



Bundesministerium  
für Familie, Senioren, Frauen  
und Jugend

**PLAN OF ACTION OF THE FEDERAL GOVERNMENT  
FOR THE PROTECTION OF CHILDREN AND YOUNG PEOPLE  
FROM SEXUAL VIOLENCE AND EXPLOITATION**

## CONTENTS

<b>A. INTRODUCTION.....</b>	<b>3</b>
<b>B. STRUCTURE OF THE PLAN OF ACTION .....</b>	<b>7</b>
<b>C. REVIEW OF THE CURRENT SITUATION.....</b>	<b>8</b>
<b>D. STRATEGIES .....</b>	<b>14</b>
<b>I. Prevention and intervention .....</b>	<b>15</b>
1. Individual approach.....	15
a. Victims.....	15
b. Sexually deviant young offenders .....	17
2. Approach geared to society as a whole .....	19
a. Occupational groups.....	19
aa. Educational occupations and professionals .....	20
bb. Tourist industry.....	22
cc. Other occupational groups .....	24
b. Information and education .....	25
c. Domestic violence .....	26
d. Global fight against poverty .....	28
3. Participation .....	29
<b>II. Legislation .....</b>	<b>30</b>
1. Protection of children and young people under criminal law ...	30
2. Protection of victims .....	32
<b>III. International cooperation and networking .....</b>	<b>35</b>
1. International conventions and prosecution.....	35
a. United Nations .....	35
b. European Union.....	36
c. Council of Europe and G 8 countries .....	37
2. Networking .....	38
<b>IV. Research.....</b>	<b>41</b>
<b>V. Monitoring .....</b>	<b>42</b>

## **A: Introduction**

The Federal Government attaches high priority to the effective suppression of sexual violence against children and young people. It expressed this clearly in the Coalition Agreement of 16.10.2002 and laid it down in writing by elaborating a Plan of Action for the Protection of Children and Young People from Sexual Violence and Exploitation.

The sexual abuse of children, as well as child sex tourism, child trafficking and child pornography, are abominable crimes that nothing can justify and that must be vigorously prosecuted and punished. Children are the weakest links in society. They usually suffer from the consequences of the harm inflicted on them for the rest of their lives. The personality-changing consequences associated with these crimes rob children of their dignity and their childhood.

Accordingly, the fight against sexual abuse of children attracts great attention among the public and in the media.

Children and young people are subjects of their own rights. This principle is one of the fundamental values held by our society. The Federal Government faces up to the associated responsibility for giving all children and young people living in Germany a place where they can develop and grow up without suffering emotional and physical abuse.

The policy of the Federal Government aims at lastingly guaranteeing the protection of children and young people from sexual violence and the protection of the victims of sexual violence. To this end, it has elaborated a comprehensive overall concept in a process that also involved non-governmental organisations. In this context, it was primarily guided by the well-being of the child and by the needs, interests and rights of the children and young people affected. The envisaged measures set in at both the national and the international level.

The Federal Government regards the following as being the most important points:

- Further development of the protection of children and young people under criminal law;
- Strengthening of prevention and the protection of victims;
- Securing international prosecution and cooperation, and
- Promoting the networking of offers of help and counselling.

An effective and enduring fight against sexual violence against children requires a comprehensive overall strategy. It is important not only to establish prevention and intervention schemes, but also to ascertain and eliminate the causes of sexual violence and sexual exploitation.

Perpetrators of sexual violence against children and sexual exploitation of children are regularly acting in areas of relevance to criminal law. Therefore, alongside education and prevention, the further development of protection under criminal law, and of the protection of victims, will be of particular importance, as will the harmonisation of European penal regulations.

**Legislation:**

The protection concept of the Federal Government particularly includes the reform of the penal regulations concerning sexual abuse of children and young people. The reprehensibility of these acts must be expressed even more clearly in the measure of punishment. Therefore, it is envisaged that, among other things, the punishments threatened in the penal regulations on sexual abuse of children be stiffened once more. In addition, the new possibilities offered by the Internet require appropriate amendments in criminal law. To this end, there are, above all, plans to expand criminal law in order to more effectively cover the area of initiation of contacts with children aimed at sexual abuse. Stiffening of the penal regulations concerning the dissemination and possession of child pornography publications is also planned.

Moreover, the standing of the victim in criminal proceedings is to be strengthened, e.g. by facilitating the use of video examinations, as is the assistance for victims in the framework of the reform of sanction law. For example, ten percent of every fine is to go to a recognised, non-profit organisation providing assistance for victims. Also, the compensation claims of victims are to be given priority when enforcing fines.

**Prevention:**

In the prevention field, education and public relations work is being intensified by a nationwide prevention campaign, in addition to the publication of a guide for parents. Other prevention programmes and offers of help are directed particularly at girls and boys, parents, multipliers, the police, the judiciary and the tourist industry, e.g. the free emergency hotline for children and young people, the parents' helpline and the virtual child protection centre. Programmes specifically for multipliers, the police, the judiciary and the travel industry include subject-related professional conferences, seminars and training courses on dealing with the problem of sexual violence against children and young people.

The victims of sexual abuse of children are predominantly girls. However, boys also fall victim to sexual child abuse. Consequently, in the interests of gender-oriented prevention work, the Federal Government considers it important to also pay particular attention to boy-specific aspects. In view of the fact not only that boys are victims of sexual violence, but also that sexual violence primarily originates from male youths and men, the Federal Government sees prevention work

as also having aspects relating to prevention among potential offenders, e.g. in that it involves work with boys on developing non-violent conflict-resolving options.

**International cooperation and prosecution:**

Furthermore, the Plan of Action has close ties to international activities, programmes and cooperation projects. The Federal Government is further intensifying international cooperation and coordination in the fight against sexual exploitation of children, for instance by way of closer cooperation with the destination countries of sex tourists, improved, internationally coordinated prosecution, and integration in international action and information networks, e.g. in a German/Czech/Polish working group specifically for combating trafficking in women and girls and for the protection of children from sexual exploitation. It elaborates joint concepts for suppressing cross-border crime and implements information campaigns and training courses for the police and border guard officers operating locally.

**Networking of offers of help:**

Effective problem-handling and prevention in relation to sexual abuse of children requires the networking of offers of help for professional exchanges of information and experience, for accompanying and implementing political programmes and for case-related work with victims. The non-governmental organisations active in the field of protection of children from sexual violence in Germany have joined forces in numerous national networks and cooperation projects.

The Federal Government promotes the Federal Information and Networking Centre on Child Abuse and Child Neglect (IKK) with the aim of further improving the coordination and integration of these networking structures. The aim of the IKK is to collect national and foreign professional information at one central location and to inform the professional public about the causes of child abuse and child neglect, as well as options for prevention, therapy and intervention.

The Federal Government has advanced the protection of children and young people from sexual violence and exploitation at the national and international level from the outset. With the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) acting as central coordinator, it has - in implementing the Declaration of the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996 - done trend-setting work in the field of sexual violence against children and sexual exploitation of children in recent years as regards prevention, the protection of victims and international prosecution. Important legislative acts in the last few years have already contributed to further improving the protection of children and young people under criminal law.

The "Second World Congress against Commercial Sexual Exploitation of Children", held in Yokohama in December 2001, made it clear that greater sensitivity towards the problem of sexual exploitation of children has been achieved in the past few years and that numerous measures have been taken. There is nevertheless still a need to intensify national and joint international action as regards prevention, the protection of victims and prosecution, in order to effectively combat sexual exploitation of children.

Through its involvement in the competent bodies of the United Nations, the European Union, the Council of Europe and elsewhere, the Federal Government will continue to play an active role in shaping the protection of children and young people from sexual violence and sexual exploitation.

## **B: Structure of the Plan of Action**

The "Plan of Action of the Federal Government for the Protection of Children and Young People from Sexual Violence and Exploitation" is guided by Article 34 of the UN Convention on the Rights of the Child, in which the contracting states undertake to protect children from all forms of sexual exploitation and sexual abuse.

With the present Plan of Action against sexual violence and exploitation, it is the intention of the Federal Government to effectively protect children and young people from sexual violence and exploitation, and to take appropriate measures and introduce the necessary means for providing targeted help, intervention and prevention. The measures in the Plan of Action focus on the following areas:

- I. Prevention and intervention
- II. Protection of children from sexual abuse under criminal law
- III. International cooperation and networking
- IV. Monitoring, research

The Plan of Action continues the numerous measures taken in recent years to suppress sexual abuse and sexual exploitation of children and young people, and places emphasis on new aspects. Since it is designed to be a process, the current form merely represents a snapshot of the current situation, which will serve as the basis for the ongoing further development of the problems it is to deal with. In Germany, this presupposes close cooperation between the responsible federal, Länder and municipal agencies, on the one hand, and the non-governmental organisations and the scientific community, on the other. This is why the Plan of Action provides for the establishment of a Bund/Länder Working Group, which is to steer and coordinate the implementation and further development of the Plan of Action.

In view of the continuing inadequacy of action regarding the affected children and young people, the Plan of Action gives particular consideration to the following fields of action:

- Child pornography on the Internet,
- Sexually deviant young offenders, and
- Protection from abuse in organisations and institutions.

## **C. Review of the current situation**

In the course of implementing the Stockholm Plan of Action, the past few years have seen encouraging progress being made in Germany in the fight against sexual abuse of children. Important legislative acts have led to further improvement of the protection of children from sexual exploitation under criminal law. The following can be mentioned as examples:

### **1998: Sixth Law Reforming the Criminal Code**

As part of the follow-up to the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, and in the framework of the endeavours to achieve the most comprehensive possible protection of the population, the Sixth Law Reforming the Criminal Code further improved the protection of children from sexual exploitation under criminal law. Among other things, the punishment for serious cases of sexual abuse of children and the commercial or gang-structured dissemination of child pornography publications was increased substantially and their classification under criminal law amended. Serious cases of sexual abuse of children are now classified as a crime (as opposed to an offence under the previous law) and, depending on the severity of the individual criminal act, regularly punished by a prison sentence of at least one year, or at least two or five years, up to fifteen years, this being the maximum permissible for fixed-term sentences. A uniform range of punishment of between one and ten years' imprisonment applied under the previous law.

The Reform Law expands Section 5 No. 8 Letter b of the German Criminal Code (StGB) to improve the prosecution of Germans who sexually abuse children abroad (cases of "child sex tourism"). Cases of this kind can now be prosecuted by the German judiciary even if the German offender has his basis of existence abroad. In addition to measures for tightening Sections 176 and 184 StGB, the Reform Law expanded the penal regulation on child stealing in Section 235 StGB, and a new penal regulation on illegal trafficking in children was introduced in Section 236 StGB, in order to improve the possibilities for taking action against sexual abuse of children in this way as well.

### **1998: Law on the Combating of Sexual Offences**

Among other things, the "Law on the Combating of Sexual Offences and Other Dangerous Crimes", which likewise came into effect in 1998, expands the scope of application for the imposition of preventive detention for serious crimes and certain criminal offences against sexual self-determination and physical integrity. At the same time, the Law abolishes the absolute maximum limit for the duration of commitment, even in the case of first-time commitment to preventive detention. With regard to the suspension of a sentence on probation, the Law now ex

pressly demands that a sentence only be suspended on probation if this is justifiable, considering the security interests of the general public.

The basis on which the courts reach a decision of this kind has been improved in that an expert report has to be obtained in the case of offenders at particular risk of reoffending. Moreover, the Law contains improvements in the field of supervision of conduct and provides for the obligatory transfer of treatable sex offenders to social therapy institutions as of 1 January 2003 following a transitional period.

### **2002: Law Introducing the Reservation of Preventive Detention**

The Law Introducing the Reservation of Preventive Detention came into effect on 28 August 2002, its aim being to further improve the protection of the population from dangerous sexual and violent criminals. Under the Law, the trial court can, in certain cases, reserve the right to commit the offender to preventive detention, issuing the final order if the convicted person is found to be dangerous after completing part of the sentence.

### **1986 - 2002: Victim protection laws**

Substantial progress was already achieved in this quarter in the past by means of statutory regulations. Based on the first Act for Improving the Standing of Victims in Criminal Proceedings (Victim Protection Act) of 18 December 1986, the protection of victims was further strengthened by the 30th Law Amending the Criminal Code of 23 June 1994, according to which the period of limitation for certain sexual offences is suspended until the victim reaches the age of majority, and by the Law on the Suppression of Crime of 28 October 1994, which attached greater importance to victim compensation and compensation for damages in adult criminal law (inter alia by the addition of Section 46a StGB). The Act on the Protection of Witnesses in Criminal Proceedings and for Improving the Protection of Victims (Witness Protection Act) of 30 April 1998 introduced the possibility for children and young persons appearing as victims in criminal proceedings to give evidence on videotape separately from the offender, as well as improved possibilities for accessory prosecution and the establishment of the function of witness adviser and victim's advocate. Furthermore, the Act Anchoring Victim Compensation in Criminal Law of 20 December 1999 served the interests of crime victims.

Quite a lot has also been achieved in the field of victim protection at the European level. For instance, the EU Framework Decision of 15 March 2001 established important minimum standards regarding the standing of the victim in criminal proceedings.

## Child pornography

Substantial progress has been achieved here, especially also as regards police measures for combating child pornography on the Internet and in the field of electronic information and communication services and the self-control of online enterprises. Examples in the sphere of the suppression of child pornography by the police include the following:

- Creation of police authority homepages with possibilities for citizens to make contact by e-mail and submit information and tips on Internet crime,
- Introduction of an area for the "BKA Central Office for Child Pornography" on the homepage of the Federal Office of Criminal Investigation (BKA) (Frequently Asked Questions, legal basis, responsibilities),
- Improved equipment of the criminal prosecution authorities,
- Creation of a Networked Child Pornography File at the BKA,
- Establishment of the "Central Office for Random Searches in Data Networks" (ZaRD) at the BKA at the end of 1998,
- Creation of "Child Pornography Contact Offices" at the Länder Offices of Criminal Investigation / Elaboration of a suppression concept at the federal and Länder level,
- Identification of offenders and victims of sexual abuse by broadcasting pictures from the Internet on television and publication on the BKA homepage (public search),
- Expansion of the reference database and licensing (for national and international prosecution authorities) of PERKEO software for detecting relevant objects of child pornography as an important tool, also for the commercial sector,
- Participation of the BKA in the feasibility study for an "International Image Database"  
 Since December 2001, the Federal Office of Criminal Investigation has been taking part in an EU-funded feasibility study on the establishment of an international image database. The aim of a database of this kind is to pool the information of the participating countries in the field of child pornography in data networks, especially information on known offenders, investigation procedures and methods, thereby avoiding duplicate work on identical situations and, at the same time, making more effective use of the available personnel, technical and financial resources.
- In March 2002, the Crime Suppression Commission (KKB) set up a working group, coordinated by the BKA and involving experts from several Länder Offices of Criminal Investigation, to document current practice in the ascertainment of offenders and victims from child pornography media and elaborate proposals for improving the procedure in future on the basis of the results. As with the aforementioned feasibility study, one of the essential aims of this work is to identify and stop sexual exploitation of children and young people.

The following are examples in the field of electronic information and communication services and self-control of online enterprises:

- 1 August 1997: "Information and Communication Services Act" and "Media Services State Treaty",
- Self-control of the online media by founding of the association for "Voluntary Self-Control of Multimedia Services" (FSM) in 1997 and establishment of the FSM Complaints Office,
- Creation of the Central Office of the Supreme Länder Authorities for Youth Protection in Media Services (jugendschutz.net),
- 21 December 2001: Amendment of the Act on Telecommunication Service Providers (TDG). Under this Act, telecommunication service providers bear full responsibility for their own information made available by them. Although they are not additionally obliged to monitor third-party information transmitted or stored by them, or to examine it for circumstances indicating illegal acts (Section 8 Para. 2 TDG), they must remove information or block access to it without delay if they become aware of illegal acts or information stored by them - for example, based on leads from prosecution authorities, youth protection institutions or members of the public. In particular, this offers the opportunity for regulatory authorities to demand by way of a corresponding order that network operators block illegal content.
- 1 July 2002: Amendment of the regulations of the Media Services State Treaty and the Act on Telecommunication Service Providers.
- 14 June 2002: Amendment of youth protection. Among other things, a regulation was introduced outside the framework of the Criminal Code regarding the abusive depiction of children and young people in unnatural, gender-emphasising poses. These depictions thus count as media morally harmful for young people, which are prohibited by law and subject to the restrictions on sale, distribution and advertising contained in the law.

### **2000 - 2002: Laws on domestic violence**

Several laws designed to combat domestic violence have been passed in the last two years. The "Act Outlawing Violence in Upbringing" entered into force on 8 November 2000. To accompany it, the Federal Government launched a nationwide campaign on non-violent upbringing entitled "More Respect for Children". Moreover, the "Act for Improving Civil-Court Protection in Cases of Acts of Violence and Persecution, and for Facilitating the Surrender of the Marital Home in Case of Separation" came into effect on 1 January 2002. The Act prevents domestic violence against a parent and thus also protects the affected children.

Another clear signal regarding the protection of children from domestic violence and abuse came from the "Act for Further Improving Children's Rights", which has been in force since 12

April 2002. Under this Act, fathers, mothers, and also other people living in the home, can be banned from the home if they beat or abuse children.

### **2000: International agreements**

The Federal Government has signed the United Nations Convention against Transnational Organised Crime with its Supplementary Protocols to prevent, suppress and punish trafficking in persons, especially women and children, and on the smuggling of migrants by land, air and sea, as well as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

### **Education and prevention**

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth supports education and prevention work by promoting individual measures, but also by providing financial assistance for central federal organisations. In addition, numerous events, professional conferences, expert meetings and working groups focusing on the exchange of experience and the further development of concepts relating to the subject of sexual abuse of children, have also been promoted for the continuing education of professionals. Examples include the following:

- Publication of the brochures "Sexual Abuse - Prevention and Help", "Sexual Violence against Children and Young People - Where to Turn for Help", "Comic about Education and Prevention",
- Publication of the special letter to parents entitled "Preparing Children to Cope with Life - Preventing Sexual Abuse",
- Promotion of the film project entitled "I Have the Courage - To say YES and NO",
- Publication of the LoveLine CD-ROM - a multimedia education programme covering love, partnership and sexuality for young people aged 14 and older - which examines the issues of harassment, sexual encroachment, abuse and rape,
- Funding has also been provided since 1998 for the nationwide expansion of the network of child and youth emergency hotlines providing free, anonymous advice for children and young people, and, since March 2001, also for the establishment of a telephone counselling service for parents,
- Support has been provided since 1999 for the project of the German Child Protection Centre entitled "The Virtual Child Protection Centre - Interactive Assistance for Children and Parents". It provides information, contact and counselling services and the concept is integrated in the work of the Child Protection Centres. It sees itself as a communicative and innovative approach to facilitating the way to assistance services for children, young people and parents,

- A multimedia programme for continuing education entitled "Sexual Child Abuse - Prevention and Help": a video film ("Come on, Anna!") and an accompanying book,
- The Child Protection Forums of the Federal Association of Child Protection Centres,
- The National Working Group on Trafficking in Women,
- The Bund/Länder Working Group on the Suppression of Domestic Violence,
- Professional congress, professional meetings, expert meetings on the subjects:
  - "Child Pornography - A Product of the New Media?",
  - "Children as Witnesses in Distress - Victim Protection in Cases of Sexual Abuse",
  - "Offenders - Differentiation, not Generalisation",
  - "Prevention of Violence", a course for parents,
  - "Quality Assurance and Sexual Abuse of Children",
  - "Prevention Projects for Young Parents",
  - "The Internet - A Field of Action for Child Protection and Youth Assistance".

The Federal Centre for Health Education promotes model projects for gender-specific sex education and provides the following materials, among others, in the framework of continuing education measures:

- Love Tour: Mobile sex education in the new Federal Länder,
- Love Talks: Parents - teachers - pupils, partners in sex education,
- Peer Education: An approach by young people for young people on issues of love, sexuality and contraception,
- Basic brochure for parents and multipliers, entitled "Let's talk about sex",
- Issue No. 4 of the "Sex Education Forum" information letter, on the subject of sexual abuse,
- Sex education and prevention of sexual violence: annotated collection of books and materials for young people and professionals.

## D. Strategies

A comprehensive overall strategy is necessary in order to develop effective and practical measures for protecting children and young people from sexual violence and sexual exploitation. In addition to prevention and intervention measures, there is also a need to identify and eliminate the causes of sexual violence and sexual exploitation. In cases of sexual acts with children, the perpetrators are regularly acting in areas of relevance to criminal law. Consequently, great significance must be attached not only to education and prevention, but also especially to improvements in the sphere of the Criminal Code, as well as in the field of victim protection and the harmonisation of European penal regulations.

The subject of sexual abuse and sexual exploitation of children has become a far stronger focus of public interest since the mid-1980s. Together with non-governmental organisations, the Federal Government has already done some trend-setting work. Nevertheless, there is still a need for action in various sectors of protection from sexual abuse and sexual exploitation.

The Police Crime Statistics (PKS) of the Federal Office of Criminal Investigation recorded a total of 15,117 cases of sexual abuse of children (Sections 176, 176a, 176b StGB) in 2001. This is a decline of 3% compared to the previous year. In addition, children were involved as the victims in 1,014 cases (compared to 1,009 cases in 2000) of sexual abuse of wards, or under improper exploitation of official status or a confidential relationship (Sections 174, 174a-c StGB).

The sparse information available from the questioning of victims likewise indicates that a decline in crimes of sexual violence against children can be expected in the long term, also in the area of unreported cases. Nonetheless, there is a lack of repeated, comparable studies of unreported crime to serve as a basis for judging the extent to which the changes recorded in the field of reported crime reflect developments in actual criminal activity.

It is a major concern of the Federal Government to increase even further the high detection rates in this field and also in relation to other offences against sexual self-determination. Better detection can primarily be expected to result from increased willingness of the victims and their social environment to report relevant offences. Independently of this, it is also a question of strengthening international cooperation between prosecution authorities in order to detect offences in the field of child pornography and cross-border crime, in particular.

## **I. Prevention and intervention**

The central aim of the policy of the Federal Government is to prevent sexual exploitation of children from the outset. Thus, work in the field of education and prevention is of particular importance. The numerous activities of the Federal Government and of non-governmental organisations have achieved decisive progress in this field of action in the past. The most important element in the field of intervention is efficiently functioning offers of counselling and accommodation. Alongside preventive measures, Germany today has an extensive and differentiated system of assistance and counselling services for victims of sexual exploitation.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) will continue to promote the development of target group-specific measures and projects in the prevention sector, as well as developments in the field of counselling and intervention.

An effective overall concept for prevention and intervention must, on the one hand, start with the individual causes. Specific victim and offender-related measures are required in this quarter. On the other hand, it also requires the examination of the aspects and causes of sexual violence and exploitation of children that relate to society as a whole.

### **1. Individual approach**

#### **a. Victims**

Preventive measures have their starting point in the victim sphere, particularly in the special family and social situation in which children live. The aim is to exert an influence, particularly on the development of children who grow up either in families with various neglect and abuse problems or in situations of discrimination and poverty, or who are drug-dependent or come from war and crisis regions. As a rule, prevention involves education and sensitisation measures with aspects relating to prevention in general and society as a whole.

In the intervention field, the key element is an effectively functioning system of counselling and accommodation services. In addition to preventive measures, Germany nowadays has a broad-based, highly differentiated system of assistance and counselling for victims of sexual violence and exploitation. However, counselling or therapy can only be good and successful if it can do justice to the individual needs of the people who take up offers of this kind. Only a differentiated approach and sufficient treatment and therapy places can cater to the demand in this context. Consequently, the existing facilities must be preserved and expanded. In addition, there is a need to improve institutional cooperation between the various players in order to prevent further traumatising of the victims and coordinate child-oriented, careful procedures. The forms of binding cooperation already tested in model fashion in connection the Plan of Action of the Fed

eral Government for Combating Violence Against Women can be regarded as exemplary in this respect.

Of particular importance in this context are low-threshold counselling offers and contact centres for child victims of sexual violence, as well as for parents. The Child and Youth Emergency Hotline, which receives financial support from the BMFSFJ, offers children and young people of all age groups an opportunity to talk. The Child and Youth Emergency Hotline gives children and young people help and support in thinking about, and coping better with, situations, problems and developmental tasks. Children and young people can obtain advice on the same telephone number throughout the country: **0800-1110333**. All calls are free.

Since May 1998, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has also been supporting the nationwide establishment of a Parents' Helpline within this framework. As with the Child and Youth Emergency Hotline, parents can call the Parents' Helpline for anonymous advice on the nationwide freefone number **0800-1110550**.

Since 1999, the BMFSFJ has been promoting the project of the Federal Association of Child Protection Centres (BAG) entitled "The Virtual Child Protection Centre - Interactive Assistance for Children and Parents". It provides information, contact and counselling services and the concept is integrated in the work of the Child Protection Centres. It sees itself as a communicative and innovative approach to facilitating the way to assistance services for children, young people and parents. The Internet address is: "[www.youngavenue.de](http://www.youngavenue.de)".

#### Aims and measures:

- By financially assisting the Federal Association of **Child and Youth Emergency Hotlines**, the Federal Government is promoting the extension of the counselling hours of the Child and Youth Emergency Hotline and the Parents' Helpline, as well as the continuing professional education of the personnel involved. The locations of the Child and Youth Emergency Hotlines, and especially of the Parents' Helplines, need to be continuously expanded, particularly in the new Federal Länder.
- The **Internet** has become the primary communication network for young people. It is also being increasingly used for personal counselling. The task of youth welfare in this context is to develop a professionally qualified offer capable of guaranteeing that anyone needing help and assistance in a problem or emergency situation can actually get it reliably and free of charge on the Web. Consequently, counselling offers must meet stringent **professional and**

**personnel standards.** The online offers currently have different approaches and methods for working on the Web. These need to be merged and qualified more effectively. Under the auspices of the Child Protection Centres, the BMFSFJ promoted a professional congress in November 2002 that intensified the merging of the different working approaches in the field of online counselling and elaborated benchmarks for necessary quality criteria. These are also to form the basis for a "seal of quality".

#### **b. Sexually deviant young offenders**

As can also be seen from the first Periodical Security Report (PSB), international research is increasingly addressing the problem of sexual delinquency among children, young people and adolescents. Although the foreign findings quoted there are not directly transferable to the Federal Republic of Germany, the figures in the 2001 Police Crime Statistics (PKS) also indicate that this is a problem that must certainly be taken seriously. According to the PKS 2001, the ratio of all recorded sex offences (PKS Code 1000) involving suspects of minor age was 12.6%, the figure for sexual abuse of children being 19.9%. According to American studies, a substantial proportion of adult sex offenders already have a record of sexual encroachment in their youth.

For this reason, professional activity in educational and psychological work must focus its attention on the area of children and young people as offenders in the framework of more extensive offender prevention, and should include measures for offender prevention at the earliest possible stage. This should not take the form of criminalisation, but more that of early intervention illustrating options for giving up injuring and threatening actions. In this context, it is also important to communicate to children and young people in their education that their bodies may not be used by other people as objects and one-sidedly for their own interests and needs, and that the physical integrity of other people must be preserved. The aim is to strengthen empathy and the skills for resolving conflicts constructively and without violence.

The problem area of sexual abuse of children and young people confronts staff of all institutions, such as counselling centres, homes, hospitals, youth welfare offices, departments of public prosecution, courts and the police. Consequently, an effective fight against sexual abuse requires close coordination and cooperation between all the agencies involved.

As regards institutional and individual handling of sexual abuse, professional counselling agencies, in particular, have increasingly drawn attention to inadequacies that still exist, especially in the cooperation between youth welfare and criminal prosecution authorities. Although the legislature has in the meantime established the legal regulations for the protection of victims, and at

the same time laid down the right of the child to assistance in the Child and Youth Welfare Act, neither has been put into practice very often to date, not least due to cooperation problems and insufficient knowledge of the operating methods of the respective other institution.

This is confirmed by more recent results of research into institutional reactions to sexual abuse. A scientific study conducted by Prof. Fegert, for example, revealed that the effective intervention instrument of taking into care pursuant to Section 42 of Book VIII of the Social Security Code (SGB VIII) was largely unknown in the prosecution field (Fegert et al. "Dealing with Sexual Abuse", Research Report, Münster 2001).

This dilemma becomes particularly apparent when dealing with the problem of sexual exploitation of girls and boys involving children and young people as the offenders. In isolated cases, the offences could signify the start of a long "career" as an offender. While youth welfare offices have now begun to offer the first outpatient and in-patient services for the therapeutic accompaniment of young offenders (such as the pilot trial in North Rhine-Westphalia), communication and cooperation with the judiciary in this context still need to be improved.

While proceedings may possibly be initiated against young people of criminally responsible age, offences committed by younger children are generally not even reported to the youth welfare office, even if they are known to the police. Consequently, the victims almost always receive no assistance either.

#### Aims and measures:

A **pilot project** is aimed at developing concepts for cooperation between the judiciary and youth welfare in dealing with offences against the sexual self-determination of girls and boys committed by **young offenders**.

In this context, the key areas of work of the scientifically monitored pilot trial are to be the **inter-disciplinary qualification** of the various professional groups for dealing with the problem, and the development of interdisciplinary cooperation structures.

To illustrate ways towards institutionalised cooperation in the field of assistance for sexually deviant children and young people, the Federal Association of Child Protection Centres is planning a professional congress in October 2003 with the financial support of the BMFSFJ.

Therapeutic **offers and assistance for offenders under the age of criminal responsibility** and their persons of reference are to be developed with the aim of preventing boys who commit sex offences from starting a long career as offenders.

In the framework of **advanced and continuing education programmes**, staff working in educational and psychosocial fields are to be taught action skills, so that they can recognise and name offences of sexualised violence as such, set limits to young offenders and offer options for giving up sexually violent behaviour.

## **2. Approach geared to society as a whole**

An effective prevention concept requires not only the individual approach, but also an approach geared to society as a whole, which should, on the one hand, include targeted measures for specific occupational groups. It is particularly important in this context to integrate educational occupations and professionals, the private sector and the police, as well as the prosecution authorities and the ministries.

On the other hand, an approach geared to society as a whole should include accompanying measures relating to prevention in general. Despite the intensive gender mainstreaming efforts of the Federal Government aimed at promoting the factual equality of men and women, some structures still exist in various spheres of life in which an imbalance of power in favour of men prevails. The associated power gradient permits the abuse of power, which can express itself in the form of sexualised violence. Accompanying measures should therefore set in at the social and cultural causes and contexts, specifically of the development of sexual exploitation of children, by addressing poverty, unequal conditions of the sexes and generations, domestic violence, cultural patterns of exploitive male sexuality, male dominance and racism.

### **a. Occupational groups**

The Federal Government considers it necessary that all occupational groups and circles of people confronted with sexual abuse and sexual exploitation engage in appropriate advanced and continuing education. Accordingly, continuing education programmes, training concepts and educational materials have been, and are being, developed in a multiprofessional context with the participation of non-governmental assistance institutions. Cooperation with the private sector, especially the travel and tourist industry, as well as the media and communication industry, including the providers of Internet services and search engines, is another important approach for education and sensitisation measures.

**aa. Educational occupations and professionals**

One of the key areas of Federal Government promotion is the support of central, national programmes and projects for the basic and advanced training of multipliers, primarily on the subject of sexual abuse of children. Educational and psychosocial occupational groups and institutions engaged in work with children and young people - i.e. teachers, educators, community workers, youth group leaders, child and youth psychotherapists, paediatricians, sports clubs, child care facilities, schools, child and youth welfare services - as well as other groups of people who, through actually dealing with children and young people, have the opportunity to prevent or discover sexual abuse, are to be given background information on sexual abuse and sexual exploitation of children by means of training and continuing education programmes.

Education and prevention work in schools and child care facilities should be intensified. A corresponding subject focus should be an obligatory element of school instruction for all age groups, in the framework of sex education, for example. Likewise with the aim of extensively applying the available findings on the prevention of violence in school activities, the Federal Ministry of Education and Research particularly envisages the comprehensive linking and networking of the numerous scholastic and non-scholastic activities, also utilising the new media and specifically with regard to the "Getting Schools Online" programme.

**Abuse in organisations**

Sexual abuse of children and young people in organisations has increasingly become a subject for discussion in recent years. Although, according to the results of studies on unreported crime, most acts of sexual violence against children are committed in the family environment and the circle of acquaintances, some of the offences are also perpetrated in the framework of situations of medical and therapeutic dependence or by persons who care for children on a full-time or voluntary basis.

Practical experience confirms that paedosexual offenders specifically attempt to gain access to children by way of full-time and/or voluntary work in the educational, medical, therapeutic or spiritual care sector. This is a challenge for all relevant institutions that bear responsibility for the welfare of children.

Awareness of the problem of sexual violence committed by full-time and/or voluntary staff in institutions has grown in recent years. In individual cases, the institutions are increasingly endeavouring to rigorously reveal cases of this kind in their own institution.

In order to tackle the problem of abuse in organisations, it is also important, independently of the options for intervention under criminal and labour law, codes of professional conduct and youth welfare law, to preventively create appropriate structures and conditions in the facilities themselves, which rule out the possibility of encroachments as far as possible and provide for corresponding association reactions in the event of violations.

According to UN reports ("The Impact of Armed Conflicts on Children"), the problem of sexual exploitation of children has recently also increasingly been playing a role in connection with the deployment of international UN missions in crisis regions, according to which there was a marked increase in demand for children for the purpose of sexual exploitation.

In this connection, the Federal Government has therefore expanded the concrete training programme of German soldiers deployed in conflict regions in the framework of an international military mission to include special measures relating to aspects of sexual exploitation of children. Thus, the instruction given prepares the soldiers for this topic as follows:

- In law classes, in the context of the subjects "Legal standing of soldiers" and "Relationship with the population",
- On the subject of "Country and people", in the framework of the code of conduct for dealing with the civilian population,
- In "National studies" instruction, specifically in the subject of "Crime and the spread of prostitution",
- On the subject of "Coping with stress and imponderables", when dealing with the problems of "extended absence", "separation from the partner" and "sexuality as a stress factor",
- In political education, in instruction on "Why we serve – Self-image of the German citizen in uniform and his impact on missions" and "The soldier as a representative of the Federal Republic of Germany and as a symbol of a democratic state".

During the instruction of superiors at the Internal Leadership Centre, the subject of "Sexuality" is dealt with in the context of various training events. In particular, a new instruction module on "Dealing with sexuality in special situations of soldiers" (working title) was elaborated and the question of "Faithfulness and dealing with sexuality" examined in greater depth, partly also in the context of military religious welfare. The superiors pass on this information to the subordinate soldiers in the framework of their instruction.

Aims and measures:

- The BMFSFJ promoted an **expert hearing** with the aim of incorporating this subject into the discussions of the associations and elaborating prevention and intervention measures. The proposed measures elaborated at the expert hearing and the Round Table of the associations will shortly be published in a book.
- **Basic structures for a working aid** are being elaborated in a further step. The aim is to compile a **curriculum for a continuing education concept**.
- The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth will continue to actively accompany the initiatives of the associations and, in this context, is also relying on the introduction of voluntary **codes of conduct** for dealing with the problem of sexual encroachments by staff within the associations.

**bb. Tourist industry**

Sensitisation of the tourist industry is of great significance in the fight against sex tourism involving child abuse, since tour operators, travel agencies, hotels, airlines, etc. are the people who have direct contact with the travellers. Intensive cooperation between the Federal Government and the tourist industry has led to decisive progress being made in recent years. The reports of the Federal Government on tourism policy to date include a separate section on the "Suppression of Sex Tourism with Child Prostitution", which is issued as a Bundestag publication.

In collaboration with the travel industry, brochures, flyers and baggage tags on the subject of "Prostitution at the holiday destination" and the cooperation project entitled "In-Flight Spot on Child Prostitution in Tourism" have been developed jointly by the Federal Government, terre des hommes and the European Commission.

In the framework of the project by ECPAT Germany - the Working Group Against Commercial Sexual Exploitation of Children - entitled "Prevention and Suppression of Child Abuse by Sex Tourists - Introduction and Testing of the Certified Code of Conduct for Tour Operators, A Code of Conduct with Control System and Training Measures for Tourism Professionals", the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, together with the European Commission, funded the publication of training materials entitled "Active Protection of Children from Sexual Exploitation" and agreed on a code of conduct encompassing the provision of information for travellers, the sensitisation and training of staff, and agreements with hotels. In the

further course of implementing this code, ECPAT Germany, the Association of German Travel Agents and Tour Operators (DRV) and the Offices of Police Crime Prevention of the Länder and the Federal Government, again with financial support from the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, published a six-page leaflet in November 2001, which has been given to departing German holidaymakers since the 2001/2002 winter season or distributed to German holidaymakers by tour managers in the destination country. The leaflet describes the problem of child prostitution in some destination countries and draws attention to institutions and persons who can be contacted with relevant information in case of suspected criminal acts. The code of conduct provides a good basis for prevention and education in the travel and tourism sector.

In this context, the Federal Government is also promoting the production of a German version of the "child-hood.com" website developed by the terre des hommes children's aid organisation. "Child-hood.com" is an Internet offering with concrete information on what travellers themselves can do to protect children if they encounter signs of child abuse when on holiday.

As a follow-up to the 1st World Congress against Commercial Sexual Exploitation of Children, the World Tourism Organisation set up a "Task Force for the Protection of Children from Sexual Exploitation in Tourism" at the International Tourism Exchange Berlin (ITB) in 1997. This Task Force, in which the Federal Government is also active, is an international network of representatives of governments, the tourist industry, international organisations and non-governmental organisations. It pursues the goal of drawing international attention to the problem of sexual exploitation of children in tourism, and of encouraging and supporting governments and the tourist industry in their fight against sexual exploitation of children by way of appropriate measures and campaigns.

#### Aims and measures:

- The joint prevention initiative of the DRV, ECPAT and the Police Crime Prevention Offices must be **further expanded and intensified**, especially by way of even greater, long-term involvement of the travel industry in the prevention and information campaigns currently in progress.
- Of importance in this context is the **involvement of additional project partners**, such as airport operators, airlines and transport companies. The ultimate goal must be for society as a whole to outlaw and fight sexual exploitation of children by Germans abroad.

- In a new phase of the project, the Federal Government will therefore, together with the European Commission, promote the **further implementation of the code of conduct** by, among other things, targeted training of the travel industry and the involvement of airlines in the sensitisation measures and education campaigns.

### **cc. Other occupational groups**

In order to ensure that offenders who sexually exploit children abroad and, by committing the offences abroad, deliberately attempt to profit from the difficulties involved in cross-border prosecution, can also be punished in Germany, the policy of the Federal Government aims to improve the possibilities for international prosecution. Consequently, Germany's diplomatic missions abroad have an important role to play in the run-up to the prosecution of German sex offenders abroad.

#### Aims and measures:

- The staff of German **diplomatic missions abroad** must be constantly sensitised to the problem of sexual exploitation of children and prepared for their work in problem countries. They must receive instruction on the sociological and psychological background of sexual abuse of children, prevention options, the relevant penal provisions in Germany and abroad, and the possibilities for mutual judicial assistance in prosecuting offenders.
- Following on from the training of the staff of German diplomatic missions abroad carried out jointly by the Foreign Office and the BMFSFJ in June 1998, the Federal Government intends to permanently integrate sensitisation and education measures of this kind into the training programme for the staff of the Foreign Office to be delegated to these missions.

### **Police and offices of criminal investigation**

In recent years, staff of the police and the offices of criminal investigation have been sensitised and trained as regards dealing with commercial sexual exploitation of children. Substantial numbers of officers deal with child pornography on the Internet in the context of the "Central Office for Random Searches in Data Networks" (ZaRD) and in the field of detection of sex crimes at the Federal Office of Criminal Investigation (BKA).

The interdisciplinary professional seminar on trafficking in human beings, which was first held at the BKA in 1997, is updated every year and has since become an integral element of the continuing education programme of the BKA, taking the form of a two-week course.

Networking of the criminal prosecution authorities is a key focus in the prosecution of internationally travelling offenders. Interpol cooperation facilitates and accelerates collaboration. In addition, cooperation with non-governmental organisations, the Internet sector and the tourist industry is also of special importance. The Federal Office of Criminal Investigation actively seeks and promotes this cooperation.

Aims and measures:

- Existing measures, such as training for German and foreign police forces, equipment assistance for the police forces in the destination countries of sex tourists and interdisciplinary professional seminars, must be further intensified and - if this is not already the case - made integral elements of the **continuing education programme of the BKA**.
- In addition, a Technical Service Centre for Information and Communication Technology (TeSIT) has been set up at the BKA. The Technical Service Centre for Information and Communication Technology is currently in the development phase and will concentrate existing skills and tasks, as well as systematically expanding technical support for investigations on the Internet, in particular.

**b. Information and education**

In addition to the occupation-specific activities, measures are simultaneously being taken to strengthen the self-confidence and skills of children, as well as their participation. Children must be enabled to effectively defend themselves against all forms of violence, abuse and disrespect - also in a joint effort - and to avail themselves of appropriate options for assistance and counselling. In the same way, people who witness and observe sexual abuse and commercial sexual exploitation must be prepared not to look away and to resolutely testify against presumed offenders. The sensitisation of the population and the strengthening of the civil society is particularly important in this connection, since many victims are incapable of escaping from sexual violence by themselves.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth promotes extensive, nationwide public relations work by issuing brochures. They promote the recognition and perception of sexually abusive situations involving children, and communicate how to react appropriately and for the good of the child in case of suspicion in different situations, as well as which supporting agencies can or must be notified. Education and public relations work for mothers and fathers aimed at preventing violence is also necessary in this context.

The brochure entitled "Ask boldly - Act cautiously" is currently being produced in cooperation with the Federal Information and Networking Centre on Child Abuse and Child Neglect. The brochure provides professionally sound answers to questions relating to sexual abuse and sexualised violence, as well as on preventive action. It additionally serves as a guide for mothers and fathers whose children have become victims of sexual abuse.

#### Aims and measures:

- From the point of view of general prevention, broad-based **public relations and education work** on child abuse in families and sexual exploitation of children outside the family sphere is important. Also of decisive importance in this context is the strengthening of personal courage and action on the part of the public as a whole. This includes comprehensive social sensitisation and the promotion of a climate in which all forms of sexual violence and exploitation of children are rejected and in which the still widespread phenomenon of "turning a blind eye" is replaced by personal courage and active involvement.
- Consequently, the Federal Government will, with the involvement of non-governmental organisations, the media and other actors in this field, develop and implement a **nationwide prevention campaign** with the aim of promoting the perception and recognition of sexual violence against children, sensitising adults, especially those in the social environment of children, to sexual encroachments, and informing them of assistance and counselling offers.

#### **c. Domestic violence**

Domestic violence must be taken into account in all considerations regarding protection from sexual violence against children and sexual exploitation of children. It is known from research and practical work that sexual abuse often arises in a context of general willingness to use violence and abuse of power in families, and that it is directly related to other forms of violence and emotional neglect in families. Since measures necessary for suppressing sexual abuse overlap with measures in the field of domestic violence in many areas, exemplary, interdisciplinary cooperation is indicated in this field, in particular.

The December 1999 Action Plan of the Federal Government to Combat Violence against Women can also be seen in this context. It involves the amendment of numerous laws and a range of measures that contribute to actively suppressing domestic violence against women. Because of the similar starting situations of abused children and women, the Action Plan also displays fundamental similarities. In both cases, it is a question of breaking the cycle of violence across the generations, illustrating the options of the victims for taking action, and actually put

ting these options at their disposal by way of corresponding offers. Pooling the information available from work in the field of violence against women and from the protection of children and young people is an important starting point for future work, also in the field of sexual abuse in families.

The Bund/Länder Working Group on the Suppression of Domestic Violence, which was set up to accompany the implementation of the Action Plan, therefore also devoted particular attention to the points of contact between the "Act for Improving Civil-Court Protection in Cases of Acts of Violence and Persecution, and for Facilitating the Surrender of the Marital Home in Case of Separation", on the one hand, and parent-and-child law or child and youth welfare law, on the other, and elaborated recommendations on this subject (BMFSFJ, Materials on Equal Rights Policy No. 90/2002). Moreover, the BMFSFJ has issued a brochure for children entitled "More Courage to Talk. Abused Wives and Their Children", which deals with the impact of violence between partners on children. In this context, reference is made to the results of the study by Prof. Bussmann, which indicate that the "Act Outlawing Violence in Upbringing and Amending Child Maintenance Law", which has been in force since 8 November 2000, has already led to a decline in the frequency of violence in families and that the goal of non-violent upbringing has met with widespread acceptance. It is now the aim to maintain this positive trend and intensify it by means of appropriate measures.

#### Aims and measures:

- The most important task of child and youth welfare is to take timely and effective action in relevant violent situations. The victims must be guaranteed lasting protection. In addition, the youth welfare office must be informed promptly and involved in decisions on the action to be taken. To achieve these aims, there continues to be a need for **mutual coordination, cooperation and development of suitable forms of collaboration between child and youth welfare, family courts, support institutions and initiative groups working with offenders**. To reinforce these demands, the Conference of Ministers for Youth welcomed the statutory initiatives for outlawing violence in the family and the realisation of the "Act for Further Improving Children's Rights" in its resolution of 6/7 June 2002. In addition to prevention work, it also sees a need to expand the programmes and assistance offered for affected children and young people, abused relatives and the offenders. The effective protection of children from violence and sexual abuse in the family requires intense cooperation between child protection institutions, youth welfare offices, courts and the institutions that work with women affected by violence. The research project of the German Youth Institute (DJI) entitled "Dangers to Children's Welfare and the General Social Service (ASD)", which is pro

moted and supported by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, is intended, among other things, to develop suitable legal and structural framework conditions, as well as appropriate professional basic attitudes and methods, between the youth welfare services, the family courts and the endangered children and young people for the work of the ASD. This may give rise to generally applicable framework conditions for more intensive and successful cooperation between the different institutions.

- A **joint Working Group** of the Ministers and Senators for Youth and for Equal Opportunities is to develop proposals for the further implementation of the laws, particularly with a view to the situation of children, for use in practice. In this context, it will be crucial to effectively combine existing working structures and intervention projects, and to develop and implement joint pilot projects where necessary.

#### **d. Global fight against poverty**

Far more than in Germany, the fight against child poverty is a central starting point for prevention work against sexual exploitation of children in the destination countries of prostitution tourists, since sexual exploitation often emerges in a context of extreme poverty. Also, experience of domestic violence again often plays a decisive role in children later becoming victims of commercial sexual exploitation. Consequently, the prevention of sexual exploitation of children must also be a permanent element of the fight against poverty in the destination countries.

#### Aims and measures:

In the framework of the Plan of Action 2015 initiated by the Federal Government as a contribution to the **worldwide reduction of extreme poverty**, the Federal Government is intensifying its efforts, also at the European and multilateral level, to fight trafficking in women, forced and child prostitution throughout the world. It offers endangered children and women in developing countries special support to give them new prospects of employment and for the future. Therefore, the following points are to be given greater emphasis in the revision of the concretised implementation plan of the poverty campaign programme:

- Safeguarding the physical and emotional development of children by way of education, guaranteed employment opportunities, measures for suppressing domestic violence,
- Reduction of the indebtedness of developing countries,
- Strengthening the civil society and cooperation with non-governmental organisations in developing countries,

- Strengthening of participative approaches in the fight against poverty, incorporating children and young people into the projects as subjects,
- Strengthening of community-oriented and integrative approaches in the fight against poverty, in order to reduce poverty in the family and the social environment,
- Strengthening of gender-oriented approaches that incorporate specific problem situations of girls and boys.

### 3. Participation

Promotion of the participation of children and young people in all decisions affecting them is a key concern of the Federal Government and an integral element of its child and youth policy. Particularly in the field of prevention of sexual exploitation of children, special demands must be imposed on participative approaches, since severely traumatised children are often incapable of safeguarding their own interests and needs, let alone self-confidently articulating them. Sexually abused children must be recognised as the subjects of the events and must be protected by institutions. The aim is to assert and promote the rights of children, their coping strategies and their action skills. Depending on age and the extent to which they have mentally processed their experiences, possibilities must be created for responsible lobby and self-help work, as well as options for exerting an influence on policy.

In this context, participation means taking girls and boys seriously and incorporating their experience and ideas when developing protective structures.

#### Aims and measures:

- The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is planning to develop a **youth participation model** in the prevention of sexual abuse. Central questions relating to prevention and intervention, especially in the field of sexual abuse, are to be dealt with in the framework of a workshop with children and young people. The main aim in this context is to take the demands of children and young people seriously, assess their ideas and then actually put them into practice.
- The evaluation and documentation of the methods developed in the workshop is to be followed by the testing and monitoring of **pilot programmes at two locations**. In the longer term, the objective is to network youth participation initiatives against sexual exploitation of children and young people.

## II. Legislation

### 1. Protection of children and young people under criminal law (including the law of criminal procedure)

The protection under criminal law of children, young people and persons incapable of offering resistance needs to be updated in a further revision of the specific part of criminal law, not least in order to put greater emphasis on the particular culpability and wrongfulness of sexual abuse. This includes, among other things, the introduction of a range of punishment of not less than one year and up to fifteen years for particularly serious cases of sexual abuse of children, as well as the more effective coverage in criminal law of the initiation of contacts aimed at sexual abuse of children - especially in the sphere of Internet communication. In future, people are also to be liable to prosecution in certain cases if they are aware of planned crimes in the field of sexual abuse of children and fail to report them, as is anyone who rewards or publicly sanctions these crimes.

In particular, the new opportunities offered by the Internet for committing crimes require appropriate reactions on the part of criminal law.

Despite the spectacular successes of the investigating authorities in the recent past, which have led to the discovery of internationally organised child pornography rings, the spread of child pornography on the Internet is increasing. Estimates assume that up to three million child pornography photographs are available on the Internet. There is also a steadily growing demand for more and more brutal portrayals of violence. This also increases the danger of children actually falling prey to sexual violence, because the consumers could be encouraged to themselves abuse children.

The dissemination of child pornography publications (Section 184 Paras. 3 and 4 StGB) is often prepared or committed via the Internet or using modern information and communication technologies. The Police Crime Statistics indicate marked increase rates in the field of possession/procurement and dissemination of child pornography, in particular. For instance, the number of recorded crimes in the field of possession/procurement of child pornography pursuant to Section 184 Para. 5 StGB rose by 72% (2,745 recorded cases in 2001, as opposed to 1,596 cases in 2000). Compared to the previous year, the dissemination of child pornography (Section 184 Para. 3 StGB) increased by 60.8% (1,619 cases in 2001, in comparison with 1,007 cases in 2000). However, this increase may be partially attributable to the intensified efforts undertaken to discover and prosecute offences of this kind.

In addition, as a result of the rapid development of the Internet, new forms of communication are increasingly coming to the fore, such as the Internet Relay Chat (IRC) system, which offer the possibility not only of exchanging photographs of child pornography, but also of offering children for sex acts. Above all, the forwarding of child pornography publications to and within closed user groups must also be covered more effectively under criminal law and punished accordingly.

Finally, the increasing spread of child pornography publications on the Internet must also be countered more effectively under criminal law. The maximum prison sentence for the acquisition and possession of child pornography publications pursuant to Section 184 Art. 5 StGB is to be increased from one year to two for this purpose.

In order to allow the criminal prosecution authorities to consistently prosecute the initiation, by e-mail or in chatrooms, of contacts with children, or concrete agreements on the procurement of children, for purposes of sexual abuse, thus preventing cases of sexual abuse of children even before accomplishment of the offence, the German Bundestag adopted the "Sixth Act Amending the Prison Act" on 13 June 2002. Among other things, it provides the possibility of issuing an order for the surveillance of telecommunications pursuant to Section 100 a Code of Criminal Procedure (StPO) in certain cases of serious sexual abuse of children (Section 76 a Paras. 1, 2 and 4 StGB), in instances of sexual abuse of children with fatal outcome (Section 176 b StGB) and in cases of commercial or gang-structured dissemination of child pornography (Section 184 Para. 4 StGB).

#### Aims and measures:

To guarantee comprehensive protection of children from sexual violence and, in particular, from the dissemination of child pornography on the Internet, the following amendments, among others, are envisaged in the field of criminal law on sexual offences:

- Stiffening of the punishment provided in the penal regulations for sexual abuse of children (Sections 176 and 176 a StGB),
- The inclusion in criminal law of influencing a child by way of publications with the intention of encouraging it to engage in sex acts, as well as promising to procure a child for offences of sexual abuse,
- Expansion of the penal regulations on failure to report planned offences (Section 138 StGB) and on the rewarding and sanctioning of offences (Section 140 StGB) to include offences involving the sexual abuse of children,

- Increasing the range of punishment for the forwarding of child pornography publications to a third party (Section 184 Para. 5 Sentence 1 StGB),
- Increasing the range of punishment in Section 184 Para. 5 StGB,
- The inclusion of wards and protected persons in the sphere of protection of Section 236 Para. 1 StGB (trafficking in children) and increasing the age limit for protection from fourteen years to eighteen in Section 236 Para. 1 Sentence 1 StGB.

In the sphere of the law of criminal procedure:

- Better utilisation of DNA analysis by expanding the catalogue of offences occasioning use of the measure to include all offences against sexual self-determination.
- In the light of the study on the "Legal validity and efficiency of telecommunications surveillance pursuant to Sections 100 a, 100 b StPO and other undercover investigation measures", which is currently being conducted by the Max Planck Institute for Foreign and International Criminal Law on behalf of the Federal Ministry of Justice, the Federal Government will examine whether the scope of telecommunications surveillance can be expanded to also include cases of simple sexual abuse of children and serious child abuse in less serious cases (Section 176 and Section 176 a Para. 3 StGB) and the dissemination of child pornography (Section 183 Para. 3 StGB).

## 2. Protection of victims

The Witness Protection Act, the Victim Protection Act and the Act Anchoring Victim Compensation in Criminal Law introduced important regulations for protecting the victims of sex offences. The victims were brought even more to the forefront of the criminal proceedings and their standing further improved, from being mere items of evidence to parties to the proceedings. This refers, on the one hand, to the regulations concerning the witness adviser and victim's advocate, and, on the other hand, to the introduction of various options for videotaping witness statements and playing them back or transmitting them by video link in place of examination in court. The decision regarding the use of video recordings is left to the discretion of the court. Video recordings will only be used if this really makes sense. Particularly in cases of child pornography, where these media are used as means for committing the offence, there is a risk of children being re-traumatised and intimidated by the use of video examinations. Therefore, children should always be comprehensively and openly informed about the purpose and use of video examinations in advance.

Especially from the point of view of taking the welfare of the child into account in court proceedings, special conferences and training programmes for the judiciary and public prosecutors

have established an important prerequisite for improving examination techniques and the appropriate handling of child victims acting as witnesses. Examples include the continuing education measures of the German Academy of Judges on problems involved in the questioning of child victims as witnesses in criminal proceedings:

- "Dealing with victims of sexual violence in criminal proceedings, especially with children and young people",
- "Children and young people as victims of sexual violence",
- "Children and young people as victims of sexual abuse",
- "Protection of parties in criminal proceedings, especially witness and victim protection",
- "Witness and victim protection in criminal proceedings",
- "Statements by children in court proceedings",
- "Violence against women and children",
- "Special aspects of proceedings involving sex offences".

Work in this direction is being continued and further developed on an ongoing basis.

The Federal Ministry of Justice also informs the judicial administrative authorities of the Länder about conferences being held in other European countries, thus enabling German judges and public prosecutors to participate in international continuing education events. In addition, in the framework of bilateral cooperation, the Federal Government holds conferences on the subject of "The child as a victim of violence in the criminal justice system", e.g. with France in 1997 and Poland in 1999. There are plans to also continue these measures in the future.

When appearing as the accused in criminal proceedings, most young people and adolescents receive targeted juvenile court assistance. This is, however, not standard practice for victims of sex offences of minor age.

To improve the protection of under-age victims acting as witnesses, efforts have been stepped up to install intervention options for under-age victims acting as witnesses, outside the framework of the law. The witness assistance programme run as a pilot project in Schleswig-Holstein shows, for example, that assisted children are judged to be less emotionally stressed and the probative value of their statements to be higher. In addition, qualified assistance by community workers in proceedings has been offered, e.g. in Berlin, on the basis of the Child and Youth Welfare Act (Book VIII of the Social Security Code).

Both institutions involve supporting the child or young person before, during and after the trial in the criminal proceedings, in order to recognise the situations that actually stress an individual witness, and to minimise them by giving them a knowledge of the law in keeping with their age and stage of development and teaching them coping strategies in the framework of community-

work support and in cooperation with all occupational groups involved in the criminal proceedings. Corresponding witness assistance programmes and community-work support in court proceedings have proven to be successful and a useful supplement to police work in practice. Ensuring optimum support of minor-age victims acting as witnesses requires the regular qualification of representatives of psychosocial occupational groups for this work and the strengthening of interdisciplinary cooperation with all occupational groups involved in the criminal proceedings.

Aims and measures:

- Affected children and their relatives need protection, counselling and long-term support in order to avoid further re-traumatisation. Therefore, measures for detection, investigation and prosecution, witness/victim protection and psychosocial and medical assistance and support are to be coordinated better. Only by **improving the possibilities and abilities of children to make statements** will it be possible to consistently and effectively prosecute offences even in the early stages. It should thus be generally ensured that children and young people receive child-friendly, sensitive treatment in court proceedings by way of specifically trained personnel, assistance in the proceedings and psychosocial support and assistance, regardless of the residential status of the children in question.
- For the Federal Government, victim protection is a key aspect in the reform of the Code of Criminal Procedure. It intends to further improve the **standing of victims in criminal proceedings** and cater to their justified interest in receiving compensation and satisfaction. Their possibilities are to be improved for pressing claims for damages even in the criminal proceedings (adhesive procedure). In particular, further injury to the victim is to be avoided to the greatest possible extent while the criminal proceedings are being held. Also, victims are to be informed even better of the progress of the criminal proceedings.
- To further improve the protection of victims, the coalition parties have tabled a bill for reforming sanction law (Bundestag Publication 14/9358). Among other things, this bill is intended to improve assistance for victims. For example, it provides for ten percent of every fine to go to a recognised, non-profit organisation providing assistance for victims. Also, the compensation claims of victims are to be given priority when enforcing fines.

### III. International cooperation and networking

#### 1. International conventions and prosecution

In the field of international conventions, substantial progress has been made in recent years in the fight against trafficking in children, child prostitution, child pornography and sexual abuse of children.

##### a. United nations

The Federal Government was one of the first to sign the **UN Convention against Transnational Organised Crime with its Supplementary Protocols to prevent, suppress and punish trafficking in persons, especially women and children, and against the smuggling of migrants by land, sea and air**. This Convention provides for close cooperation between the prosecution authorities of the States Parties. The Supplementary Protocol against trafficking in persons obliges states to take the age of the victims into particular account, especially when it comes to preventive and victim protection measures.

In September 2000, the Federal Government signed the **Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography**, that had been adopted by the General Assembly of the United Nations on 25 May 2000 and came into force on 18 January 2002. The Optional Protocol aims to improve the protection of children worldwide - a child being defined as any person under the age of 18 - from trafficking in children, child prostitution and child pornography. It defines the terms of trafficking in children (or the sale of children), child prostitution and child pornography and obliges the states to make such acts liable to punishment. The Optional Protocol covers the responsibility of legal entities, the prosecution of offences committed abroad, cooperation in the context of criminal law (extradition and legal assistance), confiscation and seizure, victim protection in criminal proceedings, measures of crime prevention, support and compensation of victims, and international cooperation and coordination.

On 18 April 2002, Germany ratified **Convention No. 182 of the International Labour Organisation (ILO) Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour**. The requirements imposed by the ILO Convention as regards the prohibition of, and action against, the worst forms of child labour are met in Germany by the regulations of the Criminal Code and the Employment of Young Persons Act.

In cases of adoption, Article 21 of the UN Convention on the Rights of the Child obliges the States Parties to particularly observe the principles of examining the welfare of the child, con

sent of the natural parents and state monitoring of national and international adoptions. Achieving worldwide applicability of these principles in adoption procedures is the objective of the **Hague Adoption Convention of 29 May 1993**. Germany signed this Convention in November 1997 and ratified it on 22 November 2001.

As part of the implementation of the Hague Adoption Convention, the "**Act Regulating Legal Matters in the Field of International Adoption and for Further Developing the Law on Placement for Adoption**" entered into force on 1 January 2002. The Act includes important new regulations for the adoption placement process, especially also for international adoption from countries that have not signed the Convention. A new procedure was introduced for the recognition of adoption pronounced abroad. Thus, a decision binding on all persons can for the first time now be taken regarding whether a foreign adoption is valid in Germany.

#### Aims and measures:

##### **Ratification and national implementation**

- of the UN Convention against Transnational Organised Crime with its Supplementary Protocols to prevent, suppress and punish trafficking in persons, especially women and children, and against the smuggling of migrants by land, sea and air, and
- of the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography are being prepared.

##### **b. European Union**

To further improve international cooperation in the fight against trafficking in human beings, sexual exploitation of children, and child pornography, and particularly also to ensure the prosecution of corresponding offences in all Member States, it is of central importance to establish minimum standards in these fields in criminal law in the European Union. This is the aim of the Framework Decisions of the Council of the European Union on Combating Trafficking in Human Beings and on Combating Sexual Exploitation of Children and Child Pornography. The Framework Decision on Combating Trafficking in Human Beings was issued on 19 July 2002 and entered into force on 1 August 2002. The Council of the European Union reached political agreement on the draft of a Framework Decision on Combating Sexual Exploitation of Children and Child Pornography in October 2002; its formal adoption can be expected in the near future. The Framework Decisions define the concepts of trafficking in human beings, sexual exploitation of children and child pornography, obliging the Member States to make such acts liable to punishment and to make provision for certain maximum punishments for serious crimes. The Framework Decisions cover the responsibility of legal entities, national jurisdiction and prosecution of offences committed abroad and victim protection. It should be emphasised that both

Framework Decisions include the stipulation that any person under the age of 18 is to be regarded as a child.

Aims and measures:

The Framework Decision on Combating Trafficking in Human Beings is to be implemented in national law. It provides a period of two years for this purpose.

The Framework Decision on Combating Sexual Exploitation of Children and Child Pornography still needs to be formally adopted by the Council of the European Union. It likewise provides a period of two years for implementation in national law.

**c. Council of Europe and G 8 countries**

The Federal Government played a decisive part in advancing the elaboration of the **Convention of the Council of Europe on Cybercrime**. Germany signed this Convention in late 2001. It contains provisions regarding the establishment of common minimum standards in substantive criminal law in the field of computer and telecommunication crime, also including a provision on the liability to punishment of child pornography offences committed by using computer systems (offering, dissemination, production, possession, etc. of depictions of child pornography). At the same time, it creates a common basis for effective and swift criminal investigations in computer systems and improved international cooperation in relevant criminal matters.

For efficient structuring of joint activities against child pornography on the Internet, one important thing is also to improve the exchange of information on the dissemination of child pornography and its tracking on the Web. Experts of the G 8 countries were commissioned to examine whether a database can be set up for pooling data on suspects and lists of source references from all participating countries.

Aims and measures:

The Federal Government is convinced that the signing and ratification of the Convention on Cybercrime by as many countries as possible (the Convention is also open to non-members of the Council of Europe for signing) would greatly facilitate the fight against such crimes. This applies not only because of the necessary harmonisation of substantive law, but also, and in particular, due to the adaptation of the range of instruments required for the prosecuting authorities in this field, as well as regulations concerning legal assistance. This will greatly facilitate practical co

operation, which is becoming increasingly important as a result of the transnational nature of these offences.

## 2. Networking

National and international networking for the exchange of information and professional experience, for monitoring and implementing political programmes and for case-related work with victims is necessary for adequate and effective problem-handling, suppression and prevention of sexual abuse and sexual exploitation of children. The non-governmental organisations working in the field of protection of children from sexual violence in Germany have joined forces in numerous national networks and cooperation projects, or are affiliated to international networks.

With the aim of coordinating and merging these networking structures even better, the Federal Government has been promoting the operations of a Federal Information and Networking Centre on Child Abuse and Child Neglect (IKK) since 1999. The aim of this institution is to pool domestic and foreign expert information, inform the professional public about causes, prevention, therapy and intervention in relation to child abuse and child neglect, and develop active networking structures. The establishment of the IKK has succeeded in specifically collecting expert information and creating an effective coordination and information centre, particularly in the context of evaluation and research projects and in the framework of the publication of information and education materials.

In the follow-up to the First World Congress Against Commercial Sexual Exploitation of Children, Sweden and Norway decided, in spring 1999, to improve cooperation and the exchange of experience between experts in the Baltic region by means of an internet-based network. This "Children at Risk" project ([www.childcentre.baltinfo.org](http://www.childcentre.baltinfo.org)) is supported by all the members of the Council of the Baltic Sea States (CBSS), including Germany.

Since January 2002, the "Child Centre" has been formally integrated in the work of the Council of Baltic Sea States through the establishment of an independent "Working Group on Child Cooperation" (WGCC).

### Aims and measures:

The suppression of sexual abuse of children, child prostitution and trafficking in children demands an increasing degree of **international cooperation** and networking among all agencies dedicated to the protection of children.

At its meeting on 18/19 April 2002, the "Working Group on Child Cooperation" agreed on the following key fields of work and laid them out in a Plan of Action for 2002 and 2003:

- Protection of children from all forms of sexual exploitation and sexual abuse, as well as from trafficking in children,
- Street children and children with no family,
- Children in distress and children's rights in institutions,
- Young offenders and self-destructive behaviour of children.

The key fields of work for the Plan of Action 2002 – 2003 include, among others:

- Continuous further development of the "Child Centre" IT network,
- Suppression of trafficking in children in the Baltic region,
- Hearing on the situation of street children in Russia,
- Expansion and further development of cooperation between the CBSS, the Council of Europe, the Nordic Council and non-governmental organisations.

To suppress transnational sexual abuse of children, the Federal Ministry of the Interior and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, in cooperation with the Länder Bavaria and Saxony and the "Karo" and "Helsinki Citizens' Assembly" non-governmental organisations, implemented a project entitled "Suppression of Sex Tourism by German Offenders in the Border Regions of the Czech Republic" (KISS project).

To expand and deepen the experience gained with previous forms of cooperation in the field of suppressing transnational crime in relation to the smuggling of migrants, trafficking in human beings, particularly trafficking in women, and the prevention of, and protection of children from, sexual exploitation, a German/Czech/Polish Working Group held its constitutive meeting in Prague on 27 March 2002. In addition to the Federal Ministry of the Interior, which coordinates the work on the German side, the Working Group also includes representatives from the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, as well as the Foreign Office.

Moreover, in the event of investigations abroad with links to the Federal Republic of Germany, liaison officers of the Federal Office of Criminal Investigation (BKA) are called in, who work locally and are generally responsible for the exchange of information with the authorities of the host country on matters of crime suppression. There are currently 58 liaison officers at 46 locations in 43 countries around the world. These employees of the BKA working abroad also support investigations in the field of child pornography and child sex tourism.

**Aims and measures:**

- The Federal Government will further expand the network of liaison officers. In addition, co-operation in the framework of bilateral agreements on mutual judicial assistance and international police and judicial working groups will be continued and permanently expanded.
- The aim of the trilateral German/Czech/Polish Working Group is to **deepen** and expand **co-operation** between the police and border police. This cooperation is based on the German-Polish agreement on cooperation between the police and border guard authorities in border regions, and the German-Czech treaty on cooperation between the police and border guard authorities. To achieve intensive trilateral cooperation, there is a need to mutually exchange information and harmonise the structure and methodology of the analysis and evaluation procedure. This requires the development of a cooperative partnership between the institutions of public administration, the scientific community, the prosecution authorities, the police forces and the civil society of the partner states. Agreement has been reached on the following measures, among others:
  - Elaboration of joint concepts for suppressing cross-border crime,
  - Information campaigns geared to reducing the demand for sexual services, with particular regard for human and children's rights,
  - Establishment of an anonymous hotline for giving information in connection with child abuse and violence committed in connection with prostitution,
  - Training of the social workers, police and border guard officers working locally to increase their sensitivity in reference to sexual exploitation and the protection of victims,
  - Holding of discussion forums at the common borders.

## IV. Research

The availability of long-term studies relating to reported and unreported offences is indispensable for assessing the effectiveness of the measures taken. The most accurate information possible concerning the extent, victims, offenders and contexts in which offences are committed, on framework conditions that encourage or discourage violence, on measures taken and their effectiveness, as well as on experience in the field of prosecution and criminal proceedings is the prerequisite when developing future measures and successful procedures.

The Federal Government presented a comprehensive picture of the crime situation in Germany for the first time by elaborating the First Periodical Security Report 2001 (PSB). The Report provides a multi-faceted overview of the current situation, linking the data from the statistics on crime and the administration of criminal law to the results of scientific analyses and knowledge on forms and causes of crime.

Section 2.2 of the PSB, "Other offences against sexual self-determination", evaluates the data from the Police Crime Statistics in this sphere, as well as data obtained from questioning victims, results of studies on unreported crime and information from court proceedings. This knowledge is of fundamental importance when developing effective approaches for protection from sexual violence against children and sexual exploitation of children.

### Aims and measures:

The Federal Government intends to close existing gaps by way of the following research projects:

- Institution of regular, nationwide studies on unreported crime, also including questions relating to becoming a victim of sex offences,
- A research project for investigating the determinants of the numbers of cases recorded by the police in connection with trafficking in human beings,
- Long-term studies on the recidivism of sex offenders.

## V. Monitoring

The Plan of Action sets priorities and names specific aims and measures for the next few years. As part of success monitoring, it must be examined whether and to what extent the specified measures have been implemented and whether the targeted aims have been achieved. Finally, the strategy itself must also be adapted and developed further.

Programmes and projects of central federal institutions for child and youth welfare in the field of prevention of sexual violence against children and young people also require a continuous improvement in quality. In this context, it is particularly a question of what effects are achieved by promoting prevention offers, assistance and intervention measures, and of what instruments can be used for systematic evaluation of the programmes and projects.

### Aims and measures:

The implementation and process-oriented further development of the present Plan of Action presupposes not only international cooperation, but also close collaboration in Germany between the competent agencies at the Federal Government, Länder and municipal levels, on the one hand, and the non-governmental organisations and the scientific community, on the other.

- For this reason, the Federal Government will establish a **Bund/Länder Working Group** for the suppression of sexual exploitation of children, which - based on the overall strategy laid down in the Plan of Action - is to monitor, steer and coordinate the implementation and further development of the Plan of Action. Non-governmental organisations will also be represented in the Working Group.
- Indicators for quality assurance in connection with programmes and projects for the prevention of sexual violence against children and young people are to be developed in a cooperative dialogue with the responsible organisations. The aim is to optimise the use of resources for maximum impact.
- In the framework of existing reporting obligations, e.g. based on the Final Document of the Conference of the Council of Europe on "Protection of Children from Sexual Exploitation", held in Budapest on 20./21.11.2001 in preparation for the Second World Congress against Commercial Sexual Exploitation of Children, the Federal Government will provide information on past and future measures, developments, successes, deficits and further necessary

steps, in order to be able to guarantee continuous further development from the national point of view, as well as effective success monitoring.

The following tabular presentation of the various fields of action, measures, objectives and time frames of the Plan of Action constitutes the basis for reviewing its implementation and impact in the form of an ongoing process, i.e. for necessary adaptations, the updating of aims, and other necessary measures.

## Tabular presentation of the Plan of Action of the Federal Government for the Protection of Children and Young People from Sexual Violence and Exploitation

FIELD OF ACTION	MEASURE	AIM	PERIOD
<b>I. Prevention</b>			
Emergency hotlines/helplines for children, young people and parents	The Child and Youth Emergency Hotline is a low-threshold counselling offer and thus an important point of contact for victims of sexual violence.	Extension of the counselling hours, professional continuing education of the staff and expansion of the offers, especially in the new Federal Länder.	2003 - 2005
Adults, especially mothers and fathers, must be introduced to the subject of sexual abuse of children and given comprehensive information and education	Brochure for parents: "Ask boldly - Act cautiously"  The brochure was produced in collaboration with the Federal Information and Networking Centre on Child Abuse and Child Neglect.	Strengthening of the child-raising skills of parents and sensitisation to the possibility of sexual encroachments.	Early 2003
Juvenile offenders	Development of a pilot project on cooperation between youth welfare services and the judiciary in dealing with offences against the sexual self-determination of girls and boys by juvenile offenders.	Improvement of communication and cooperation between youth welfare services and the judiciary.	2003 - 2005

Juvenile offenders	Implementation of a professional congress on "Therapeutic, psychosocial and educational assistance for sexually aggressive children and young people".	Indication of ways towards institutionalised cooperation.	2003
Suppression of sex tourism with child abuse by way of intensive cooperation with the tourist industry	In cooperation with ECPAT Germany, a Code of Conduct has been introduced in the travel industry and is currently being tested. In implementing the Code of Conduct, the BMFSFJ is promoting training courses in the travel industry and the incorporation of airlines in the sensitisation measures.	Sensitisation of travellers, tour operators, hotels, airlines.	2002/2003
Federal Office of Criminal Investigation, police authorities	Advanced and continuing education of staff of the Federal Office of Criminal Investigation, domestic and foreign police authorities, and interdisciplinary professional seminars.	Securing of efficient and rapid prosecution by domestic and foreign police authorities and the Federal Office of Criminal Investigation.	Ongoing
Occupational group-specific continuing education	Inclusion of the subject of sexual exploitation of children in the ongoing continuing education programme of the Foreign Office.	Sensitisation of consular staff.	Ongoing
Abuse in organisations	The BMFSFJ supports the elaboration of codes of conduct in or	Creation of preventively effective structures and conditions, in order	2002/2003

	ganisations that support or work with children on a full-time or voluntary basis.	to prevent encroachments by offenders in the first place and, on the other hand, to specify sanctions within the associations in cases of violation.	
Education and sensitisation	There are plans to develop a nationwide public relations campaign involving the non-governmental organisations and the media.	Broad-based education and information of the public about sexual violence against children, strengthening of the ability to perceive sexual violence against children, and information on offers of assistance and counselling.	2003
Participation of young people	There are plans to develop a youth participation model in the prevention of sexual abuse and to network youth participation initiative groups.	Increasing the participation of children and young people in preventive measures in the field of sexual abuse.	2002 – 2004

<b>II. Protection of children from sexual abuse under criminal law</b>			
Legislation	<p>Examination of various legislative measures in the field of criminal law on sexual offences:</p> <ul style="list-style-type: none"> <li>• Stiffening of the punishment provided in the penal regulations for sexual abuse of children (Sections 176 and 176 a StGB),</li> <li>• Inclusion of the initiation of sexual acts with children in criminal law,</li> <li>• Increasing the range of punishment in Section 184 Para. 5 StGB,</li> <li>• Better utilisation of DNA analysis in criminal proceedings by expanding Section 81 g StPO.</li> </ul>	Improvement of the protection of children and young people under criminal law.	15th Legislative Term
	Reform of the Code of Criminal Procedure.	Strengthening of the legal standing of victims and improvement of the information on the progress of the criminal proceedings.	15th Legislative Term

<b>III. International cooperation and networking</b>			
<p>Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography</p> <p>UN Convention against Transnational Organised Crime with its Supplementary Protocols to prevent, suppress and punish trafficking in persons, especially women and children, and against the smuggling of migrants by land, sea and air</p>	<p>Ratification and national implementation of these Conventions.</p>	<p>Improvement of international cooperation in the field of prosecution and harmonisation of criminal law for the effective suppression of transnational crime, especially in the field of child pornography, child prostitution and trafficking in children.</p>	<p>15th Legislative Term</p>
<p>Framework Decisions of the Council of the European Union on Combating Trafficking in Human Beings and Combating Sexual Exploitation of Children and Child Pornography</p>	<p>National implementation of the Framework Decisions.</p>	<p>Pan-European harmonisation of penal regulations to improve international cooperation in this field.</p>	<p>15th Legislative Term</p>
<p>Networking at the national level</p>	<p>Promotion of the Federal Information and Networking Centre on Child Abuse and Child Neglect (IKK).</p>	<p>Improvement of cooperation and professional exchanges.</p>	<p>2002 – 2005</p>
<p>International cooperation and networking</p>	<p>Participation in the "Working Group on Child Cooperation" of the Council of the Baltic Sea States and</p>	<p>Improvement of international cooperation and networking of all agencies in the Baltic region dedicated</p>	<p>Ongoing</p>

	further development of "The Child Centre", the IT-assisted international network.	to the protection of children from sexual violence and sexual exploitation.	
	Continuation of the trilateral German/Czech/Polish Working Group on police and border police cooperation.	Suppression of transnational crime in relation to the smuggling of migrants, trafficking in human beings, particularly trafficking in women, and the protection of children from sexual exploitation.	Ongoing
<b>IV. Research</b>			
Criminological research	<ul style="list-style-type: none"> <li>• Examination of the institution of regular, nationwide studies on unreported crime, also including questions relating to becoming a victim of sex offences.</li> <li>• Research project for investigating the determinants of the numbers of cases recorded by the police in connection with trafficking in human beings.</li> </ul>	Improvement of the level of criminological knowledge.	2003 - 2005

<b>V. Monitoring</b>			
Monitoring, success checks and further development of the Plan of Action	Establishment of a Bund/Länder Working Group.	Implementation and further development of the measures of the Plan of Action.	Ongoing
Quality assurance	Development of indicators for quality assurance.	Target and impact-oriented optimisation of programmes and projects in the field of prevention of sexual violence against children.	Ongoing