

WHY ARMENIA SHOULD RATIFY THE COUNCIL OF EUROPE CONVENTION ON THE PROTECTION OF CHILDREN AGAINST SEXUAL EXPLOITATION AND SEXUAL ABUSE (LANZAROTE CONVENTION) AND THE NEXT STEPS

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The Republic of Armenia (RA) signed the Lanzarote Convention on September 29, 2010, but it has not been ratified up to date. The Convention complements the logic of other conventions ratified by Armenia and provides new approaches and methods towards protection of children from sexual exploitation and sexual abuse. It is the most contemporary and comprehensive international legal document, which offers a definition of sexual exploitation, and introduces new types of offences, conditioned by the development in the fields of information and communication technologies (ICT) and tourism.

The Convention is based on the principles of so-called 4Ps (prevention, protection, prosecution and promotion), which are aimed at prevention of sexual exploitation and sexual abuse, protection of children subjected to sexual exploitation and sexual abuse, and prosecution of criminals. The ratification of the Convention by Armenia will inevitably generate certain changes.

This research develops recommendations, divided into four categories: legal, policy, organisational and combined. The recommendations are addressed to public institutions, civil society working in the field of child protection, and in some cases, to private sector representatives.

Recommendations: LEGAL

- **To Revisit** the term “violence” so that it reflects all features and properties of violence towards children.
- **To Define** in legislation the terms "child prostitution", "child pornography" and "pornographic performances".
- **To Criminalise** promoting, accessing, transferring, acquiring child pornography, as well as intentionally contributing to accessing child pornography through ICT.
- **To Provide** free legal assistance to victims and witnesses of sexual violence.
- **To Provide** by the RA Criminal Code for principles on best interests of the child and the right of the child to be heard.
- **To Review** the RA Family Code by excluding child's marriage or early marriage.
- **To Establish** legislative and regulatory framework for the use and security of ICT.
- **To Make** compulsory video recording of the victim's or witness' and the involvement of psychologist during child interrogation.
- **To Review** child's age evaluation procedures.

Recommendations: POLICY-related

- **To Initiate** steps addressing the dangers associated with sexual exploitation and sexual abuse, including the risks of using ICT, and raising awareness on methods of child protection and the receipt of child care.
- **To Promote** participation of children in policy development, adoption, implementation and monitoring processes.
- **To Review** the three-level system of the rights of the child, in particular the status of the National Commission for the Protection of the Rights of the Child, the role of guardianship and trusteeship bodies and commissions, their requirements and functions.
- **To Introduce** long-term, extend short-term support services for victims and their families.

Recommendations: ORGANISATIONAL

- **To Organise** public awareness campaigns on the preventive measures towards sexual exploitation and sexual abuse of children.
- **To Organise** educational and training programs on discrimination for children and professionals working for their communities.
- **To Establish** supervision over individuals engaged in regular contact with children, in order to ensure these candidates were not convicted in sexual exploitation or sexual abuse of children.
- **To Organise** trainings for professionals engaged in regular contact with children, about the problems and effects of sexual exploitation and sexual abuse, possible signals from children in such cases, for the purposes of determining and evaluating the best interests of the child, exercising the right of the child to be heard, and enacting juvenile justice and referral mechanisms.
- **To Develop** methodological guidelines or manuals to assess and determine the child's best interest in the cases of sexual exploitation and sexual abuse, and to ensure the right of the child to be heard aimed at disclosure of cases during the work with victims, witnesses and juvenile offenders.
- **To Promote** cooperation with the private sector, particularly in the fields of ICT, tourism, banking and financial sectors, involving them in policy-development processes, advisory bodies and networks.
- **To Introduce** mechanisms of appeal and hotlines to be adapted to the needs of children with special needs.
- **To Provide** financial support to those involved in criminal proceedings or reporting of crime, and their family members for practical implementation of protection mechanisms.

Recommendations: COMBINED

- **To Develop** and introduce a unified mechanism for the identification, disclosure and reporting of cases of sexual exploitation and sexual abuse of children.
- **To Develop** and implement effective non-compulsory psychological, medical and social intervention programs for trafficked or convicted perpetrators of crimes against children.
- **To Initiate** legislative and practical measures so that the victim can be heard remotely in the courtroom without direct contact with the alleged perpetrator.
- **To Foresee** an intervention programs designed to assess and prevent the risk of committing a crime for those inclined to commit a crime.
- **To Develop** and disseminate relevant child's age related explanatory, procedural and investigative materials involving children, the role of professionals, their rights and responsibilities, grievance mechanisms, support and other services, including children with special needs.

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