

RECOMMENDATION 110/2009*

The need to protect children from commercial exploitation in the BSEC Member States

1. The Parliamentary Assembly of the Black Sea Economic Cooperation states with deep regret that the sexual exploitation of children is an issue of serious concern in the Black Sea region and beyond, representing unacceptable violations of human rights.
2. The Assembly underlines the gravity and the multifaceted nature of the causes and consequences of crimes associated with sexual abuse of children, and notes with concern the individual impact on the children involved, as well as on societies' younger generation, the most dynamic but also vulnerable population group. In this respect, the Assembly recalls its Recommendation 41/1999 on "The Legal Framework for Child Protection in the BSEC Member Countries".
3. The Assembly recognizes that child pornography, as one of the multiple manifestations of sexual exploitation of children, is a type of organized transnational criminal activity in human trafficking and recalls its Recommendation 35/1999 on "The Legal Framework for combating trafficking in People".
4. The world community shows progressively its deep concern with regard to the ways in which the use of new technologies in today's globalized world may pose a threat to children. The Internet, in particular, is being used by sex offenders and organized networks for preparing the sexual abuse of children and disseminating child pornography.
5. The global character of this phenomenon necessitates a multilateral response through concerted efforts by states at the regional and international level in order to prevent, investigate, prosecute and penalize the sexual exploitation of children. The Assembly recalls the Agreement among the Governments of the BSEC Participating States on Cooperation in

* The Assembly debate on 13 June 2009.

Combating Crime, in Particular in its Organised Forms, adopted by the Third Meeting of the Ministers of the Internal Affairs of the BSEC Participating States in Corfu, Greece on 2 October 1998, having the aim of cooperation for “prevention, suppression, detection, disclosure and investigation of ... sexual exploitation of women and minors or children”.

6. Furthermore, the Assembly is mindful of the relevant provisions of pertinent international instruments, including the UN Convention on the Rights of the Child; the UN Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime; as well as the decisions and recommendations of pertinent international bodies, in particular the Council of Europe.

7. Therefore, the Parliamentary Assembly recommends that the Parliaments and Governments of the BSEC Member States:

i. *establish and/or strengthen* the relevant legislative framework so that national legislation:

- includes a specific provision on child pornography;
- provides a definition of child pornography;
- expressly criminalizes computer-facilitated offenses;
- criminalizes possession of child pornography, regardless of the intent to distribute;
- requires Internet Service Providers (ISPs) to report suspected child pornography to law enforcement or to some other authorized body.

ii. *take measures* in collaboration with non-governmental organizations (NGOs) and the media to raise awareness and eliminate demand for sexual exploitation of children;

iii. *support* the family and particularly women in guaranteeing children’s rights to development, protection and education;

iv. *promote* reintegration programmes for child victims of sexual exploitation providing medical and psychological support;

v. *enhance* cooperation in countering sexual exploitation of children through further use of the Network of the Liaison Officers on Combating Crime, established under the Additional Protocol to the Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in particular in its Organized Forms.

8. The Parliamentary Assembly invites the BSEC Council of Ministers of Foreign Affairs to consider its Recommendation.