

# The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

"The Lanzarote Convention"

In 2007, the Council of Europe (CoE) adopted the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, also known as "the Lanzarote Convention". Any State around the world can become a party to the Convention. Its objectives are: to prevent and combat sexual exploitation and sexual abuse of children (a), to protect the rights of child victims (b) and to promote national and international co-operation (c).

## Lanzarote Convention & sexual exploitation online

The Lanzarote Convention imposes obligations to criminalise and punish with effective, proportionate and dissuasive sanctions (Art. 27):

### Art. 20 CHILD PORNOGRAPHY

- (1) a. producing;  
b. offering or making available;  
c. distributing or transmitting;  
d. procuring;  
e. possessing;  
f. knowingly obtaining access

### Art. 21 CHILD PORNOGRAPHIC PERFORMANCES

- (1) a. recruiting children/ causing;  
b. coercing/ exploiting children;  
c. knowingly attending

### Art. 22 CORRUPTION OF CHILDREN

causing a child to witness sexual abuse or sexual activities

### Art. 23 SOLICITATION OF CHILDREN

intentionally proposing through ICT to meet a child for engaging in sexual activities or producing child pornography, followed by material acts leading to such a meeting

### Art. 24 AIDING, ABETTING, ATTEMPT

facilitating/ encouraging offense.

Definition of child sexual abuse material- Art. 20 (2):

**"any material that visually depicts a child engaged in real or simulated sexually explicit conduct or any depiction of a child's sexual organs for primarily sexual purposes"**

## Strengths of the Convention

+ It criminalizes all relevant conduct in relation to child sexual abuse material;

+ It criminalises the act of causing or coercing children to engage in "child pornographic performances" which captures live online child sexual abuse and elements of sexual extortion;

+ It criminalises the act of engaging in sexual activities with a child, where use is made of coercion, force or threats, or when this person abuses a recognised position of trust, authority or influence over the child or a particularly vulnerable situation of the child. This could capture elements of sexual extortion;

+ It criminalises the act of exposing a child to sexual activities or abuse as well as solicitation of children, which captures aspects of online grooming;

+ It criminalises those assisting or aiding and abetting sexual exploitation.

## How is the Convention monitored?

The Lanzarote Committee was established to monitor whether State Parties effectively implement the Lanzarote Convention. The aim is to create a comparative overview of the situation, as well as to foster the exchange of good practices and encourage the detection of difficulties. The Committee is also mandated to facilitate the collection, analysis and exchange of information between states to improve their capacity to prevent and combat child sexual exploitation.

## Weaknesses of the Convention

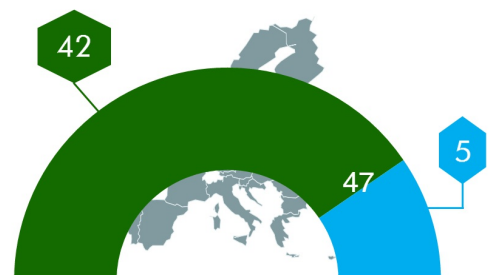
It does not specifically define or criminalise all forms of sexual exploitation of children online, including:

- Sexual extortion
- Digitally generated CSAM

*Parties have the right to not criminalise digitally generated child sexual abuse material conform Art.20(1)(3)*

## Why should your State become Party to Lanzarote Convention?

- > It is the most advanced and complete legally binding international instrument on child sexual exploitation;
- > It criminalises sexual exploitation in a very comprehensive manner;
- > It would help prevent exploitation of children and home and abroad;
- > It promotes international cooperation in sharing information, investigating & prosecuting offenders.



To date, the Lanzarote Convention has been signed by all 47 Council of Europe Member States. 42 of these States have both signed and ratified it, and 5 States signed without ratifying the Convention.