems to be quite a good level of victim support – however, a lot of this very important and valuable work is shouldered by NGOs and associations of victims and survivors, many of which are overworked and not sustainably funded. Waiting times for psychological support can be long, and caseloads in child protective services very high.

45. The issue of compensation is also problematic, as is the case in most of our countries. While the Round Table set up a fund (*Ergänzendes Hilfesystem*), too few victims and survivors know of its existence, and uptake is low. The Catholic Church in Germany offers a maximum of 5 000 Euros in compensation for (a lifetime of) suffering; the average pay-out is, however, only 3 000 Euros, and the system of application and award has been criticised as opaque. Uptake is very low.

5.1.3. Preventive measures

46. Preventive measures are the focus of much of the work of the Independent Commissioner for Child Sex Abuse Issues, Mr Johannes-Wilhelm Rörig. He has been running the Campaign "No Room for Abuse" for many years, and he has recently enlisted Germany's 30 000 schools in the Campaign.⁷⁵ As the example of the *Wilhelm-von-Humboldt-Gemeinschaftsschule* in Berlin shows, it is important that a code of conduct is in place for adults dealing with children, and that there is a designated person (in the case of this school, a teacher), who is responsible for preventive measures. It is also important that adults "listen" and act when a child has been abused; sadly, in general a child must tell their story up to 10 times before being heard. Only 4% of schools have comprehensive measures in place so far.

47. NGOs (such as "Innocence in danger") are very active in the field of preventive measures in the digital world. One of the current concerns is to ensure that data protection measures do not thwart child protection measures. Peer-to-peer digital sexual violence amongst minors is on the rise. A new challenge is combating sexual abuse and exploitation of children in tourism in the era of the platform economy (allowing for greater anonymity of abusers, and unprecedented access to children via "voluntourism"). However, ICT developments are also making it easier for victims and survivors to link up, network and support each other.

48. The Independent Commissioner for Child Sex Abuse Issues is also trying to push for more and better preventive and intervention measures in Germany's 90 000 sport clubs. The idea of only allocating public money to sports clubs with proper measures in place has been floated.

74. www.eckiger-tisch.de/wer-wir-sind/.

75. www.kein-raum-fuer-missbrauch.de/.

49. To conclude, a broad range of measures has been put in place in Germany in recent years to address sexual violence against children, including legal frameworks, collaboration between agencies, prevention and recovery measures. The general awareness of the existence and extent of child sexual abuse in Germany has increased (although it is estimated that 80% of cases go unreported)⁷⁶, and there is now consensus that more must be done to prevent sexual violence against children in the first place. However, problem areas persist. Those interviewed considered that addressing such violence is yet to be made a political priority, and that sustainable funding is needed to effect durable change.

5.2. Addressing sexual violence against children at the European level

50. At the European level, concerted efforts have been made to address sexual violence against children for the past few decades, with respect to the standard setting, monitoring and awareness raising.

5.2.1. Legal instruments

51. The Lanzarote Convention aims to prevent and combat any form of sexual exploitation and sexual abuse of children, protect the rights of child victims of sexual exploitation and sexual abuse, and to promote national and international co-operation in this area. All but one Council of Europe member States (Ireland) are bound by this Convention.

52. The Istanbul Convention enshrines the obligation of the State to take measures to prevent violence against women, protect its victims and prosecute the perpetrators. Under this Convention the term “women” includes girls under the age of 18. It is important to underline the relevance of the Istanbul Convention as in most cases victims of domestic violence have children and that violence is directed also against children. When children are not directly targeted, they suffer as witnesses of violence against their mothers and therefore need protection. The limit, however, is that the Istanbul Convention applies only to girls and not to boys, who may suffer the same type of violence.

53. The Council of Europe Convention on Action against Trafficking in Human Beings (CETS No.197) deals with violence against children, including sexual violence, in the context of human trafficking. Article 5 of this Convention outlines that “Each Party shall take specific measures to reduce children’s vulnerability to trafficking, notably by creating a protective environment for them”.⁷⁷

54. The Council of Europe Convention on Cybercrime (Budapest Convention, ETS No.185) deals with issues of exploitation and abuse of children through information and communication technologies.

55. In the context of the European Union, the Council and European Parliament have adopted a Directive on combating the sexual abuse and sexual exploitation of children and child pornography,⁷⁸ and monitor its implementation.⁷⁹ This Directive takes up the same obligations as those contained in the Lanzarote Convention.

5.2.2. Monitoring

56. The Council of Europe Lanzarote Committee monitors the Lanzarote Convention on a thematic basis, highlighting good practices in Parties as well as shortcomings. It dedicated its 1st monitoring round to the “Protection of children against sexual abuse in the circle of trust”. This led to the adoption of two implementation reports, respectively in 2015⁸⁰ and in 2018.⁸¹

57. The Committee’s first report (“The framework”) addressed four issues as follows: i) criminalisation of sexual abuse of children in the circle of trust; ii) collection of data on child sexual abuse in the circle of trust; iii) best interests of the child and child-friendly criminal proceedings related to cases of child sexual abuse in the

76. Recommendations to improve the situation of victims and survivors of sexual violence in childhood and adolescence in German investigations and criminal proceedings, the Independent Enquiry into CSA in Germany, 2018, p. 4.

77. www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008371d.

78. Directive of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0093>.

79. European Parliament (2017) Combating sexual abuse of children. Directive 2011/93/EU: European Implementation Assessment, available at:

[www.europarl.europa.eu/RegData/etudes/STUD/2017/598614/EPRS_STU\(2017\)598614_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/598614/EPRS_STU(2017)598614_EN.pdf).

80. <https://rm.coe.int/1st-implementation-report-protection-of-children-against-sexual-abuse-/16808ae53f>.

81. <https://rm.coe.int/2nd-implementation-report-protection-of-children-against-sexual-abuse-/16808d9c85>.

circle of trust; and iv) corporate liability with respect to such cases. The report stressed in particular the importance of appointment by the judicial authorities of a special representative for the victim to avoid a conflict of interest between the holders of parental responsibility and the victim; the need for a child-friendly and protective procedure for child victims in criminal proceedings; the appropriateness of child-friendly settings (such as Children's Houses) for the purposes of conducting forensic interviews and court statements; and the need to guarantee the child's rights and best interests in all circumstances.⁸²

58. The second report ("The Strategies") addressed the following six issues: i) contribution of children, civil society, the private sector and the media in the development and implementation of strategies to fight sexual abuse of children in the circle of trust; ii) raising awareness on sexual abuse of children in the circle of trust; iii) education and specialised training on child sexual abuse; iv) reporting suspicion of sexual abuse of children; v) keeping persons convicted of acts of sexual exploitation or abuse far from children; and vi) intervention programmes or measures for sexual offenders.

59. In 2017, the Lanzarote Committee published a Special Report, which was the outcome of an urgent monitoring round to focus on how the Parties to the Convention were protecting children affected by the refugee crisis from sexual exploitation and sexual abuse.⁸³ At present, the Committee is reviewing how its recommendations have been put into practice by the Parties.

60. The 2nd monitoring round of the Lanzarote Convention, which is currently under way, is devoted to "The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)".⁸⁴ One important challenge is "sexting". Children take images of themselves and such images can be considered as child sexual abuse material or child pornography. In 2019, the Lanzarote Committee adopted an "Opinion on child sexually suggestive or explicit images and/or videos generated, shared and received by children",⁸⁵ which specified in which cases criminal prosecution was not required and outlined necessary child support measures. It also indicated when criminal prosecution should be used as a last resort.

61. A second aspect of the role of the Lanzarote Committee is to facilitate the collection, analysis and exchange of information, experience and good practices presented by Parties, civil society and other stakeholders to improve the capacity to prevent and combat sexual exploitation and sexual abuse of children.⁸⁶ For example, on one occasion it had been pointed out that the Dutch judicial system did not allow using evidence against child sex offenders collected through police officers who were posing as children. The reasoning for this was that there were no children involved in such contacts, but only adults posing as children. Based on the example of other judicial systems, which considered that the crime of sexual abuse included trying to contact children, the Netherlands has since amended its domestic law accordingly to resolve this issue.

62. I would also like to mention here that the Lanzarote Committee organises national capacity-building seminars on the margins of its meetings, which provide valuable insight for the Committee members into the developments in a specific country. I attended such a seminar in Cyprus in 2019 and learned, with great interest, of the comprehensive national strategy, covering primary, secondary and tertiary prevention, and based on a "whole-society" approach. The establishment of a Children's House was one of the outcomes of successful inter-disciplinary co-operation. Each service had to give up part of its mandate, but everyone gained in the end, as a result of a more effective and child-friendly services. High level support (including support of the President of Cyprus) and strong political will were key for success of this work. Private sector and civil society organisations played an important role. For example, *Foni* (Voice) is an association that aims to provide "safe space" where help can be sought and to "give voice" to the victims of sexual violence. These developments were of special interest to me, as the Assembly ran a pilot project in Cyprus in 2013-2016 in the framework of the Council of Europe's ONEinFIVE campaign, with the active involvement of our former President Ms Stella Kyriakides and with financial support from the A.G. Leventis Foundation, and I was delighted to see that this work was made sustainable and has been successfully built upon.

63. For the past ten years the Council of Europe has increased its support for co-operation projects to assist the member States in bringing their policy and practice in compliance with the Council of Europe standards and in order to address shortcomings identified through its monitoring activities. One example is the

82. 1st Implementation report – protection of children against sexual abuse in the circle of trust <https://rm.coe.int/1st-implementation-report-protection-of-children-against-sexual-abuse-/16808ae53f>.

83. <https://rm.coe.int/special-report-protecting-children-affected-by-the-refugee-crisis-from/16807912a5>.

84. www.coe.int/en/web/children/2nd-monitoring-round.

85. <https://rm.coe.int/opinion-of-the-lanzarote-committee-on-child-sexually-suggestive-or-exp/168094e72c>.

86. www.coe.int/en/web/children/good-practices.

“End Online Child Sexual Exploitation and Abuse @ Europe project” (EndOCSEA@Europe), managed by the Children’s Rights Division and implemented in co-operation with the Cybercrime Office (C-PROC) in Bucharest. The project focuses on strengthening responses to such on-line violence in Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Republic of Moldova, Montenegro, Serbia, Turkey and Ukraine. Armenia, Azerbaijan, and Ukraine have been endorsed as pilot countries.⁸⁷ Another example is the support provided to Slovenia for setting up its own Children’s House / *Barnahús*, based on the Icelandic model, in co-operation with the European Union. Under country Action Plans, projects to support States in strengthening their responses to violence against children, including sexual violence are also being increasingly launched, including in Georgia, the Republic of Moldova, and Ukraine.

64. As for the Istanbul Convention, regular reports are published based on a country-by-country monitoring procedure. The Committee of the Parties, composed of representatives of the Parties to the Convention, and GREVIO, which is a specialised independent body, are responsible for this procedure. The implementation of the Convention is supported through awareness raising and co-operation activities. In May 2019, a Conference on “Women’s rights at the crossroads” devoted to international co-operation to end violence against women was organised by the Council of Europe in co-operation with the UN Special Rapporteur on Violence against Women, its causes and consequences, and the French Presidency of the Committee of Ministers of the Council of Europe. On this occasion, a statement on “Intimate partner violence against women is an essential factor in the determination of child custody” was produced.⁸⁸ A useful resource developed as part of this programme is the manual on “Preventing and combating domestic violence against women: A learning resource for training law-enforcement and justice officers”.⁸⁹

65. GRETA (the Group of Experts on Action against Trafficking in Human Beings) is responsible for monitoring the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No.197). In 2018, based on its 2nd evaluation round, it produced a report on trafficking in children. The report pointed out that on average children represented a quarter of the identified victims of human trafficking.⁹⁰ Among its recommendations, GRETA stressed the need to mainstream awareness of child trafficking in schools, teacher training, and parental education, as well as in social and child protection services.

66. Finally, there is also substantial case law from the European Court of Human Rights on various aspects of child sexual abuse. In some cases, the Court found that the State failed to stop the continuation of sexual abuse (*E. and Others v. the United Kingdom*, no. 33218/96, 2002 and *E.S. and Others v. Slovakia*, no. 8227/04, 2009). In other cases, the Court found the State directly responsible for the abuse (*Aydın v. Turkey*, no. 23178/94, 1997) or found violations in the procedures in place, such as the policy of only prosecuting rape cases where there was evidence of physical force (*M.C. v. Bulgaria*, no. 39272/98, 2003). The Court also found that “in weighing the interest of the child against the protection of potential abusers (against defamation, for example), the fight against child abuse should be given significant weight” (*Juppala v. Finland*, no.18620/03, 2008).⁹¹ In one case, the Court found that it was an inherent obligation of a Government to protect children from ill-treatment, and that this obligation had not been met when potential complainants had been directed away from State authorities and towards school managers. This system of reporting abuse allowed over 400 incidents of abuse to occur in the applicant’s school and had to be considered ineffective (*O’Keeffe v. Ireland*, no. 35810/09, 2014).⁹²

67. A priority area “A life free from violence for all children” is part of the Council of Europe Strategy for the Rights of the Child (2016-2021), which provides a common framework for action for the member States in this area. A Mid-term Evaluation Conference on the Strategy held in 2019, brought together stakeholders to engage in a challenging and open discussion on achievements, obstacles and trends in children’s rights, including in the area of protection of children against sexual violence.⁹³

87. www.coe.int/en/web/children/co-operation-projects.

88. <https://rm.coe.int/final-statement-vaw-and-custody/168094d880>.

89. <https://rm.coe.int/16806ee727>.

90. <https://rm.coe.int/6gr-extract-web-en/16808b6552>.

91. www.echr.coe.int/Documents/Research_report_child_abuse_ENG.pdf.

92. www.echr.coe.int/Documents/FS_Minors_ENG.pdf.

93. www.coe.int/en/web/children/strengthening-the-rights-of-the-child-as-the-key-to-a-future-proof-europe.

5.2.3. Awareness raising

68. A broad range of awareness-raising material has been produced by the Council of Europe, including powerful videos, many of which went viral on the internet (ex. “Start to Talk”, “The Lake”, “Tell Someone You Trust”, “So, this is sexual abuse?” and “Kiko and the Hand”).⁹⁴

69. A European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse is observed on 18 November each year.⁹⁵ The day is dedicated to raising awareness of such violence, sharing good practices, and promoting the ratification and implementation of the Lanzarote Convention. This European Day was instituted by the organisation’s Committee of Ministers in 2015 upon the Assembly’s recommendation.

70. The latest Council of Europe campaign on this topic is devoted to speaking out against sexual abuse of children in sports under the slogan “Start to Talk”,⁹⁶ which is run by Enlarged Partial Agreement on Sport (EPAS). I had the privilege to attend several events held in the framework of this campaign. I was deeply moved by the brave personal accounts shared by survivors of abuse, including Ms Karen Leach (Ireland), Ms Tineke Sonck (Belgium) and Ms Gloria Viseras (Spain), all of whom became children’s rights activists and are working hard to ensure that similar abuse no longer occurs.

71. This campaign has been useful for getting an insight into the way the world of sport can allow sexual abuse and stifle open debate. Such abuse is not limited to high-level sport but can occur in local clubs and associations. Similarly, it is not limited to sport, but happens in all contexts where adults have access to children, such as cultural, educational and religious establishments. A wealth of good practices was shared at campaign events, such as the Conference on “Sexual Violence against Women and Children in Sports” held in Helsinki on 29-30 April 2019.⁹⁷

72. I would also like to mention here that many international and national sports bodies are taking seriously the issue of sexual abuse in sports such as football, athletics, gymnastics and swimming. The Centre for Sports and Human Rights launched in Geneva in 2018, has stated as one of its purposes “to fully align the world of sports with the fundamental principles of human dignity, human rights and labour rights”.⁹⁸ The former UN Special Rapporteur on the sale and sexual exploitation of children, Ms Maud de Boer-Buquicchio, speaking at a conference held by the Geneva Centre, launched her study on the sale and sexual exploitation of children in the context of sports⁹⁹ and emphasised the need for the checking of backgrounds of those dealing with children in sport, prosecution and sanctions of the perpetrators, care, recovery and rehabilitation services and the need to create an awareness for meaningful participation.¹⁰⁰

73. Indeed, any kind of abuse in sport demonstrates that one of the key factors is the misuse of power. For example, when a sports coach offers favours and promotion to a young athlete in exchange for sexual relations, the young athlete may be terrified to tell someone, including parents, out of fear of losing favour. In 2017, the United Kingdom Department for Digital, Culture, Media and Sport asked the Paralympics athlete, Baroness Tanni Grey-Thompson, to produce a report on the need for a total duty of care in sport. This included the need for policies at club level on pastoral care and support for athletes, as well as training for officials.¹⁰¹

5.2.4. Parliamentary action

74. The Assembly has been actively involved in addressing sexual violence against children for many years. As previously mentioned, the ONE in FIVE Campaign (2010-2016) – the parliamentary dimension of which was run by the Assembly with the help of a Network of Contact Parliamentarians – was instrumental in promoting ratifications of the Lanzarote Convention. A number of Assembly reports dealt with various aspects of this phenomenon,¹⁰² and the Assembly ran a successful pilot project in Cyprus (2013-2016), as mentioned above.

94. www.coe.int/en/web/children/audiovisual-material.

95. www.coe.int/en/web/children/end-child-sex-abuse-day.

96. www.coe.int/en/web/human-rights-channel/stop-child-sexual-abuse-in-sport.

97. www.coe.int/en/web/sport/sexual-violence-against-women-and-children-in-sports#.

98. www.sporhumanrights.org/en/principles.

99. https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/40/51.

100. www.sporhumanrights.org/en/resources/playing-it-safe.

101. Grey-Thompson, T., 2017, Duty of Care in Sport Review. Department for Culture Media and Sport, www.gov.uk/government/publications/duty-of-care-in-sport-review.

75. The Assembly contributes to the Council of Europe “Start to Talk” campaign, and organised a round table on this issue in Tbilisi in 2018, which resulted in a call for “Ten key steps to better protect children against sexual violence in sport”.¹⁰³ Every year, the Assembly contributes to the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse (see above), by organising parliamentary awareness-raising events.

5.3. Addressing sexual violence against children at the global level

76. The Convention on the Rights of the Child specifically protects children from sexual abuse and sexual exploitation (Article 34). It provides protection against the abduction, sale or trafficking of children for any purpose, including sexual exploitation (Article 35). States Parties commit themselves to promote physical and psychological recovery and social integration of a child victim of any form of neglect, exploitation and abuse (Article 39).

77. The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was adopted in 2000 and entered into force in 2002. It provides definitions of the sale of children, child prostitution and child pornography. It requires its 176 States Parties to criminalise these child rights violations as offences and to provide adequate support services to child victims.

78. UNICEF surveys, such as “Hidden in plain sight: A statistical analysis of violence against children,”¹⁰⁴ “Preventing and responding to child sexual abuse and exploitation: Evidence review”, “Promising programmes to prevent and respond to child sexual abuse and exploitation” and “Government, civil society and private sector responses to the prevention of sexual exploitation of children in travel and tourism” provide valuable global data analysis and policy guidance.¹⁰⁵

79. Both the UN Special Representative of the Secretary-General on Violence against Children, and the UN Special Rapporteur on the sale and sexual exploitation of children, play an active role in addressing sexual violence against children. Their reports provide a valuable source of data on this topic. Recent examples include the reports on “Keeping the promise: ending violence against children by 2030”¹⁰⁶ and “Sale and sexual exploitation of children in the context of sports”.¹⁰⁷

80. During an exchange between the Lanzarote Committee and Ms Velina Todorova, Vice-Chairperson of the UN Committee on the Rights of the Child in October 2019,¹⁰⁸ I had an opportunity to learn about the complementarities between the two bodies. The Explanatory Report¹⁰⁹ to the Guidelines regarding the implementation of the above-mentioned Optional Protocol¹¹⁰ includes numerous references to the Lanzarote Committee findings and documents. The UN Committee has less time for substantial discussions and appreciates the Lanzarote Committee’s contribution towards the elaboration of the terminology. The Secretariat of the Lanzarote Committee has contributed to the drafting of the Guidelines on the Optional Protocol.

81. The WePROTECT Global Alliance to End Violence Against Children is “an international movement dedicated to national and global action to end the sexual exploitation of children online”. It brings together representatives from governments, international and civil society organisations, and the technology industry.¹¹¹ Since its inception in 2016, the Global Partnership and its associated Fund (“End Violence”) have invested close to \$32 million in 37 projects across 27 countries to combat violence against children and adolescents, primarily in digital environments.¹¹²

102. Some examples include the following: Resolution 1980 (2014) “Increasing the reporting of suspected sexual abuse of children”; Recommendation 2045 (2014) “Combating sexual violence against children: towards a successful conclusion of the ONE in FIVE Campaign”, Resolution 2159 (2017) “Protecting refugee women from gender-based violence”, Recommendation 1934 (2010), “Child abuse in institutions: ensuring full protection of the victims”, Recommendation 2092 (2016) “Fighting the over-sexualisation of children”.

103. Web item on the Parliamentary Assembly meeting in Tbilisi, Georgia, on 17-18 October 2018, available at: https://pace.coe.int/en_GB/web/as-soc/main?p_p_id=newsreader.

104. www.unicef.org/publications/index_74865.html.

105. www.unicef.org/protection/57929_58022.html#sexual_violence.

106. https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/keeping_the_promise.pdf.

107. www.ohchr.org/EN/Issues/Children/Pages/AnnualReports.aspx.

108. The exchange took place at the 25th meeting of the Lanzarote Committee held in Cyprus on 15-18 October 2019.

109. www.ecpat.org/wp-content/uploads/2019/09/OPSC-Guidelines-Explanatory-Report-ECPAT-International-2019.pdf.

110. www.ohchr.org/Documents/HRBodies/CRC/CRC.C.156_OPSC%20Guidelines.pdf.

111. www.weprotect.org/.

112. www.ohchr.org/Documents/HRBodies/CRC/GCChildrensDigitalEnvironment/OtherStakeholders/Global%20Partnership%20to%20End%20Violence%20Against%20Children.pdf.

82. The UN Sustainable Development Goals, and in particular Target 16.2 – “End abuse, exploitation, trafficking and all forms of violence against and torture of children” – provide an overarching global framework and impetus for national and international efforts in this area, and I have had the opportunity to prepare a report on the Council of Europe’s contribution to reaching this target.¹¹³

6. Joining up the dots: conclusions and recommendations

83. Today, there exists a substantial amount of research, policy guidelines and tools for addressing sexual violence against children. With the broad range of examples of good practice available, there is sufficient expertise and experience that could be put into practice without delay.

84. What is needed is to ensure that prevention and intervention measures are properly funded and staffed, and to promote good inter-agency communication, co-ordination and co-operation (including data collection and sharing, victim support and counselling). The Icelandic model, which includes the setting up of interdisciplinary child-friendly structures for abuse disclosure and child protection, is a very good example of how this could be done.

85. The way in which sexual abuse is dealt with significantly affects the level of trauma and the speed of recovery of the child. It is therefore crucial to ensure that child victims of sexual abuse are believed and supported, and their reports acted upon. The time delay in children speaking up, and in reporting, should be reduced as much as possible. This implies that relevant human and financial resources need to be made available, on a sustainable basis.

86. While developing relevant legislation and instruments is important, it will be up to the relevant professionals to put them into practice. They need to have the pertinent knowledge, skills, attitudes and values, and be sensitive to the complexity of the child’s situation. Appropriate training for those dealing with child victims, including in the judiciary and the prosecutor’s office, needs to be included in relevant curricula.

87. Children in vulnerable situations (e.g. street children, children in out-of-home care or in detention, children with disabilities or unaccompanied migrant/refugee children) are particularly exposed to sexual violence. Special attention should be given to their protection and support.

88. Sexual abuse of children happens in all social groups, including in middle-class or wealthier families. Myths should be combated, and stigmatisation should be avoided.

89. Effective prosecution of perpetrators and payment of reparations are an important part of rehabilitation for children victims of sexual abuse. Such proceedings are often seen as recognition of the damage suffered by the victims and allow them to turn the page and move on with their life. The financial compensation to be paid should be proportionate to the gravity of the offence. The system of application and award should be transparent, and information on the relevant procedures should be made systematically available to the survivors of sexual violence. States themselves should step in to ensure adequate financial compensation for individuals who are victims of sexual violence as children, commensurate with the harm suffered, including by setting up national funds for victims who are not thus compensated by the perpetrator or the liable institution / legal entity.

90. A broad-based coalition, not allowing the powerful to use their power to abuse, should be built in society (including at local level, but also in politics) to combat sexual violence against children. Whistle-blowers need to be protected, in order to ensure that sexual violence against children is duly tackled, regardless of the status and personal connections of the perpetrators.

91. Most importantly, systematic and large-scale prevention measures are required. Education and awareness raising are essential, be it for improving the understanding of risks of sharing sexually explicit images; developing the ability to build respectful relationships; or creating an understanding of how to identify and respond to the signs of abuse. Both formal and non-formal education have a role to play, from an early age and in a lifelong learning perspective. Media and ICTs should be actively used for building shared responsibility for child protection against sexual abuse.

92. However, we know there is a dark side to media and ICTs, as well. The Council of Europe has just published an interesting comparative review on mechanisms for collective action to prevent and combat online child sexual exploitation and abuse.¹¹⁴ The author of the review, independent expert Mr John Carr, concludes

113. [Ending violence against children: a Council of Europe contribution to the Sustainable Development Goals.](#)

114. <https://rm.coe.int/191120-comparative-reviews-web-version/168098e10a>.

that “a feasibility study should be commissioned to determine the operational parameters and likely costs of establishing a global observatory or think tank, with a brief to become the world’s foremost resource for policy makers and civil society organisations, with an interest in children’s rights and children’s well-being in the digital environment.” I agree with him that there is a need to develop a centre of expertise in the technology space to complement the 2018 Committee of Ministers Guidelines to respect, protect and fulfil the rights of the child in the digital environment,¹¹⁵ and would suggest the Assembly devote a specific report to this subject in the near future.

93. Oversexualisation of children and “pornification” of our societies need to be addressed. What works commercially (“sex sells”) must not define what we are as a society. While acknowledging that attitudes to sex and sexuality are evolving, we should also confront the fact that sexual violence against children cannot be addressed effectively in the context of aggressive oversexualisation of children from an early age. Without trying to “put the toothpaste back in the tube”, we need to invest massively in re-thinking and developing a culture that brings out the best of us, not the worst. There needs to be recognition that what is acceptable between consenting adults is not acceptable for children. Business and media actors should be encouraged to be socially responsible and should be held accountable for their role in this area.

94. In times of crisis, such as the current COVID-19 pandemic, children are particularly vulnerable to sexual violence. In the short term, we need to raise awareness, mobilise resources and act decisively and creatively to ensure that children do not become “collateral damage” of the measures taken by our governments to tackle the emergency. In the long term, we need to learn lessons from this experience and to plan for the next crisis, be it a health pandemic, an environmental disaster, social unrest or armed conflict. We must ensure that there is a reliable “safety net”, which will secure support and protection for children even in the most difficult times.

95. Because the international dimension of child sexual abuse is so important, I was pleased to discover that excellent working relations have been established in the area of the rights of the child within the Council of Europe with a broad range of partners, including the UN Committee on the Rights of the Child. Such relations are of utmost importance to ensure that international and European endeavours in this area are complementary and that support is provided to member States in the most effective way. To improve these relations further, the Assembly should invite the UN Committee on the Rights of the Child to support the creation of an observer seat for a Council of Europe representative.

96. Communities and nations can develop and share good practice in preventing and addressing child sexual abuse. This abuse is a human rights violation and must be recognised as such. Human rights organisations can and must collaborate globally to recognise and combat such abuse.

97. The Lanzarote Convention is a unique legal instrument, which is the most complete and most ambitious in its objectives and working methods. The Assembly should welcome the recent ratification of the Lanzarote Convention by Armenia and Azerbaijan. It should also call on Ireland to ratify without further delay; call on non-member States of the Council of Europe to join the Convention; and call on all Parties to the Lanzarote Convention to implement fully the recommendations adopted by the Lanzarote Committee. As this ground-breaking Convention is open for accession by non-Council of Europe member States, the organisation should consider developing a strategic approach to encourage accession by States committed to eradicating sexual violence against children outside the pan-European continent.

98. To conclude, today no one can ignore the existence and the scale of sexual violence against children. We know a great deal about where it takes place and what its consequences are. We also know that strategies, policies and measures to prevent such violence and to protect children have been developed and put into practice successfully in many countries. It is our responsibility as parliamentarians to step up action and co-operation in Europe to protect children from sexual violence, and to help them flourish as confident, respectful, responsible and caring members of our societies.

115. Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment, available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016808b79f7.