

## PRESS RELEASE

30 March 2010

Brussels

### **European NGO's welcome landmark EU legislation on child protection**

Children's NGO's from across the EU welcome the European Commission's ambitious proposal for EU legislation to combat sexual abuse and sexual exploitation of children. An estimated 10 – 20 % of children in Europe will experience some form of child sexual abuse during their childhood – protecting children and ensuring their rights are met must be considered first and foremost.

Child sexual abuse and exploitation are severe violations of the UNCRC and have far reaching and devastating effect on children and can impact on people throughout their lives. Children's right to protection must be the primary consideration in all efforts to combat child sexual abuse, exploitation and child abuse images ("child pornography")

**We welcome the Commission's efforts to ensure that victim identification, protection and assistance remain central aspects of all actions taken to address crimes of child sexual abuse, child sexual exploitation and child abuse images.**

The Framework Directive presents a unique opportunity to significantly improve existing EU legislation and cooperation to protect children from sexual abuse, sexual exploitation and child abuse images ('child pornography'). We are pleased to see the Commission's proposal will bring existing EU legislation closer in line with the UN Convention on the Rights of the Child (UNCRC) and the Council of Europe's Convention on the Protection of children against sexual exploitation and sexual abuse.

*We note with concern the current public debate regarding the Directive's provisions in relation to the blocking of child abuse images, and the arguments against blocking.*

Child abuse material has rapidly increased in prevalence on the internet, and the severity of the abuse shown in the images is worsening.

Every time a child abuse image is viewed online or it is downloaded, in a very real sense the child in it is being re-abused. Our extensive experience working with children who have been sexually abused for the purpose of producing child abuse images and independent research show that children are further traumatised by the fact that their abuse can be viewed by others on the Internet. Efforts to block access to child abuse images consider the rights and the needs of the abused child and prevent re-victimisation and further trauma of the child.

Removing child abuse image sites from the internet completely is more desirable than people in just some countries being prevented from accessing them. This process, known as 'notice and take-down' has proved very effective in some places, and in general is fairly workable across the EU. However, authorities in individual countries have no say over whether images hosted on a server in another country are taken down or not. It may therefore not always be possible to remove sites.

Whilst, criminals will always try and find new ways to commit crimes which circumvent measures put in place to combat them, blocking also has a crucial role to play both in preventing the domestic consumer stumbling across the materials by accident and in preventing those who do not know how to access the material but who are curious, or at an early stage of developing or feeding their sexual interest in children.

Evidence shows that even in countries (such as the UK) where there has been a relatively successful voluntary agreement, this has not led to the full take up of blocking technology across the industry. Voluntary schemes can not necessarily be relied on.

Many ISPs and mobile phone operators are already blocking child abuse images shows that there is no reasonable technical argument against implementing such a policy. Any costs associated with blocking should be accepted as part of the cost of doing socially responsible business. We acknowledge that technologies can be used for undesirable ends but this does not mean that they should never be used to pursue legitimate goals, in this case helping realise children's right to protection from abuse. Their justifiability must depend on the context in which they are used, and safeguards must ensure that child protection arguments are not used as a smokescreen for their use for oppressive purposes.

We urge the European Parliament and Council to fully consider the EU's obligations towards protecting children's rights<sup>1</sup> and to show leadership by adopting legislation that sends strong signals that child sexual abuse, child sexual exploitation and child abuse images ('child pornography') are **severe crimes** in the EU, and that the EU is taking serious action to address such crimes within, and outside its borders.

-ENDS-

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Save the Children Europe - Save the Children's vision is a world in which every child attains the right to survival, protection, development and participation. We are 29 national organisations working in 120 countries worldwide. As the world's leading independent organisation for children, Save the Children's mission is to inspire breakthroughs in the way the world treats children, and to achieve immediate and lasting change in their lives. In Europe, 13 national Save the Children work together to promote children's rights in EU measures and action.

NSPCC – The NSPCC is the UK's leading NGO specialising in child protection. The NSPCC aims to end cruelty to children by seeking to influence legislation, policy, practice, attitudes and behaviours for the benefit of children and young people. This is achieved through a combination of service provision, lobbying, campaigning and public education.

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<sup>1</sup> All EU Member States have ratified the UN Convention on the Rights of the Child. The European Court of Justice has expressly recognized the need to respect children's rights and requires EU law to take due account of the UN Convention on the Rights of the Child (See e.g., Case C-540/03 European Parliament v. Council of the European Union [2006] ECR 5769). The Lisbon Treaty provides that protecting the rights of children is an objective of the EU, both internally and in its relations with the wider world. The EU Charter of Fundamental Rights clearly reaffirms the EU's commitment to human rights and, within that content, expressly to the rights of the child (Article 24).

ECPAT - ECPAT works for the elimination of child prostitution, child pornography and the trafficking of children for sexual purposes. It seeks to ensure that children everywhere enjoy their fundamental rights free and secure from all forms of commercial sexual exploitation.