Basic information

1996/2192(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Combating child sex tourism **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
LIBE Civil Liberties and Internal Affairs	SCHULZ Martin (PSE)	03/12/1996

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs, Citizens' Rights	CASINI Carlo (PPE)	19/12/1996
TRAN Transport and Tourism	The committee decided not to give an opinion.	
FEMM Women's Rights	BENNASAR TOUS Francisca (PPE)	20/03/1997

Council of the European Union

Council configuration	Meetings	Date
Tourism	2049	1997-11-26

Key events

Date	Event	Reference	Summary
27/11/1996	Non-legislative basic document published	COM(1996)0547	Summary
17/01/1997	Committee referral announced in Parliament		
08/10/1997	Vote in committee		Summary
08/10/1997	Committee report tabled for plenary	A4-0306/1997	
05/11/1997	Debate in Parliament		

06/11/1997	End of procedure in Parliament		
24/11/1997	Final act published in Official Journal		
26/11/1997	Debate in Council		

Technical information	
Procedure reference	1996/2192(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/08279

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Motion for a resolution		B4-1237/1996	22/10/1996	
Committee report tabled for plenary, single reading		A4-0306/1997 OJ C 339 10.11.1997, p. 0006	08/10/1997	
Text adopted by Parliament, single reading		T4-0535/1997 OJ C 358 24.11.1997, p. 0012-0037	06/11/1997	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	N4-0556/1996	25/09/1996	
Non-legislative basic document	COM(1996)0547	27/11/1996	Summary
Non-legislative basic document	COM(1999)0262	26/05/1999	

Combating child sex tourism

1996/2192(COS) - 27/11/1996 - Non-legislative basic document

OBJECTIVE : This communication seeks to put forward a set of proposals for action as a reference framework for the prevention of child sex tourism. The actions proposed seek to: - deter and punish child sex abusers, - take action in relation to the demand and supply of sex tourism involving children, - encourage the Member States to take a common stance against this affliction. SUBSTANCE : The Commission considers that Community action in this field is justified on more than one count: . because of the transnational nature of the phenomenon and its effects, . because of the risk that measures by Member States will be spread too thinly if no effort is made to increase coordination. The Commission proposes four main types of action in a medium and long term perspective: - Deterring and punishing child sex abusers: the Commission's action will focus on stimulating and promoting an effective deterrent: . by making a regular evaluation of progress in the implementation of the legal reforms and legal practices concerned by the Member States, . by the collection and exchange of information other than that of a legal nature in order to improve knowledge of the problem and to combat its hidden nature (information on the links between tourism and child prostitution, the identity, motivation and behaviour of the abusers, on

tourist guides and prospectuses and the implications of sex tourism for public health), . by encouraging the national tourist authorities to take preventive measures in this field, particularly as regards information to travellers. - Stemming the flow of sex tourists from the Member States: to this end the Commission intends to: . coordinate information and awareness-raising campaigns implemented in the Member States in order to increase their impact and mobilize the various Community information networks on this subject, . make available to the tourist industry, in particular through training programmes and schemes, guiding principles on combating child sex tourism (training modules on the objectives and mechanisms for combating child sex tourism), . draw up and reinforce codes of conduct and self-regulatory mechanisms in the tourist industry (the definition with the tourist industry of a basic minimum of commitment on a voluntary basis to prohibit any explicit or implicit encouragement of sex tourism). - Helping to combat sex tourism in third countries: action to combat abuse of children must be placed in the wider context of observance of democratic principles and human rights. To this end the Commission wishes to: . rationalize methods for action and coordinate the Community resources available for the protection of children who are victims of sex tourism (e.g. provide measures under the EDF for the rehabilitation of child victims, etc.), . make the respect of democratic principles and human rights an essential element in the contractual relations between the Community and third countries (the main concern is to make certain over-complacent countries understand that the promotion of tourism should not be linked with the promotion of sex tourism). - Encouraging the EU Member States to take a united stand against child sex tourism: given that the 'consumers' of sex tourism are Community citizens, that child prostitution involves Europeans and that certain Member States have signed the Convention on the rights of the child, the Member States of the Union are directly implicated in this phenomenon. The Commission therefore strongly encourages the Member States to take action and to move forward in taking action against this scourge. It calls particularly on the Council and the Member States to define their positions in order to dispel any doubt as to their willingness to combat this affliction.

Combating child sex tourism

1996/2192(COS) - 06/11/1997 - Text adopted by Parliament, single reading

Adopting the report by Mr Martin SCHULTZ (PSE, D) on the sexual exploitation of children, the European Parliament called for tough measures to combat child sexual abuse and tourism. Parliament stressed that the European Union should use all the instruments at its disposal under Community law to combat this affliction and stimulate coordination of national actions at Community level. The European Parliament called on the Member States to harmonize quickly certain concepts in their criminal legislation (especially the age at which an individual is no longer considered to be a child for the purposes of sexual exploitation) and to criminalize the following: - paedophilic acts, - sexual tourism involving children, - child pornography, - failure to report acts or serious indications of paedophilia or abuse of children known to third parties as failure to assist a person in danger. It also makes provision for the following preventive measures: - introducing information campaigns for families and people working in the education, health, justice, police or tourism sectors; - extending the European System for Information to the fight against the sexual exploitation of children; - prohibiting persons convicted of acts of paedophilia from exercising activities which bring them into contact with minors; - creating a European missing children centre; - setting up a free helpline in all the Member States for child victims; - ensuring that the tourism and advertising sectors refrain from inciting or engaging in propaganda in favour of sexual tourism; - providing financial support for NGOs engaged in the prevention and detection of sexual services involving minors and the possibility for them and child protection agencies to file complaints; - adopting a compulsory code of conduct governing the use of children in advertising campaigns; - providing financial aid for countries where poverty is rife in order to help establish substitute tourism and to promote actions to protect and rehabilitate child victims. It also makes provision for a series of repressive measures: - compulsory treatment of paedophiles; - prolonged detention or permanent internment in a psychiatric institute for repeat offenders; - criminalization of the production, sale, distribution, dissemination, exhibition or facilitation of the production, etc. of any pornographic devices or material produced using minors; - criminal prosecution of persons attending pornographic shows involving children and criminalization of the use of minors for pornographic purposes; - prosecution of individuals who have committed acts of sexual exploitation of children abroad; - indictment of companies organizing sexual tourism on the grounds of conspiracy; - confiscation of income from activities relating to the sexual exploitation of children and allocation of the sums confiscated to child protection organizations; - measures against travel agencies, airlines and hotel networks which promote sexual tourism involving children; With regard to rehabilitation, the European Parliament called for: - child victims to be guaranteed confidentiality during criminal proceedings so that they may testify without fear; - social aid, social rehabilitation and vocational training services; - reception, consultation and prevention structures to be set up; - protection for families. Even if social rehabilitation of the offender is to be the mainstay of penal law, the European Parliament called for priority to be given to the protection of minors. Finally, Parliament made provision for a specific chapter on the political and moral responsibility of Judge Wathelet of the European Court of Justice in the Dutroux case. It considered that where gross negligence, fault or failure to protect children is ascertained, those with political responsibility should bear the consequences of their acts and answer for whatever is or is not done at their instigation. It therefore considered that it was up to these persons to ask themselves whether they could legitimately continue to hold high office or stand for such office at either national or European level. The European Parliament therefore called on Judge Wathelet to take account of the specific demands made on a judge of the Court of Justice and to resign office. His personal decision as Belgian Secretary of State of Justice to allow the early release of Marc Dutroux, who had since been found guilty of murdering several children, may well have complied with Belgian law but it had had devastating consequences for which he must take moral and political responsibility.