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## **COMMITMENT AND PLAN OF ACTION**

**adopted by the participants from Europe and Central Asia at**

**the Conference**

**“PROTECTION OF CHILDREN AGAINST SEXUAL  
EXPLOITATION”**

Budapest, 20 – 21 November 2001

Preparatory Conference of the Europe and Central Asia Region  
for the 2<sup>nd</sup> World Congress against the Commercial Sexual Exploitation of Children  
to be held in Yokohama from 17 to 20 December 2001

1. We, the representatives of 42 governments, IGOs, NGOs, academics, young people and other committed agents, have gathered in Budapest from 20 to 21 November 2001 in preparation for the Second World Congress against Commercial Sexual Exploitation of Children to be held in Yokohama from 17 to 20 December 2001.
2. We have used this opportunity to review and analyse progress made in the region in the field of protection of children against commercial sexual exploitation following the first World Congress, held in Stockholm in 1996, and to consolidate our partnership in the fight against all forms of sexual exploitation of children, which includes child prostitution, child pornography and the trafficking of children for purposes of sexual exploitation.
3. We re-affirm our commitment to the Declaration and Agenda for Action, adopted at the First World Congress, and we recognize governments' commitments and actions, the co-operation of civil society, and international support as imperative for effective protection of children from sexual exploitation.
4. We underscore the status of the Convention on the Rights of the Child and its guiding principles as the standards for all our actions to promote and protect the rights of the child. We recognize and acknowledge the importance of many new national and regional developments and initiatives taking place in Europe and in the Central Asia Region, noting in particular:
  - the greater emphasis on the rights of the child and the increased recognition of the need for effective implementation of the United Nations Convention on the Rights of the Child;
  - the contribution of the countries in the Region to the development of new international standards and instruments for improved protection of children, including the Council of Europe Recommendation (2001)<sup>16</sup>, on the protection of children against sexual exploitation, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000), the ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999), the UN Convention against Transnational Organized Crime (2000), the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), the Protocol against the Smuggling of Migrants by Land, Air and Sea, (2000) and the Convention on Cyber-Crime, Council of Europe (opened for signature in Budapest on 23 November 2001); we also welcome the adoption by a Council of Europe Committee of experts of the draft Convention on Contact Concerning Children (2001);

- the important role of United Nations Agencies, the Council of Europe, the European Union and the Organisation for Security and Cooperation in Europe in placing the fight against sexual exploitation of children high on their agendas, in motivating and supporting all member States in reviewing, updating and enacting relevant legislation and policy instruments and in involving the private sector, such as the Internet service providers and the tourism industry, in formulating and adopting legal instruments for the protection of children from sexual exploitation;
- the encouraging development of national institutions for the promotion and protection of the rights of the child, such as Ombudspersons for children and Children's Commissioners;
- the participation of many countries of the Region in articulating a number of commitments to protect children from sexual exploitation, notably in Recommendation (2000) 11 on Action against Trafficking in Human Beings for the purpose of sexual exploitation, (Council of Europe, May 2000), the two European Council Framework Decisions on combating trafficking in human beings and on combating sexual exploitation of children and child pornography (European Commission, December 2000), the Anti-Trafficking Declaration of South Eastern Europe, Stability Pact Task Force (Palermo, December 2000), the European follow-up Conference to the 1996 World Congress (Council of Europe, April 1998), the Berlin Commitment for Children of Europe and Central Asia (Berlin Conference on Children in Europe and Central Asia, May 2001), the Recommendations from the Vienna Conference of 1999 on Combating Child Pornography on the Internet, the Recommendations on Trafficking in Human Beings by the Office for Democratic Institutions and Human Rights, ODIHR, (Warsaw, September 2001) and the Resolution on the contribution of civil society in finding missing or sexually exploited children (Council of EU, 2001);
- the active involvement of many countries of the Region in developing specific regional and sub-regional strategies, in establishing or building on existing co-ordination mechanisms and in carrying out plans of action and programmes aimed at implementing the Declaration and the Agenda for Action Against Commercial Sexual Exploitation of the First World Congress;
- the emergence of new opportunities for direct participation of children and young people in the assessment of regional priorities and development of policies, such as the expression of young voices in the First Regional Opinion Survey supported by UNICEF in partnership with ODIHR in 2001 and the contributions of young people at the Berlin Conference on Children in Europe and Central Asia, May 2001;

- the development and implementation of national plans of action against sexual exploitation of children and greater recognition of the existence of such problems in the countries of Europe and Central Asia;
  - the increasingly important role of civil society, including international and national non-governmental organisations in articulating and carrying out national and international initiatives against sexual exploitation of children and the enhancement of cross-sectoral collaboration;
  - the noticeable commitment of some countries to the prosecution of those who sexually exploit children; the broadening of criminal offences to the various forms of sexual exploitation of children, including its international and trans-national aspects, by establishing extra-territorial responsibility, and recognising the relationship between organised crime and many forms of sexual exploitation of children;
  - the increased efforts in adjusting legal instruments, judicial services and proceedings effectively to protect children against all form of sexual exploitation;
  - the importance of establishing services for children to prevent and protect them against sexual exploitation and to ensure their recovery and re-integration;
  - the growing development of measures, such as codes of conduct to protect children from sexual exploitation in the tourism industry, the media and through the Internet.
5. We welcome the convening of the 2nd World Congress and we support the preparatory process which provides for important steps towards effective protection of children from commercial sexual exploitation and we call on the Second World Congress to take into consideration the Europe and Central Asia Commitment and Plan of Action.
6. We acknowledge that, despite important achievements, the sexual exploitation of children is still occurring in every country of Europe and Central Asia, and is on the increase. Much needs still to be done to prevent children from being sexually exploited, to stop such exploitation and to ensure full rehabilitation, recovery and re-integration of child victims. In this context, we recognise that underlying factors such as poverty, economic disparities, social exclusion, drug addiction, armed conflict, family break-down, physical and mental disability, fear of AIDS, lack of meaningful education and employment opportunities, and discrimination based on gender, ethnicity, religion and citizenship status significantly contribute to the vulnerability of children and young people to sexual exploitation. Within this regional context, we note with great concern that many countries in Europe and Central Asia have not yet developed national

plans of action, nor identified national contact points or set aside sufficient resources for the implementation of national plans, as called for in the Stockholm Agenda for Action.

**To protect children in Europe and Central Asia from sexual exploitation and to ensure their rights to full and normal development, we commit ourselves to :**

- Accord high priority and sufficient resources at national and international level for the implementation of the Convention on the Rights of the Child, the Stockholm Declaration and Agenda for Action and the Council of Europe Recommendation (2001) 16 on the protection of children against sexual exploitation. This should include, by an agreed date in 2003, the development of national plans of action and the designation of a national focal point in each country with a clear mandate, accountability and resources. In particular, ensure the setting-up where appropriate and necessary, of national-level structures, tasked with coordinating all authorities and agencies competent in matters pertaining to protection of children from sexual exploitation to reinforce a multi-disciplinary and multi-sectoral approach;
- Adopt and promote the attitude of “zero-tolerance” for all forms of violence and exploitation of children, including through reinforced media and public awareness raising campaigns;
- Encourage early ratification and implementation of the relevant international instruments for child protection, including:
  - the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography,
  - the ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,
  - the UN Convention against Trans-national Organized Crime,
  - the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,
  - the Protocol against the Smuggling of Migrants by Land, Air and Sea,
  - the Convention on Cyber-Crime, Council of Europe,
  - the Rome Statute of the International Criminal Court,
  - the European Convention on the Exercise of Children’s Rights, Council of Europe;

- Criminalise all forms of sexual exploitation of children under 18, review accordingly laws, policies and programmes to eliminate sexual exploitation of children, and strengthen networks of cooperation between national and international law enforcement agencies;
- Promote the adoption of an international warrant, at regional level, for the arrest of traffickers of children;
- Urge each and every country to enhance or develop a comprehensive system of state funded child protection services, consistent with Article 19 of the CRC, where every family at risk receives some health and social support. Those families at risk should receive targeted services in addition to universal support;
- Request the European Commission, in the context of the accession process and the need both to support candidate countries and continue to underpin the work of Member States, to consider including in appropriate programmes such as the Daphne and STOP Programmes projects to enhance the ability of countries in the region to fulfil their commitments under the Stockholm Agenda for Action and international instruments relating to the protection of children from sexual exploitation;
- Improve laws and related procedures concerning cases of sexual exploitation of children, policies and programmes, as well as institutional and professional capacities of personnel responsible for protecting and assisting children who are victims, in order to ensure that judicial procedures do not inflict further abuse on child victims;
- Reinforce the collaboration between all States, all major European institutions as well as all sectors of civil society in the development of co-ordinated policies and strategies for the elimination of all forms of sexual exploitation of children and ensure that all existing and future coordination mechanisms include specific expertise, programmes and resources to address particular problems of child protection;
- Provide at all levels opportunities for children to be involved in the development of strategies and measures, as well as in the implementation of all actions against sexual exploitation of children, without transferring responsibility for combating sexual exploitation to children themselves;
- Encourage, support and take into account views and ideas of children and young people and therefore acknowledge that their representation and participation should be transformed into action;
- Encourage and improve monitoring of the situation in the region in order to ensure effective implementation of plans of action at national, sub-regional and regional levels in the field of protection of children against sexual exploitation. In this regard, we request the Council of Europe to carry out

the task of monitoring with support of relevant intergovernmental and non-governmental organizations;

- Within the framework of the Council of Europe, provide follow-up and support for the practical application of Recommendation (2001) 16 on the Protection of Children against Sexual Exploitation and, more generally, the present Regional Commitment and Plan of Action. Within the same framework, and where possible in the framework of joint programmes with the European Commission, assistance should be granted to States to fulfil their commitments, in particular through information, documentation on experiences, comparative law studies and model legislation, good practice, training, and expertise as well as by identifying problems especially those related to resource needs, and organizing monitoring meetings and other activities. In addition, a prevention strategy at European level should be promoted;
- Implement this Commitment and Plan of Action for Europe and Central Asia and meet again in 2003 to review progress and outstanding challenges.