

Combating sexual abuse of children

Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, adopted in December 2011, establishes minimum standards for the definition of, and sanctions for, such criminal offences, as well as provisions to strengthen the prevention of those crimes and the protection of victims. During the December plenary session, the Parliament is due to debate a report on the implementation of the directive.

Background

Sexual abuse and exploitation of children, including child pornography, constitute serious violations of the fundamental rights of children as provided for by the 1989 United Nations [Convention on the Rights of the Child, Article 24](#) of the Charter of Fundamental Rights of the EU and [Article 3](#) of the Treaty on European Union. Despite the lack of comprehensive, comparable data on the prevalence of child sexual abuse, the Council of Europe estimated in 2010 that [one in five](#) children in Europe were victims of some form of sexual violence. The internet has brought about a dramatic [increase](#) in child sexual abuse material, while the cross-border nature of these offences presents a further obstacle in fighting them. Considerable differences have been [reported](#) regarding the national legislation of EU Member States for tackling this disturbing phenomenon.

The Child Sexual Abuse Directive and its implementation

[Directive 2011/93/EU](#), replacing Council Framework Decision 2004/68/JHA, introduced a holistic approach in the form of a comprehensive legislative framework concerning the prosecution of offenders, the protection of child victims, and prevention of the phenomenon. Member States were required to transpose the directive into national law by 18 December 2013. The Commission was due to submit implementation reports by December 2015, but with delays in transposition by some Member States, it submitted them to the Parliament only in December 2016. The [first report](#) assessed the extent to which the Member States have taken measures to comply with the directive overall and the [second report](#), the implementation of Article 25 of the directive, on measures for removal of and blocking access to web pages containing or disseminating child pornography. The Commission acknowledged major efforts made by the Member States to transpose the directive and recognised that substantive progress has been made. However, it also emphasised that there is still considerable room for improvement in order for the full potential of the directive to be realised. The main challenges faced by Member States were in prevention and intervention programmes for offenders, substantive criminal law and protection of child victims.

European Parliament position

Pursuant to the Parliament's [report](#) of 11 March 2015 on child sexual abuse online, the Committee on Civil Liberties (LIBE) drew up a [report on the implementation of the directive](#). The Committees on Culture and Education (CULT) and on Women's Rights and Gender Equality (FEMM) both gave opinions and LIBE [adopted](#) its report on 13 November 2017. The report is scheduled to be debated and voted during the December plenary session. The report identifies areas where Member States have failed to fully implement the directive, namely investigation and prosecution; prevention; assistance and protection of victims; blocking and removing websites containing child sexual abuse material. The report also addresses the situation of particularly vulnerable migrant children as well as some new forms of crimes (revenge porn and sex extortion). In drawing up the report, the rapporteur benefited from two studies, one on [combating child sexual abuse online](#), and a second, broader [European Implementation Assessment](#) of the directive, by EPRS.

Own-initiative report: [2015/2129\(INI\)](#); Committee responsible: LIBE; Rapporteur: Anna Maria Corazza Bildt (EPP, Sweden).

