


# Procedure file

Basic information		
COS - Procedure on a strategy paper (historic)	1999/2097(COS)	Procedure completed
Action to combat child sex tourism: implementation of measures		
Subject		
4.10.03 Child protection, children's rights		
7.30.30.02 Action to combat violence, trafficking in human beings and migrant smuggling		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Citizens' Freedoms and Rights, Justice and Home Affairs		29/07/1999
		PPE-DE <a href="#">KLAMT Ewa</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>JURI</b> Legal Affairs and Internal Market		13/10/1999
		PPE-DE <a href="#">PALACIO VALLELERSUNDI Ana</a>	
Council of the European Union	<b>CULT</b> Culture, Youth, Education, Media and Sport		12/10/1999
		PSE <a href="#">ROURE Martine</a>	
	<b>FEMM</b> Women's Rights and Equal Opportunities		12/10/1999
		PPE-DE <a href="#">MÜLLER Emilia Franziska</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2229</a>	02/12/1999
	Youth	<a href="#">2222</a>	23/11/1999
	Youth	<a href="#">2185</a>	27/05/1999

Key events			
26/05/1999	Non-legislative basic document published	COM(1999)0262	Summary
27/05/1999	Debate in Council	<a href="#">2185</a>	
13/09/1999	Committee referral announced in Parliament		
23/11/1999	Debate in Council	<a href="#">2222</a>	
04/01/2000	Resolution/conclusions adopted by Council		
24/02/2000	Vote in committee		Summary

24/02/2000	Committee report tabled for plenary	<a href="#">A5-0052/2000</a>	
29/03/2000	Debate in Parliament		
30/03/2000	Decision by Parliament	<a href="#">T5-0131/2000</a>	Summary
30/03/2000	End of procedure in Parliament		
29/12/2000	Final act published in Official Journal		

### Technical information

Procedure reference	1999/2097(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/11022

### Documentation gateway

Non-legislative basic document		COM(1999)0262	26/05/1999	EC	Summary
Committee report tabled for plenary, single reading		<a href="#">A5-0052/2000</a> <a href="#">OJ C 377 29.12.2000, p. 0004</a>	24/02/2000	EP	
Text adopted by Parliament, single reading		<a href="#">T5-0131/2000</a> <a href="#">OJ C 378 29.12.2000, p. 0019-0080</a>	30/03/2000	EP	Summary

## Action to combat child sex tourism: implementation of measures

**PURPOSE** : to draw up implementation measures in the Union to combat child sex tourism. **CONTENT** : the scale and the seriousness of the problem of child sex tourism led the European Commission, as part of the general contribution of the European Union to strengthening the fight against the sexual abuse and exploitation of children, to adopt, on 27.10.1996, a communication devoted specifically to the fight against this scourge (ref: procedure 1996/2192/COS). The overall strategy set out in this document is twofold : firstly, to reduce demand, in particular through co-operation with the tourist industry and the non-governmental organisations concerned (co-ordination of information and awareness raising campaigns, strengthening codes of conduct and self-regulatory schemes for the industry, etc.), and, secondly, attacking resources of supply in tourist destination countries by all appropriate means, including Community policies on external relations and development co-operation. In financial terms, support for the Commission's initiative is reflected in the creation of a new budget line of 500 000 ECU in 1998 and the budget available doubled in 1999. In addition, other further funds are available under Community policies, programmes and initiatives with an interest in the problem. This communication seeks to evaluate the actions undertaken to date and to identify new actions for 1999. From 1997 to 1998, the following actions were carried out : 1) improving knowledge of the phenomenon of child sex tourism: in this context, the European Commission launched a survey of Europeans' views on the phenomenon of child sex tourism (the survey showed that a large proportion (85%) of the population questioned is "aware" of the problem), the results of this survey at European level, are useful points of reference for all those involved in the fight against the scourge of child sex tourism. They should be of considerable help in shedding light on the choices to be made in terms of intervention strategies; 2) strengthening the effectiveness of laws and law enforcement, including extraterritorial criminal laws: in this framework, the Council adopted a Joint Action on 24.02.1997 concerning action to combat trafficking in human beings and sexual abuse of children, which requires each Member State to undertake a review of its national laws in this field. In addition, other Joint Actions also present an interest in combating against child sex tourism and these have been adopted. For example, a joint Action launching the "STOP" programme, the Council's Joint Action of 16.12.1996 aiming to extend the mandate of the Europol Drugs unit to include trafficking in human beings. Furthermore, in 1998, the Commission presented the DAPHNE initiative involved in combating violence against women, young people and children (text awaiting Council's Common Position: see 1998/0192/COD; 3) intensifying efforts to stem the flow of sex tourists from Member States: in this context, it is foreseen to reinforce the co-ordination of national information campaigns and awareness campaigns via actions financed by the Commission and awareness campaigns in the name of the Commission. Some actions have also been brought about by professional circles within the tourism industry in particular, to convince them to adopt the codes of conduct and other self-regulatory schemes for the tourist industry. Lastly, a concerted approach in relation to an initiative at international level has been envisaged via joint meetings with the World Tourism Organisation; 4) developing measures to combat sex tourism in third countries via the rationalisation of the methods of intervention and co-ordination of Community resources available (to agree on a "common body" for identifying and processing applications for funding for the protection of the victims of child sex crime tourism in third countries) and taking into consideration the respect for human rights in contractual relations between the Community and third countries (although in this area, particular attention has not been paid to the problem of sex child tourism). For each of the actions undertaken in recent years, the Commission has put forward operational proposals to build upon work already carried out. Among these operational proposals, are the launching of a development

study of this phenomenon in the candidate countries as well as a priority action aimed at involving these countries to the "STOP" programme. Other actions are envisaged such as the extension or the reinforcement of awareness-raising campaigns at European level or the "Community" evaluation of the codes of conduct adopted in the tourism industry. Lastly, the Commission aims to launch identification missions of the "sensitive" destinations in order to put together an inventory of the changes needed and to set out recommendations for action in this field.?

## Action to combat child sex tourism: implementation of measures

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The committee adopted the report by Ewa KLAMT (EPP/ED, D) on the Commission communication on measures to combat child sex tourism. The committee felt that the European Union and its Member States should step up their efforts to combat sex tourism and the exploitation of children and argued that Member States should adopt extraterritorial legislation enabling them to investigate, prosecute and punish people who had committed crimes involving the sexual exploitation of children abroad. Other measures urged in the report were the establishment of a coherent policy for child protection through the creation of a comprehensive new legal basis when the EC Treaty was next revised, with sufficient Community budget funding; the incorporation of children's rights into the Charter of Fundamental Rights; measures to encourage travel agencies, tour operators, haulage companies and advertisers to set up self-regulation systems to combat child sex tourism; free telephone help-lines for children in all Member States; and measures to prevent convicted paedophiles from exercising occupations involving contact with minors where a repeat of their offence might occur. However, the report stressed that court action in paedophilia cases should be monitored to ensure it did not violate basic rights. The committee wanted the Commission to investigate the possibility of setting up an observatory for missing children and child abuse. It supported the Commission's information campaigns but called for a cost-benefit analysis to be conducted. The Commission was also asked to assess the link between child pornography on the Internet and the increase in child sex tourism. Member States were asked to provide special care and shelter for young victims of sex abuse, especially young, unaccompanied asylum seekers and immigrants, whether legal or illegal. Lastly, the committee urged applicant countries for EU membership to step up action against sex tourism, child pornography and trafficking in human beings.

## Action to combat child sex tourism: implementation of measures

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The European Parliament adopted its resolution, drafted by Mrs. Eva KLAMT (EPP/ED, D) regarding combating child sex tourism. Parliament welcomes the Commission's communication. It reiterates that child sex tourism and all forms of trafficking in human beings are incompatible with human dignity and worth and are criminal acts which constitute a serious violation of human rights. It calls on Member States and the applicant countries to check that their laws are consistent with the Convention on the Rights of the Child and to take account of this aspect when enacting new laws and to ratify the International Labour Organisation Convention on the worst forms of child labour. It also calls on the Member States and representatives of Parliament who are involved to incorporate into the Charter of Fundamental Rights of the EU which is to be drawn up provisions on respect for children's rights as guaranteed in the UN's 1989 Convention on the Rights of the Child. The Parliament calls on the Member States, when the next revision of the EC Treaty is carried out, to create a comprehensive new legal basis for Community policy on children so that the existing piecemeal child protection measures can be replaced by a coherent policy. The Commission is called upon to investigate more closely the extent of child sex tourism in Europe, both within the EU and in the applicant countries, including the practices employed and, in addition, the flow of 'consumers' of child sex tourism. The Parliament also wishes the Commission to assess fully the link between child pornography on the Internet and the increase, despite awareness and repudiation amongst the general public, of child sex tourism. It welcomes the Commission's cooperation with the tourism industry on the introduction of codes of conduct and calls on it to draw up two-yearly reports of their application. It regrets that the Council's views on the principle of extra-territoriality have developed hardly at all and reiterates that Member States must adopt universal extra-territorial provisions enabling them to investigate, prosecute and punish persons who have committed crimes involving sexual exploitation of children abroad. It calls on the Commission to draw up a survey of Member States' laws on child sex tourism, child pornography and trafficking in human beings and, if necessary, to put forward proposals for definitions of offences within the meaning of Art. 31 (e) of the Treaty which comply with the principle of extraterritoriality and abandon the criterion of dual criminality. Parliament also regrets that the Commission has not yet taken any action in response to its request to promote the setting up of a European centre for missing children; it therefore urges the Commission to create the conditions for the development of a European network for missing and abused children with the task of coordinating the activities of organisations in the Member States. The Member States are urged to ensure that limitation periods for crimes involving the abuse of children run only from the time when the children involved attain majority and to review their criminal proceedings in such a way that victims can give evidence by means of video recordings, thereby reducing the risk of their suffering further traumatic effects. Lastly, the Parliament resolves to set up a committee of enquiry to monitor the progress of criminal proceedings involving cases of active and violent paedophilia.?