

## STRENGTHENED PREVENTION OF CHILD SEXUAL ABUSE AND EXPLOITATION

*ECLAG Memo 4 on the proposed Recast Child Sexual Abuse Directive*

October 2024

ECLAG welcomes and supports the [EC proposed recast of Directive 2011/93/EU of February 2024 on Sexual Abuse and Exploitation of Children](#) and **call for important amendments to strengthen the prevention of child sexual abuse and exploitation**. In particular, we ask to:

### 1. Mandate child safeguarding policies and trainings for all organisations whose staff and volunteers work in close contact with children

- Individuals working directly with children often **lack awareness on how to identify child sexual abuse and exploitation**, its various forms and when intervention is needed. **They are also unaware of existing guidelines or procedures on how to respond and report**, leading to underreporting of abuse cases<sup>1</sup>.
- The Directive should ensure **regular and mandatory training of all frontline professionals**, including in particular **child care and healthcare professionals** given their critical role in identifying and responding to signs of abuse. *(Article 28 (3))*
- The Directive should extend the training obligations **to all organisations whose staff and volunteers are in close contact with children**. The risk of child sexual abuse and exploitation extends to staff and volunteers and both must be adequately equipped to prevent harmful situations, both online and offline. *(Article 28 (4))*
- The Directive should require **Child Safeguarding Policies** for all organisations that work with or come into contact with children as the **key-standard for preventing harm against children** and **ensuring appropriate response** if harm occurs. *(Article 28 (4))* Child Safeguarding Policies provide guidelines for staff and any contracted individual or organisation on preventing, responding and reporting abuse. They are essential to ensure a culture of ethics, safety and accountability within organisations working with children. For instance, [Poland has adopted a law in August 2024 which obliges all organisations working with children](#) to implement Child Safeguarding Standards.

→ See our amendments to Article 28.

### 2. Ensure accessible reporting mechanisms

- A 2023 mapping of **child protection systems** across the EU by the European Union Agency for Fundamental Rights showed that many Member States **lack clear and consistent**

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<sup>1</sup> See the study conducted by Polish organisation Empowering Children Foundation on the [concerns of medical professionals while reporting child abuse](#).

**reporting procedures and protocols**<sup>2</sup> which often **fail to cover all professionals who may come into contact with children**. Knowledge of the abuse is essential for national authorities to effectively enforce legislation against child sexual abuse.

- The Directive should **require reporting procedures and protocols** for all organisations whose employees or volunteers are in closer contact with children. This should be part of the Child Safeguarding Policies that these organisations must adopt.
- To ensure **better reporting** the Directive should encourage Member States to **diversify reporting mechanisms** to take into account the **diverse and evolving manifestations** of the **crimes**, online and offline and the child's **needs and specific vulnerabilities**. We call to **expand the requirements of these mechanisms** in line with Barnahus **quality standards**<sup>3</sup> and **survivors recommendations**.<sup>4</sup>

→ See our amendments to Article 17.

### 3. Mandate background check for the recruitment of all professionals and volunteers

- According to data from the Spanish Ministry of Justice, approximately [570 sex offenders try to work with children each year in Spain](#) but are detected thanks to the national sex offender's registry. In just three years, 1,730 people with a criminal record for crimes against sexual freedom have been prevented from working as teachers, coaches, or volunteers.
- The Directive should require that **convicted offenders are prevented from exercising both professional and organised voluntary positions involving or facilitating direct and regular contacts with children**. This prohibition should apply for staff, consultant and volunteer positions and includes both national and non-national offenders.
- The Directive should equally **require criminal records check** when recruiting a person for professional or organised voluntary activities that involve direct and regular contact with children (Article 12(2)). To enhance children's protection, the Directive should make clear that this obligation extends **not only to staff but also to all consultants and volunteers**, whether national or non-national, **in charge of activities involving or facilitating direct and regular contact with children**.

→ See our amendments to Article 12.

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<sup>2</sup> European Union Fundamental Rights Agency [Mapping child protection systems in the EU - Update 2023](#), p. 47.

<sup>3</sup> Barnahus standards are composed of underlying principles, specific activities and institutional arrangements that enable child-centred and effective, collaborative actions. See Council of the Baltic Sea States Secretariat and Child Circle, [Barnahus Quality Standards Guidance for Multidisciplinary and Interagency Response to Child Victims and Witnesses of Violence](#).

<sup>4</sup> ECPAT International & WeProtect Global Alliance, [Child sexual exploitation and abuse online: Survivors' Perspectives](#), 2022.