



## **PRELIMINARY CONCLUSIONS OF THE HIGH LEVEL CONFERENCE TO STOP SEXUAL VIOLENCE AGAINST CHILDREN – ROME 29-30 NOVEMBER 2010,**

**by Ursula Kilkelly, Rapporteur**

It is my honour to act as Rapporteur for this high level conference to stop sexual violence against children. I would like to begin by thanking all those who attended this event, to act as chairs, to speak, and to participate and listen to the deliberations. Particular thanks go to Gaël and the group of young people who participated with memorable and important contributions to this event.

As General Rapporteur my objective was to extract recommendations and ideas from the high level speakers, experts and other participants to promote the launching of national campaigns against sexual violence and to support the signature, ratification and implementation of the Lanzarote Convention.

### **1. Child Abuse as a Children's Rights**

Child sexual abuse is a children's rights issue. This means that all children have a right to be protected from child sexual abuse; it also means that the duty to protect children falls on states and state authorities in the first instance, but it also falls on civil society, the media, the private sector and all adults. Recognising that child sexual abuse is a children's rights issue also recognises that children who suffer abuse have the right to receive remedies that are effective, that are child-friendly, family-friendly and take into account the specific needs and circumstances of children in the short-, medium and long-term.

### **2. Non-Discrimination**

We have heard that child sexual abuse affects children without reference to social group, nationality or other factors. But it particularly affects some groups of children, including children

without parental care – those in residential institutions or unaccompanied minors – and children with disabilities.

Our responses must thus focus on universal, primary and multi-disciplinary prevention approaches that are alert and pay special attention to the additional risks faced by particularly vulnerable children.

### **3. International Problem**

Sexual abuse is not only an intensely private issue, concerning an enormous breach of the right to physical integrity and dignity of the child, it is also a community, national and international problem. It is a community issue because it concerns everyone, whether you interact with children personally or professionally. It is also an international problem because globalisation, the development of new social media and advances in travel and technology allow abusers to abuse across borders or without reference to national borders.

International nature of the problem demands intensive co-operation and collaboration at a regional and an international level.

### **4. Importance of Data**

Despite the work that has been done, we still do not have a full picture of the nature of child abuse against children and the extent of it. We need to identify ways of promoting better and more robust systems of data collection, as well as data analysis and dissemination, and to work harder on ways of exchanging information and examples of best practice. Given the nature of those who abuse children it is critical also that we develop the most effective and appropriate ways of recording and sharing information about offenders and those who pose a risk to children. Robust systems that manage and share information are vital to counteract the secrecy on which perpetrators depend.

### **5. Prevention**

As a children's rights issue, child sexual abuse is not only about prevention – about adults protecting children. It is also important to recognise, develop and support children – to empower children - but without putting the responsibility on children to protect themselves.

It has also been recalled that those who perpetrate child sexual abuse may also be children. A children's rights approach requires us to invest in these children also, to identify children who

abuse and to apply the principles of rehabilitation over punishment, as long as the victim's safety is protected.

Regular, ongoing training of all professionals who work with and for children is absolutely central to the effectiveness of the strategies of protection and prevention. Training and continuing professional development is needed to ensure that those who work for and with children are alert to the risks of abuse, can recognise the signs and indicators of abusive relationships, and know how to report and respond to suspicions of abuse in a way that keeps children safe and ensures their rights are respected.

### ***5.1 Training and monitoring of professionals***

Under the CRC, each right is interlinked and indivisible. However, professionals still have to learn how to work better in an inter-disciplinary and multi-disciplinary manner, to co-ordinate fully, to share information and approaches, in order to promote and protect all the rights of the child.

In addition to training and education for all professionals, monitoring and supervision of those who work with children in educational, healthcare, leisure, social and other settings needs to take place if we are to dismantle the secrecy on which abusers depend and to prevent abusers from assuming positions of authority.

### ***5.2 Education and awareness-raising***

It is crucial to raise awareness among all adults more generally about the risk that sexual abuse poses to children, how to protect children from sexual abuse and to respond when such harm is caused.

Education – for children and for adults - is vitally important and this is why the Council of Europe's 1 in 5 campaign is so essential. But, we must also move beyond information to create a safe space in which children know they can talk with confidence about what is happening to them, to people who will believe them and respond appropriately. Creating this space within which children know they will be believed is the real challenge but that is our responsibility as adults.

As a separate children's rights issue, it is important to advocate on behalf of young people; to represent them in our professional and personal capacity, at local, regional, national and international levels. Giving the issue of child abuse political priority is part of that advocacy role. Advocacy is also about engaging genuinely with young people, listening to them, hearing what they say, and taking them seriously.

## **6. Leadership by the Council of Europe**

The Council of Europe is at the forefront in the promotion of consensus-based standards in the area of children's rights and child protection and the case law of the European Court of Human Rights has made a unique contribution to international and national law on the effective protection of children from harm including within their own families.

A number of additional instruments are particularly important here, including:

- Lanzarote Convention on the Protection of Children from Sexual Abuse
- Recommendation on National integrated strategies to eliminate violence against children
- Recommendation 2005 on the rights of children living in residential institutions
- Guidelines on Child Friendly Justice of 2010.

You will also be interested to learn that standard-setting instruments on child friendly healthcare and on child friendly social services will soon be concluded:

These instruments set the standards that states need to implement at national level and they provide a barometer against which all states can be measured. This monitoring can and should be undertaken by everyone – civil society, academia, national parliaments, the institutions of the Council of Europe and the European Union. In this respect, the European Union accession to the Lanzarote Convention is considered to be of an utmost importance.

A very important part of this response is to ensure that law and policy at national level provides the highest level of protection to children from abuse, including criminalising all types of conduct constituting the abuse of children, paying particular attention to how to respond to those including family members who occupy positions of trust, authority and influence over a child. We need to continue to find ways to work collaboratively to combat the legal and technical and indeed political challenges associated with the use and regulation of the internet. The involvement of the private sector, including the media, is central to the effectiveness of responses here, as is the harmonisation of international and European Union responses and the exercise of political will to show that child protection is a priority.

At the national level, systems to report and respond to the abuse of children need to be effective, appropriate, integrated and child-friendly. They need to work with parliaments, with national children's rights organisations and ombudsmen/commissioners for children and statutory agencies. They need to be developed and implemented in partnership with young people, so that

they are accessible to young people, focused on their needs and informed by their experiences and perspectives.

## **7. Global Response**

As we have heard, however, these objectives and standards are not just of European relevance, they stand as an example of what can be achieved at a regional and international level. Through linkages with instruments like the Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, we can further internationalise our efforts to work towards a global response. Agencies like the Committee on the Rights of the Child; the Secretary General's Special Representative on Violence against Children; UNICEF and UNHRC have a key collaborative function here.

Nationally and internationally, we need to promote the use of legal and other remedies to challenge state's failure to protect children. While local remedies are always better, I would draw your attention also to the importance of using international systems of individual petition, like the European Convention on Human Rights, to enforce state obligations in this area. We also need to support the work being done to develop a right of individual petition to the UN Committee on the Rights of the Child. Together these remedies could be used to hold states to account in the protection of children from sexual abuse and violence.

## **8. Intensifying Efforts to Implement Standards**

It is important to look forward so that we can all come away with a clear idea of the work that has now to be done.

It behoves us all – professionally and personally – to intensify our efforts to provide leadership on this issue to others. We need to use our positions to vigorously encourage our respective governments to ratify the Lanzarote Convention, and to fully implement all the relevant Council of Europe instruments, including the Guidelines on Child Friendly Justice recently adopted by the Committee of Ministers. The development of campaigns that are specific, targeted and adequately resourced must be an urgent national priority, integrated with the national plans focused on the elimination of violence against children more generally. In this regard we encourage you to use the materials developed by the Council of Europe – the book about KIKO and the Hand, the TV spot, the website and the Underwear Rule – to contextualise them, and incorporate them into efforts to educate parents and help them to educate their children. Help us to implement the Council of Europe's commitment to ensure these materials are widely used and translated into as many languages as possible. We need also to work together to encourage the

European Union to ensure that the Directive currently being drafted in this area makes the blocking of images of child sexual abuse mandatory.

## **9. Partnerships and leadership**

One of the merits of a conference like this is to bring together those who have experience and expertise that can help to prevent children from abuse and ensure our response to that abuse is effective and child and family-friendly. Documenting the positive developments that have taken place, and focusing on full implementation of the standards that we have set to protect children from sexual abuse as a child's right and our work in these areas must now take on renewed urgency.

Developing the inter-personal, inter-disciplinary, inter-institutional and international relationships on which these outcomes depend has been a vital part of this conference. These developments do not end here and we urge you, to continue to develop these relationships in the future with a view to bringing home to your own organisations and countries the best practice that has been highlighted here in Rome. In this way, you have real potential to act as multipliers, to actively promote reform in your countries, to develop and use awareness raising materials and tools to train professionals who work for and with children, to educate parents and children. We need to help Kiko and his story to reach parents and their children, to change children's lives and to protect their childhood.

For those who have suffered abuse, professionals working with children – and Gaël himself - have told us that children can and will overcome the trauma of child sexual abuse if they receive the appropriate support. We must continue to learn from each other and from children themselves to ensure this is everyone's priority.

Thank you.