PARLIAMENTS UNITED
in combating sexual violence against children

1st meeting
of the contact parliamentarians
to stop sexual violence
against children

Introducing
the Handbook for Parliamentarians
on the Lanzarote Convention
Overview

• It is estimated that One in five children fall victim to sexual violence – a serious human rights violation the Council of Europe has decided to combat through:

1. legislative harmonisation -
   The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) is the most advanced and complete standard in this field

2. awareness-raising and political action –
   The Council of Europe campaign ONE in FIVE to stop sexual violence against children and its parliamentary dimension will raise awareness of the full extent of sexual violence against children in our societies and promote appropriate policies to stop this violence
The Handbook for Parliamentarians

... is a tool specifically developed for parliamentarians:

– to help you promote the Lanzarote Convention – in your country, in parliament, in your relations with your governments, and with your constituents – through a thorough understanding of the Convention
– to show you ways of ‘translating’ the Convention into national legislation and highlight examples of ‘good practice’ in this regard
– to help you promote the signature, ratification and implementation of the Convention
– to provide you with a practical tool to promote the cause of the campaign all over Europe - and beyond
The Lanzarote Convention

- Facts and figures:

  - five years of preparation: starting after Assembly Resolution 1307 (2002) on « the sexual exploitation of children: zero tolerance »
  - opened for signature in October 2007 on the island of Lanzarote
  - ratified by 10 member States so far, with a further 32 member States having signed
  - entered into force in July 2010
  - open for accession by the European Union and non-member States of the Council of Europe
The Lanzarote Convention (contd)

Characteristics of the Convention:

- most advanced and comprehensive legally binding instrument at international level on the protection of children against sexual exploitation and sexual abuse
- first time an international treaty defines and criminalises sexual abuse of children in such a comprehensive manner, including new forms of sexual abuse (“grooming” etc.) and clear definitions: “child”, “sexual exploitation”, “sexual abuse”, “victim”
- modern “4 Ps”-Convention: prevent, protect, prosecute, promote (multidisciplinary approach)
- monitoring mechanism: Committee of the Parties
The Lanzarote Convention (contd)

Characteristics of the Convention (contd):

modern “4 Ps”-Convention: prevent, protect, prosecute, promote

- prevent and combat sexual exploitation and sexual abuse of children
- protect the rights of child victims of sexual exploitation and sexual abuse
- prosecute the perpetrators
- promote appropriate policies and national and international co-operation against this phenomenon
The Lanzarote Convention (contd)

Prevent sexual exploitation and sexual abuse of children:

- recruitment, training and awareness raising of persons working in contact with children
- education for children
- preventive intervention programmes or measures
- measures aimed at the general public
- participation of children, the private sector, the media and civil society
The Lanzarote Convention (contd)

Protect the rights of child victims of sexual exploitation and sexual abuse:

- reporting suspected sexual exploitation or sexual abuse
- helplines and assistance to victims (as children and as adults) including measures to:
  * assist victims, in the short and long term, in their physical and psychological recovery
  * enable adults who were victims during their childhood to speak out
  * remove alleged perpetrators or take victims away from an abusive family environment
The Lanzarote Convention (contd)

Prosecute the perpetrators:

- substantive criminal law: sexual abuse, child prostitution, child pornography, corruption of children, solicitation of children for sexual purposes, aiding or abetting and attempts to commit an offence
- jurisdictional requirements for initiating proceedings and punishing offences
- corporate liability
- sanctions and aggravating circumstances, previous convictions
- procedures: investigation, prosecution and procedural law
- general measures of protection for children
- statute of limitations
- investigations and interviews with the child
The Lanzarote Convention (contd)

Examples of acts being criminalised:

- Abuse from a position of trust
- Abuse of vulnerable children
- Child prostitution
- Child pornography
- “Grooming”
- Corruption of children
The Lanzarote Convention (contd)

Promote appropriate policies and national and international co-operation against this phenomenon:

- recording and storing of national data on convicted sexual offenders
- international co-operation: information and evidence-sharing, judicial co-operation, assistance programmes benefiting third states
- monitoring mechanism: Committee of the Parties
- relationship with other international instruments (“disconnection clause”)
The Lanzarote Convention (contd)

Complementary to other international instruments – UN-level:

  protects children from all forms of sexual exploitation and abuse
  (eg Articles 1, 11, 21, and 32-37) = formulated in general and broad terms
  (added value of Lanzarote Convention = enhanced protection, further
devolution of standards)


- Monitoring mechanism: **Committee on the Rights of the Child**
Complementary to other international instruments – European level:

- A number of Council of Europe Conventions touch on some facets of the issue:
  
  * European Social Charter (1961/1996)
  * Convention on Cybercrime (2001)
  * Convention on Action against Trafficking in Human Beings (2005)

- The Council of the European Union has adopted a number of Framework Decisions which also touch on some issues, such as combating the sexual exploitation of children and child pornography, the standing of victims in criminal proceedings, etc. – « disconnection clause »
What can parliaments do?

Examples of parliamentary action at national level:

- take a political and public stance against sexual violence against children (adoption of resolutions, declarations, etc)
- ratify and implement the Lanzarote Convention through national legislation
- set up a parliamentary committee on the rights of the child
- raise awareness at national level through organisation of debates, hearings and conferences in their parliaments
What can parliamentarians do?

- use your right to encourage your parliament to initiate/revise national laws to ratify and implement the Lanzarote Convention
- put pressure on the government to ensure respect for international obligations
- campaign for the appointment of a parliamentary ombudsperson/committee to address the issue of sexual violence against children
- mobilise local and national NGOs to participate in parliamentary action to fight sexual violence against children
THANK YOU FOR YOUR ATTENTION!

The Secretariat of the Social, Health and Family Affairs Committee