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Social, Health and Family Affairs Committee

Minutes

of the third meeting of contact parliamentarians to stop sexual violence against children held in Strasbourg on Wednesday 22 June 2011 from 2 to 3 pm

on the subject of solicitation of children through the Internet for sexual purposes ("grooming")

Ms Maury Pasquier, Chairperson of the Social, Health and Family Affairs Committee, welcomed the various speakers and underlined the fact that the network had the support of the Deputy Secretary General of the Council of Europe.

She informed them that, following its ratification by Finland, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse ("the Lanzarote Convention") had been ratified by 13 member states.

The parliamentary campaign had attained its cruising speed: there were 38 contact parliamentarians, the brochure had been translated into Russian, Italian and German, a new newsletter had been published and lapel pins had been designed especially for the campaign.

She highlighted recent national activities such as the debate held in the National Assembly of Azerbaijan on 5 April 2011 with the backing of Ms Fataliyeva, Mr Katrinis' participation in the conference held by the Greek Parliament on 9 June 2011 and the statement by Mr Connarty during a debate in the British parliament on 26 April 2011. Mr Baghdasaryan had also spoken at a parliamentary seminar held by the IPU and UNICEF on 15 June 2011 on the rights of vulnerable children. She herself had called on the Swiss Federal Council to ratify the Lanzarote Convention.

She invited her colleagues to draw on these positive examples and to inform the secretariat once the campaign in their country had been launched.

She underlined the importance of the subject of their discussions in today's society given the exponential growth of Internet, particularly in the life of children and the difficulty of identifying precisely which aspects of "grooming" constituted a criminal offence.

Ms Ohlsson, contact parliamentarian for Sweden, welcomed the fact that the different players in the Council of Europe were joining forces, as could be seen by the fact that the Deputy Secretary General was taking part in the debate. She also welcomed the Assembly's participation in the intergovernmental sector, for example in the conference "Combating violence against children: from isolated actions to integrated

^{*} Declassified by the Committee on 16 September 2011.

strategies", held in Kyiv on 24 and 25 May 2011 and looked forward to further co-operation between governments and parliaments.

She talked about the Swedish experience in combating crimes against children in the light of recent events in Sweden. In April, the publication of the biography of Patrik Sjöberg, a record holding high jumper, in which he wrote about the sexual abuse to which his coach had submitted him when he was a teenager, had caused a media storm in Sweden. At a hearing in parliament he had stressed the fact that at the time not one adult had done anything to prevent the abuse. Nor had the Swedish sports association responded to warnings from other parents. This example showed that abuse took place in numerous contexts and that measures needed to be taken to protect children. There was now a discussion in Sweden as to whether to widen checks of the criminal record of adults applying for work with children. At present this was only possible where people working for official institutions were concerned.

Ms Rogland, senior public prosecutor in Malmö, was an expert on domestic violence and sexual assault. From 2005 to 2007 she had handled a major case of "grooming", the so-called "Alexandra case", in which the offender had established a relationship of trust with victims to ensure that they did not tell anybody about the abuse. A man, who had claimed to be a woman called Alexandra, had succeeded in persuading hundreds of girls to send him pornographic photographs of themselves and in persuading many of them to meet him. He had then sexually abused them without having to use force. The girls had met him far from their homes and without anyone knowing where they were. On the Internet, "Alexandra" had promised them they would be safe and had persuaded them to say what kind of sex they agreed to. When they arrived at the rendezvous they had felt compelled to do what they had promised, and afterwards told no-one what they had experienced because they felt guilt and shame. Even after the police had found their names on the offender's computer, most of them did not want to talk about what had happened. In 2007 "Alexandra" was sentenced to 10 years imprisonment for sexual assault and rape and lifetime expulsion, "Alexandra" being a non-national.

Media interest in the case had led to a change in the legislation: any person who arranged a meeting with a child below 15 years with the intention of committing a sexual offence was now considered guilty of "contact with children for sexual purposes" and could be punished by a fine or a prison sentence of up to one year. This applied irrespective of the way in which contact was made with the child – by the Internet or in person and irrespective of who first established contact, the child or the offender.

Nevertheless, the law had had very little impact: there had been very few convictions and none of them had resulted in a prison sentence because of the difficulty in proving the sexual purpose of the meeting arranged by the adult. It was very difficult to pinpoint this type of offence, especially if the children concerned did not report it.

Ms Rogland was of the opinion that preparing for sexual assault was a serious offence, particularly when the adult in question went as far as arranging a meeting with the child and the purpose of the meeting was to abuse the child sexually. The legislation therefore needed to be amended. She thought that the systematic penalty for this offence should be a prison sentence and that it should be a much longer one than provided for in existing legislation.

Phone tapping and interception of Internet would also make it easier to detect this type of criminal offence. They would also provide proof that the offender had taken steps to encourage a child to meet him or her.

"Alexandra" had already been convicted for sexual assault in the past and had been reported on several occasions for having sexual contacts with girls on the Internet. There had been no police investigation partly because it was impossible to impose a severe penalty for this type of offence. If the offence were taken more seriously, more resources would be allocated to dealing with it.

The Chairperson agreed that it was a serious offence. It was important that the victims should feel able to report this sort of situation to the police.

In reply to **Mr Connarty**, **Ms Rogland** explained that in the "Alexandra" case, the offender had been discovered following complaints by three girls.

Mr Van der Maelen asked whether other member states had better legislation or other ideas.

Ms Rogland thought that additional resources would help the police to be more efficient in detecting problems on the Internet.

Ms Err said that Luxembourg would ratify the Lanzarote Convention the following week. She asked about the Swiss legislation, which was being drafted in the wake of the referendum on the elimination of the statutory limitation with respect to pornographic crimes against prepubescent children. The problem was that extending the time-limit for starting proceedings made it even more difficult to establish offences committed much earlier. She wanted to know what had happened in other countries. Luxembourg was also considering extending the time-limit for starting criminal proceedings.

The Chairperson said that over 100,000 Swiss citizens had signed a petition for a referendum, which had been approved by the majority of the population, who had been alerted to the issue by recent cases, whereas the Government and the Parliament had opposed the initiative. Draft legislation providing that there should be no statutory limitation on sexual crimes against children under 12 years of age had been submitted to Parliament.

Ms Sosa Govea asked if there were any psycho-sociological studies on factors leading to this type of offence. In Mexico, poverty and the existence of street children were aggravating factors.

Ms Rogland said that offenders had often been victims of some type of violence but not only of a sexual nature.

Lord Boswell raised the question of proof of sexual abuse and feared that the sole aim of the proceedings might be to obtain financial compensation, particularly in cases where there was no clear evidence or only very outdated evidence.

Ms Rogland replied that there was no need to worry about that possibility as there had been very few examples of false allegations.

Ms Andersen agreed with the expert. In Norway too, studies showed that the majority of offenders had themselves been victims of abuse. She mentioned the case of a hospital doctor who had sexually abused 50 children.

Mr Connarty welcomed the fact that the European Parliament had stressed the need to prevent sexual violence against children in the EU directive on combating sexual abuse. Extraterritorial jurisdiction of national courts could also be very effective in combating this problem.

Mr Baghdasaryan reported on his participation in the regional conference held in Yerevan. He noted that Ms Kyriakidou had already launched a campaign in Cyprus for the ratification of the Lanzarote Convention. He thought that the network should also help countries which had ratified the Convention to implement it.

Ms de Boer-Buquicchio said that the joint efforts of governments, parliaments and civil society had produced very encouraging results. They had established the conditions for rapid ratification of the Convention in numerous member states and beyond. She welcomed the recent ratification of the Convention by Romania and Finland and the forthcoming ratification by Luxembourg. The Committee of Parties to the Convention would adopt an issue-based approach and would hold its first meeting in September.

The Lanzarote Convention was a very ambitious treaty which asked states not only to change their criminal legislation but also to introduce preventive measures and ensure the protection of victims, which was sometimes difficult to do. That was why the campaign had devised tools to encourage children, parents, experts working in this field, the media and policy-makers to take a more responsible attitude to preventing and reporting abuse. The secretariat was, for example, working on devising material for teenagers.

Debates like the one they were having helped everyone to comprehend the different types of sexual violence.

The parliamentary dimension had also prompted the Congress of Local and Regional Authorities to contribute to the campaign by mobilising its networks. The parliamentarians had succeeded in mobilising ministries and civil society, for example in Cyprus, Greece, Sweden, Azerbaijan, Mexico and Italy, the first country to take part in the campaign, which would also soon be launched by the governments of the Czech Republic and Croatia. Other players in Austria, France, Switzerland, Ukraine and the United Kingdom had also contacted the campaign organisers.

Despite the limited resources, feedback on the campaign material was very positive.

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Given that there was a new scandal involving sexual abuse in the headlines every day, she hoped that there was firm political resolve to prevent sexual abuse and prosecute offenders, despite the limited resources. She urged the parliamentarians to get involved in the campaign.

Mr Katrinis informed the participants of the conference that had been held in Athens on 9 June in the context of the ONE in FIVE Campaign. The aim of the conference had been to inform parents, children and judges - there had been 500 participants including local elected representatives and NGOs such as "The Smile of the Child" - and to strengthen Greek legislation. The ONE in FIVE Campaign material had been translated into Greek.

Ms Kyriakidou said that Cyprus had launched the campaign at national level in co-operation with the NGO "Hope for children". A special committee had been set up and a roadmap drawn up for the campaign, of which the first step would be to ratify the Lanzarote Convention.

Ms Fataliyeva reported on the conference held in April at the Azerbaijan parliament with various ministers and representatives of NGOs, during which she had presented the ONE in FIVE Campaign. Articles would be published in the media to draw the population's attention to the problem.

List of presence/Liste de présence

The names of the members and alternates present at the meeting appear in bold Les noms des membres et de leurs suppléants présents à la réunion sont indiqués en gras

Chairperson/ Présidente :		
Mme Liliane MAURY PASQUIER	Switzerland / Suisse	M. Arthur LOEPFE
Vice-Chairpersons/ Vice- Président(e)s		
Ms Pernille FRAHM	Denmark / Danemark	Ms Pia CHRISTMAS-MØLLER
M. Bernard MARQUET	Monaco	Mme Sophie LAVAGNA
Mr Pieter OMTZIGT	Netherlands / Pays-Bas	Ms Wassila HACHCHI
Members / Membres		Alternates / Remplaçants
Mme Lajla PERNASKA	Albania / Albanie	ZZ
Ms Sílvia Eloïsa BONET PEROT	Andorra / Andorre	M. Gerard BARCIA DUEDRA
Mr Armen MELIKYAN	Armenia / Arménie	Mr Gagik BAGHDASARYAN
Mr Karl DONABAUER	Austria / Autriche	Mr Edgar MAYER
Mr Stefan SCHENNACH	Austria / Autriche	Ms Sonja ABLINGER
Ms Sevinj FATALIYEVA	Azerbaijan / Azerbaïdjan	Ms Ganira PASHAYEVA
Mr Fazil MUSTAFA	Azerbaijan / Azerbaïdjan	Mr Aydin ABBASOV
Mme Cindy FRANSSEN	Belgium / Belgique	M. Philippe MAHOUX
M. Stefaan VERCAMER	Belgium / Belgique	M. Dirk Van der MAELEN
ZZ	Bosnia and Herzegovina / Bosnie-Herzégovine	ZZ
Mr Desislav CHUKOLOV	Bulgaria / <i>Bulgarie</i>	ZZ
Ms Dzhema GROZDANOVA	Bulgaria / Bulgarie	Mr Yanaki STOILOV
Ms Karmela CAPARIN	Croatia / Croatie	Mr Mirando MRSIĆ
M. Fidias SARIKAS	Cyprus / Chypre	Ms Athina KYRIAKIDOU
Mme Daniela FILIPIOVÁ	Czech Republic / République tchèque	Mr Rom KOSTŘICA
Ms Kateřina KONEČNÁ	Czech Republic / République tchèque	Mr Pavel LEBEDA
Mr Indrek SAAR	Estonia / Estonie	Mr Silver MEIKAR
Ms Pirkko MATTILA	Finland / Finlande	Ms Pia KAUMA
M. Roland BLUM	France	M. Laurent BÉTEILLE
Mme Claude GREFF	France	Mme Muriel MARLAND-MILITELLO
M. Denis JACQUAT	France	Mme Françoise HOSTALIER
Mme Marietta KARAMANLI	France	M. Jean-Paul LECOQ
Ms Magdalina ANIKASHVILI	Georgia / Géorgie	Mr Rati SAMKURASHVILI
Ms Viola von CRAMON-TAUBADEL	Germany / Allemagne	Mr Manuel SARRAZIN
Mr Andrej HUNKO	Germany / Allemagne	Mr Thomas NORD
Ms Marlene RUPPRECHT	Germany / Allemagne	Ms Doris BARNETT
Mr Bernd SIEBERT	Germany / Allemagne	Ms Gitta CONNEMANN
Mr Konstantinos AIVALIOTIS	Greece / Grèce	Ms Charoula KEFALIDOU
Mr Michail KATRINIS	Greece / Grèce	Ms Sophia GIANNAKA
Mr Péter HOPPÁL	Hungary / Hongrie	Mrs Melinda SZÉKYNÉ SZTRÉMI
Ms Virág KAUFER	Hungary / Hongrie	Mr Gábor HARANGOZÓ
Mr Birkir Jón JÓNSSON	Iceland / Islande	Ms Eygló HARÐARDÓTTIR
Mr Peter KELLY	Ireland / Irlande	Ms Maureen O'SULLIVAN
Mr Mario BARBI	Italy / Italie	Mr Paolo GIARETTA
Mr Roberto Mario Sergio COMMERCIO	Italy / Italie	M. Giacomo STUCCHI
Mr Oreste TOFANI	Italy / Italie	Mr Giuseppe CIARRAPICO
Mr Luca VOLONTÈ	Italy / Italie	Mr Vannino CHITI

Ms Ingrida CIRCENE	Latvia / Lettonie	M. Andris BĒRZINŠ
Ms Doris FROMMELT		
	Liechtenstein	Mr Leander SCHÄDLER
Ms Arūnė STIRBLYTĖ M. Marc SPAUTZ	Lithuania / Lituanie	Ms Birutė VĖSAITĖ M. Jean HUSS
Mr Francis AGIUS	Luxembourg Malta / Malte	Ms Marie-Louise COLEIRO PRECA
Ms Liliana PALIHOVICI	Moldova	Mr Valeriu GHILETCHI
Mr Obrad GOJKOVIĆ	Montenegro/ Monténégro	Ms Snežana JONICA
Mrs Khadija ARIB	Netherlands / Pays-Bas	Mrs Tineke STRIK
Ms Karin ANDERSEN	Norway / Norvège	Ms Ingjerd SCHOU
Ms Bożenna BUKIEWICZ	Poland / Pologne	M. Zbigniew GIRZYŃSKI
Mr Mariusz KAMIŃSKI	Poland / Pologne	Mr Maciej ORZECHOWSKI
Ms Anna SOBECKA	Poland / Pologne	Mr Ryszard BENDER
Mme Cecília HONÓRIO	Portugal	ZZ
ZZ	Portugal	ZZ
Mr Cristian DAVID	Romania / Roumanie	Ms Ana Adriana SĂFTOIU
M. Cezar Florin PREDA	Romania / Roumanie	M. Iosif Veniamin BLAGA
Mr Mihai TUDOSE	Romania / Roumanie	Mr Florin IORDACHE
Mr Igor CHERNYSHENKO	Russian Federation / Fédération de Russie	Mr Valery PARFENOV
Mr Oleg LEBEDEV	Russian Federation / Fédération de Russie	Mr Nikolay FEDOROV
Mr Valery SELEZNEV	Russian Federation / Fédération de Russie	Ms Svetlana GORYACHEVA
Mr Vladimir ZHIDKIKH	Russian Federation / Fédération de Russie	Ms Tatiana VOLOZHINSKAYA
M. Marco GATTI	San Marino / Saint-Marin	M. Pier Marino MULARONI
Mr Miloš ALIGRUDIĆ	Serbia / Serbie	Ms Nataša VUČKOVIĆ
Ms Vjerica RADETA	Serbia / Serbie	Mr Mladen GRUJIĆ
Mr Stanislav FOŘT	Slovak Republic / République slovaque	Mr Štefan ZELNÍK
Mr Ljubo GERMIČ	Slovenia / Slovénie	ZZ
Ms Meritxell BATET LAMAÑA	Spain / Espagne	Mr Jordi XUCLÀ I COSTA
Mme Rosa Delia BLANCO TERÁN	Spain / Espagne	Ms Concepción GUTIÉRREZ DEL CASTILLO
Mr Agustín CONDE BAJÉN	Spain / Espagne	Mme Blanca FERNÁNDEZ-CAPEL BAÑOS
Ms Carina OHLSSON	Sweden / Suède	Mr Morgan JOHANSSON
Mr Mikael OSCARSSON	Sweden / Suède	Ms Marietta de POURBAIX-LUNDIN
M. Felix MÜRI	Switzerland / Suisse	Ms Doris STUMP
Mr Zoran PETRESKI	« The former Yugoslav Republic of Macedonia » / L'ex- République yougoslave de Macédoine	Ms Flora KADRIU
Mr Lokman AYVA	Turkey / Turquie	Mr Yüksel ÖZDEN
Mr Haluk KOÇ	Turkey / Turquie	Ms Birgen KELEŞ
Mr Mustafa ÜNAL	Turkey / Turquie	Mr Ali Riza ALABOYUN
Ms Olena BONDARENKO	Ukraine	Mr Yevgeniy SUSLOV
Ms Olha HERASYM'YUK	Ukraine	Ms Oksana BILOZIR
Mr Victor YANUKOVYCH	Ukraine	M. Ivan POPESCU
Ms Ann COFFEY	United Kingdom / Royaume-Uni	Lord Tim BOSWELL
Mr Jeffrey DONALDSON	United Kingdom / Royaume-Uni	Mr Michael CONNARTY
Mr Paul FLYNN	United Kingdom / Royaume-Uni	Mr Michael HANCOCK
Mr Sam GYIMAH	United Kingdom / Royaume-Uni	Ms Yasmin QURESHI
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Contact Parliamentarians / Parlementaires de référence

Name	Country	
Arenca Trashani	Albania / Albanie	
Sílvia Eloïsa Bonet Perot	Andorra / Andorre	
Gisela Wurm	Austria / Autriche	
Sevinj Fataliyeva	Azerbaijan / Azerbaïdjan	
Cindy Franssen	Belgium / Belgique	
Dirk Van der Maelen	Belgium / Belgique	
Desislav Chukolov	Bulgaria / Bulgarie	
Karmela Caparin	Croatia / Croatie	
Athina Kyriakidou	Cyprus / Chypre	
Daniela Filipiová	Czech Republic / République tchèque	
Mogens Jensen	Denmark / Danemark	
Tuulikki Ukkola	Finland / Finlande	
Chiora Taktakishvili	Georgia / Géorgie	
Marlene Rupprecht	Germany / Allemagne	
Michail Katrinis	Greece / Grèce	
Mörður Árnason	Iceland / Islande	
Fiamma Nirenstein	Italy / Italie	
Arūnė Stirblytė	Lithuania / Lituanie	
Marc Spautz	Luxembourg	
Francis Agius	Malta / Malte	
Martha Leticia Sosa Govea	Mexico / Mexique	
Bernard Marquet	Monaco	
Pieter Omtzigt	Netherlands / Pays-Bas	
Karin S. Woldseth	Norway / <i>Norvège</i>	
Dariusz Lipiński	Poland / Pologne	
Maria de Belém Roseira	Portugal	
Cezar Florin Preda	Romania / Roumanie	
Sorin-Constantin Lazàr	Romania / Roumanie	
Marco Gatti	San Marino / Saint-Marin	
Elvira Kovács	Serbia / Serbie	
Tatiana Rosová	Slovak Republic / République slovaque	
Zmago Jelinčič Plemeniti	Slovenia / Slovénie	
Agustín Conde Bajén	Spain / Espagne	
Carina Ohlsson	Sweden / Suède	
Doris Fiala	Switzerland / Suisse	
Viktor Shemchuk	Ukraine	
Michael Connarty	United Kingdom / Royaume-Uni	
	Parliamentary Assembly of	
	Francophonie (APF) / Assemblée	
Henriette Martinez	parlementaire de la Francophonie (APF)	

Also present / Egalement présents

Ms / *Mme* ERR, Luxembourg Mr / *M.* AXELSSON, Sweden / *Suède*

Special Guests / Invités spéciaux

Ms / Mme de BOER-BUQUICCHIO, Deputy Secretary General of the Council of Europe / Secrétaire générale adjointe du Conseil de l'Europe

Ms / Mme ROGLAND, Senior public prosecutor (Sweden) / Procureur général (Suède)

Delegation Secretaries / Secrétaires de Délégation

Ms / Mme KOSRIKOVA, Czech Republic / République tchèque

Ms / Mme LÓPEZ, Mexico / Mexique

Ms / Mme LUKANYUK, Ukraine

Ms / Mme MARANGOU-d'AVERNAS, Cyprus / Chypre

Ms / Mme MILHEIRIÇO, Portugal

Ms / Mme ÖSTLUND, Sweden / Suède

Mr / M. ŠRIBAR. Croatia / Croatie

Mr / M. TANASE, Romania / Roumanie

Permanent Representatives / Représentants permanents

Ms / Mme BOVI, San Marino / Saint-Marin

Ms / Mme FARGES, France

Mr / M. MINTAS, Croatia / Croatie

Ms / Mme PETRENKO, Ukraine

Mr / M. URSE. Romania / Roumanie

Mr / M. YESILADA, Turkey / Turquie

Observers / Observateurs

Mr / M. BARBOSA, Mexico / Mexique

Ms / Mme GONZALEZ, Mexico / Mexique

Non Governmental Organisations (NGO) / Organisations non-gouvernementales (ONG)

Ms / Mme ADAMS, Flying Bridges

Ms / Mme BOITARD, European Network for Ombudsman of Children / Réseau européen pour l'ombudsman des enfants

Ms / Mme DOURNENBAL, IAW

Mr / M. GENSE, Flying Bridges

Ms / Mme RETTER, INGO Conference

Ms/ Mme RIVIERE, European Association of Education / Association Européenne de l'Education

Ms / Mme WEITH, INGO Conference

Ms / Mme WIERSINGA, IAW

Council of Europe / Conseil de l'Europe

Ms / Mme GRIMMEISSEN, Congress of Local and Regional Authorities / Congrès des Pouvoirs Locaux et Régionaux

Ms / Mme HUNTING, Congress of Local and Regional Authorities / Congrès des Pouvoirs Locaux et Régionaux

Ms / Mme JENSDOTTIR, Head of Children's Rights Division / Chef de la division des politiques des droits de l'enfant

Ms / Mme MORENO, Secretary General's Private Office / Cabinet du Secrétaire Général

Mr / M. PARENT, Children's Rights Division / Division des politiques des droits de l'enfant

Mr / M. RAIF-MEYER, European Court of Human Rights / Cour des Droits de l'Homme

Secretariat of the Assembly / Secrétariat de l'Assemblée

Ms / Mme. AFFHOLDER, Monitoring Commitee / Commission de suivi

Ms / Mme BARGELLINI, Communication Division / Division de la Communication

Ms / Mme DEVAUX, Project Manager "Parliaments united in combating sexual violence against children" / Chargée de Projet « Les parlements unis pour combattre la violence sexuelle à l'égard des enfants »

Social, Health and Family Affairs Committee / Commission des questions sociales, de la santé et de la famille

Ms / Mme KLEINSORGE, Head of the Secretariat / Chef du Secrétariat

Ms / Mme LAMBRECHT-FEIGL, Secretary to the Committee / Secrétaire de la commission

Ms / Mme GARABAGIU, Secretary to the Committee / Secrétaire de la commission Ms / Mme BARTHEL, Principal Assistant / Assistante principale

Ms / Mme STEMP, Assistant / Assistante