

COMBATING CHILD SEXUAL ABUSE: REVIEW OF EU RULES

QUEST's answer to the European Commission

Answered on the 16th of May, 2024

QUEST welcomes this directive's mention of the need for a whole society approach to guarantee child protection. This starts from early ages on as an investment towards the creation of a culture of peace, cooperation and respect of human rights, including children's rights, reproduced and strengthened by the new generations. However this mention is only made once, without a clear description of what a whole society approach entails. In our view, a whole society approach cannot overlook the key role of children as active individuals with agency, in their families, schools and their broader communities.

QUEST believes this approach should be brought more transversally within the directive, focusing on children agency, reinforcing their participation and their awareness. In this sense, stronger attention to children's education should be given as a core preventive measure enabling children's emotional and sexual awareness. The need for a comprehensive sexual and emotional education, for instance, should be added. By comprehensive sexual and emotional education, we mean an education in which children can learn about their rights, what consent means to them and for others, how to express them, protect them, and act when their own or another's rights and consent are threatened, if not violated. This means promoting schooling systems in which children's consent is being heard and respected on a daily basis. Indeed, learning how to express one's own rights and consent, does not happen on a single-time basis, through a course or an awareness-raising campaign, but rather through repetitive practice.

This means for Member states to promote : 1. An education allowing children to learn, express and practise their rights every day ; 2. Promote easily accessible and child-friendly information to not only adults, but children themselves ; 3. Allow for spaces for collective reflections around what abuses mean, what shapes they may take, their consequences and how to prevent them within society (parents, children, professionals, institutions...) ; 4. Funding training on children's rights & protection for individuals interacting closely with children (families, education professionals, institutions...) as well as on education philosophies fostering a culture of peace such as non-violent communication, open-schooling and democratic education ; 5. Guaranteeing that every (EU/nationally) funded project is created following clear child protection guidelines when interacting with children, and that partners possess a child-protection policy.

QUEST recommends to modify Article 28 in the following manner :

1. To discourage and reduce the demand that fosters all forms of sexual exploitation of children, Member States shall take appropriate measures to promote a long-term culture of peace and human rights' protection embedded first of all throughout their national education systems, with children's rights and consent being practised daily. Member states shall take appropriate action to guarantee the provision of a comprehensive sexual and emotional education, based on human rights, to children and adults interacting closely with children.

2. Member States shall take appropriate measures, such as education and training (...)

4. Member States shall take appropriate measures to enhance the prevention of child sexual abuse in community settings, including schools, families (...)

Prevention measures shall devote particular attention to the needs of children who are particularly vulnerable, including children with mental or physical disabilities, and taking into account neuro-divergences. Prevention measures should also be considered as learning, and when relevant, healing opportunities for children, in which children can actively participate while developing their knowledge and skills."

