



# Combatting youth sexual aggression and victimization in the European Union

stakeholder perspectives and recommendations

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# EXECUTIVE SUMMARY

Youth sexual aggression and victimization (Y-SAV) is a problem all over Europe. In most countries where data on sexual violence is disaggregated by age, prevalence figures for sexual aggression and victimization in the age group 12-25 years old are higher compared to average figures for the overall population. Understanding and preventing youth sexual aggression and victimization is important not only to tackle the existing high prevalence, but also to invest in sexual health and equal relationships for future generations. Sexual aggression is characterised by many grey areas and there are a range of sexual pressures and unwanted sex that do not necessarily fit within the legal frame of sexual violence, but nonetheless require societal action. Particularly in the current context of over-exposure to media images and virtualised socio-sexual interaction, young people need adequate support to develop positive attitudes towards sexuality and gender roles, and to strengthen their sexual interaction competence.

This report forms part of the European Y-SAV project (implemented in the period

July 2010 - December 2013)<sup>1</sup>. Consultations have been conducted in nine EU member states (Ireland, Spain, Lithuania, Greece, Bulgaria, Slovakia, Germany, Sweden and the Netherlands) and a total of 73 organisations and 20 individual experts participated. The participants identified the main shortfalls and opportunities to address youth sexual aggression and victimization within a variety of areas and provided recommendations to improve responses towards youth sexual aggression and victimization at the EU level and at the level of individual member states.

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## KEY FINDINGS AND RECOMMENDATIONS:

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### THE INSTITUTIONAL FRAMEWORK

The duty to address sexual violence and to invest in prevention is reiterated in diverse legal instruments and action plans of the European Union, the Council of Europe and national authorities. These documents focus on either child sexual

<sup>1</sup> See website: <http://ysav.rutgerswpf.org>

abuse (CSA) or violence against women (VAW) and/or domestic violence (DV). Policy documents specifically targeting youth sexual aggression and victimization hardly exist. Within legislation and policies on CSA adolescents up to 18 years old are predominantly considered passive victims of sexual violence by adult persons, whilst policies and legislation on VAW/DV often focus on women who are married or in long-term relationships. The needs and

specific situation of youth in general and especially sexually active youth aged 12-25 years are neglected. It is imperative to recognise adolescents - particularly the 'older adolescents' between the age of consent<sup>2</sup> and 18 years old, and 'younger adults', between 18-25 years old - as a specific target group within existing policies and to tailor strategies and legislation towards their needs as potentially sexually active agents.

### Specific recommendations to the European Union and particularly the European Commission:

- to continue producing instruments which provide operational guidelines and intervention tools to hold states accountable for their dual responsibility in preventing and responding to sexual violence, and to target youth sexual aggression and victimization more specifically in future instruments
- within policies on gender-based violence, to recognise youth as a distinct state of development, different from childhood and adulthood, and to recognise the needs of young people of 12-25 years old, most notably those between the age of consent and legal adulthood
- to officially recognise young people as valuable partners in addressing and understanding the dynamics of youth sexual aggression and victimization, and to ensure that they are involved in all stages of decision making
- to financially support mutual learning on the eradication of youth sexual aggression and victimization between member states
- to fully incorporate sexual health and the promotion of respectful sexual relationships within EU health policies and programmes
- to work towards harmonisation of rights-based comprehensive sexuality education within EU territory
- to ground policies in evidence and facilitate the standardisation of data collection on youth sexual aggression and victimization
- the EU should sign and ratify the Lanzarote Convention and Istanbul Convention, and take into account the specific needs of adolescents (age of consent - 18 years old) and 'younger adults' (between 18-25 years old) in the implementation of these Conventions

<sup>2</sup> The age of consent differs per country: currently in the European Union the age of consent varies between 13 and 18 years old.

## Specific recommendations to the national authorities:

- to consider young people (12-25 years old) as a specific age group and target cohort in policy making on sexual violence
- to use a more positive approach in policy making on youth sexuality and to recognise young people as sexual agents
- to create conditions for meaningful youth participation at all stages of decision-making
- to adapt legislative definitions in order to address peer-to-peer sexual violence
- to base the legal definition of rape on non-consent
- to establish reporting protocols on child protection and sexual violence instead of mandatory reporting legislation



## PREVENTION

Primary prevention of youth sexual aggression and victimization through in-school and out-of-school comprehensive sexuality education is important. It is not sufficient to address the risks and the physical aspects of sexuality. Also gender stereotypes and myths that normalise

sexual violence and ethical/ respectful sexual relationships should be part of the curriculum. A positive approach towards sexuality and the recognition of young people as beings with sexual feelings can lead to a more open communication between young people.

## Recommendations:

- to use a positive approach towards sexuality and focus on attitudes and skills building
- to focus more on boys and masculinities within prevention
- to secure youth participation in the design and/or delivery of comprehensive sexuality education
- to create and monitor minimum standards for comprehensive sexuality education
- to provide adequate and sufficient training to professionals so they can in turn deliver sensitive and non-judgemental support and advice to youth
- to invest in complementary out-of-school youth sexual aggression and victimization prevention to reach young people who have become marginalised from mainstream education

## CARE AND SUPPORT FOR YOUNG VICTIMS

Often child sexual abuse and sexual violence against women are treated as two separate issues. Persons younger than 18 are referred to child support services, whereas persons older than 18 have to seek support at services that are often centred on domestic violence.

## Recommendations:

- to create youth-friendly services that are accessible to a diverse group of young people and take account of their realities and needs
- to create conditions for meaningful youth participation in the design, evaluation and implementation of services on youth sexual aggression and victimization
- to provide education for professionals so they are able to respond to young people's needs and rights and can give sensitive and non-judgemental support
- to assure sustainability of funding and continuity of services on youth sexual aggression and victimization



## AWARENESS RAISING AND CAMPAIGNING ON Y-SAV

Campaigns predominantly deal with physical violence towards older women and child sexual abuse and do not sufficiently appeal to young people or address youth sexual aggression and victimization.

### Recommendations:

- to invest in campaigns that address the full spectrum of Y-SAV including the 'grey areas' of more subtle sexual coercion and pressure, reach out to bystanders, and explicitly target boys and men
- to explore the potential of social media to reach out to young people

## TREATMENT OF YOUNG PERPETRATORS AND YOUNG PEOPLE EXHIBITING RISK BEHAVIOUR

There is an increased recognition that tailored treatment is needed for youth, particularly adolescents (12-18 years old) that does not only target them as passive victims of sexual violence but also addresses sexual coercion and violence within peer-to-peer relations.

### Recommendations:

- to invest in mandatory educational programmes for young perpetrators and young people exhibiting risk behaviour
- to secure the institutional, organisational and financial sustainability of these educational programmes by, for example, embedding them within the country's legal and institutional systems

## RESEARCHING AND MONITORING YOUTH SEXUAL AGGRESSION AND VICTIMIZATION

A structured data collection on youth sexual aggression and victimization is fundamental to inform policies and to create awareness of the problem.

### Recommendations:

- to ensure harmonisation in data collection and establish a uniform set of quality standards and indicators for monitoring youth sexual aggression and victimization
- to collect gender and age disaggregated data on sexual violence
- to integrate specific questions about sexual violence in annual health surveys

# 1

## INTRODUCTION AND SCOPE OF THE DOCUMENT

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This report is one of the outputs of a European project on youth sexual aggression and victimization (the Y-SAV Project), implemented in the period July 2010 - December 2013. The objective of the project was to promote sexual health among young people across Europe by strengthening the knowledge base on youth sexual aggression and victimization and by multi-disciplinary and multi-country dialogue, cooperation and mobilisation to action. Country reports were developed describing the actual situation or 'state of the art' regarding studies on prevalence, incidence and risk factors of sexual aggression as well as legal and public health responses, covering all 27 EU member states at the time. In addition, a standard set of indicators has been developed to guide future research and coherent and comparable data collection on the actual scale of youth sexual aggression and victimization in different countries and across Europe.<sup>3</sup>

The content of this report results from consultations with experts, organisations

and individuals working on the issue of youth sexual aggression and victimization in a variety of EU member states. The main aim is to provide recommendations for policy and practice that may inform national and EU action and policy development. Furthermore, the report will discuss actions that may be implemented to improve responses to youth sexual aggression and victimization in a variety of spheres: the institutional framework (policies and legislation); care and support services for young victims; campaigns and awareness raising activities; in-school and out-of-school prevention; treatment of young perpetrators and young people exhibiting risk behaviour; and research and data collection.

### METHODOLOGY

Policy and programme development on youth sexual aggression and victimization takes place within a specific environment and depends on factors such as the cultural characteristics, the legal frameworks, the structure of governance, the

<sup>3</sup> For more information see website: <http://ysav.rutgerswpf.org/>

economic situation and the relationship between political actors. It was decided to conduct separate stakeholder consultations in nine countries: Ireland, Spain, Lithuania, Greece, Bulgaria, Slovakia, Germany, Sweden and the Netherlands. The countries were selected on the basis of the geographical location, the degree of recognition of the problem of youth sexual aggression and victimization by the authorities as well as the existence of issue specific policies and programs.<sup>4</sup>

After the selection, a stakeholder analysis was conducted with the support of Y-SAV network affiliates in the respective countries and diverse groups of experts were invited to take part in the consultation. These experts were selected on the basis of recommendations by Y-SAV network affiliates in the different countries. We worked towards a broad representation from different sectors and disciplines such as the health care sector, youth work- including youth-led organisations, victim support and young perpetrator programmes, the human rights field, ministries and governmental departments and research institutes. Before the actual consultations, some preparatory interviews were held.

During the consultations, a Force Field Analysis<sup>5</sup> was used as an open methodology. Stakeholders were asked to identify factors that could either positively or negatively influence responses to youth sexual aggression and victimization in their country and to provide recommendations on the basis of their specific expertise. Country reports with country specific recommendations were published on the Y-SAV website after a revision by the experts.<sup>6</sup> Some of the preliminary conclusions were discussed with Y-SAV network affiliates from all over Europe at the conference ‘Acting against youth sexual aggression and victimization in Europe’ in March 2013. After this conference, some national advocacy activities were conducted in a number of countries.



<sup>4</sup> On the basis of the country reports in the Y-SAV knowledge base, it could be concluded that in the Netherlands, Germany, Sweden and Ireland, to different degrees, Y-SAV and sexual violence in general are explicitly taken up in health and education policies and programmes as an issue of concern, whereas in Lithuania, Bulgaria, Greece and Slovakia there is little or no recognition of the problem of Y-SAV as such, and no specific approaches. Spain was placed in the centre, as from the country report it appeared that there is extended legislation on gender-based violence and sexual violence, however the implementation lags behind.

<sup>5</sup> An explanation of Force Field Analysis can be found here: Force-Field Analysis. *Ohio Literary Resource Center*. Retrieved on 29 October 2013 from: [http://literacy.kent.edu/eureka/strategies/force\\_field\\_analysis.pdf](http://literacy.kent.edu/eureka/strategies/force_field_analysis.pdf).

<sup>6</sup> For these national reports, see: Policy recommendations. *Y-SAV Rutgers WPF*. Retrieved on 29 October 2013 from: <http://ysav.rutgerswfp.org/content/recommendations>.

## 2

# YOUTH SEXUAL AGGRESSION AND VICTIMIZATION: WHAT IS IT, AND WHY IS SPECIFIC ATTENTION NEEDED?

Sexual aggression, as defined by the Y-SAV network, is behaviour with the intent or result of making another person engage in sexual activity or sexual communication despite her or his unwillingness to do so. There are many diverse forms in which youth sexual aggression is manifested, and they comprise a spectrum of the less acknowledged and more ‘subtle’ forms of physical and emotional coercion—relentlessly talking someone into sex, preoccupation getting out of hand—to the more overt forms of violence, such as forcing someone to have sex for money or gang-related sexual violence as part of broader urban violence.

Sexual aggression is characterised by many grey areas and there is a range of sexual pressures and unwanted sex that

does not necessarily fit within the legal framework of sexual violence, but nonetheless requires societal action.<sup>7</sup> Understanding and preventing sexual aggression in the age group of 12-25 years old is important. Adolescence and emerging adulthood are key periods for the development of healthy sexual relations and behaviour. Experiences during these years create a basis for attitudes to sexuality and gender roles, as well as for shaping the sexual scripts that play a crucial role in guiding the sexual behaviour of young people in their future lives. Adolescence is a period characterised by experimentation in which teenagers can potentially copy normative antisocial behaviour from peers.<sup>8</sup> Particularly in the current context where media and virtualised socio-sexual interaction are prevalent, it is critical

<sup>7</sup> The concept of ‘the continuum of sexual violence’ as developed by Liz Kelly (1987) proves helpful in explaining how young people experience sexual aggression. Kelly states that we could speak about a continuum of non-consensual sex varying from unwanted sex, to pressurised sex, to coercive sex and rape. While many may readily understand sex that occurs in the context of a violent assault as rape, there is much less understanding of the subtleties and complexities of the sexual violence which affects a high proportion of young people, particularly girls. Source: Kelly, L. (1988) *Surviving Sexual Violence*. Cambridge: Polity Press.

<sup>8</sup> See, for example: Moffitt, T. (1993) Adolescence-limited and life-course-persistent antisocial behavior: A developmental taxonomy. *Psychological Review*, 100, 674-701.

that young people receive the support they need in order to develop a positive sexual health lifestyle and the competencies for positive sexual interaction.

## YOUTH SEXUAL AGGRESSION AND VICTIMIZATION: A PROBLEM ALL OVER EUROPE

There is ample evidence that youth sexual aggression and victimization is highly prevalent in many European countries, and that young people's sexual health is seriously endangered by it. In a number of EU countries, young people account for more than half of reported sexual assault cases, and in some countries (such as the United Kingdom, Sweden, Ireland) between two-thirds and three-quarters.<sup>9</sup> In most EU countries where data on sexual violence is disaggregated by age, statistics show that a significant proportion of victims who report sexual assault are young people, primarily young women and girls. Although different definitions and research methods have been used, the evidence does allow for the conclu-

sion that youth sexual aggression and victimization is a problem in all EU countries.<sup>10</sup> In its knowledge base, the Y-SAV project brought together data of studies on youth sexual aggression and victimization in all EU member states. They have found high prevalence figures for youth sexual aggression and victimization:

- Rape and Justice in Ireland (RAJI) reported in 2009 that victims of rape in Ireland who are over 18 years of age are predominantly young, with half of all reported rapes involving a victim under the age of 25 and 33% of perpetrators accused of rape being under the age of 25.<sup>11</sup>
- A 2012 study in the Netherlands found that 21% and 41% of boys and girls respectively aged between 12 and 25 had experienced one or more types of physical sexual aggression.<sup>12</sup>
- A study on sexual violence in peer-to-peer relationships between young people aged 18-20 years old in Spain<sup>13</sup> concluded that from the research population (239 women), 42.7% (102)

<sup>9</sup> Regan, L. and Kelly, L. (2003). Rape: Still a Forgotten Issue. London: Child and Woman Abuse Studies Unit. Lovett, J. and Kelly, L. (2009). *Different systems, similar outcome? Tracking attrition in reported rape cases across Europe*. London: Child and Woman Abuse Studies Unit.

<sup>10</sup> For a more detailed description of data regarding prevalence in this knowledge base, see: Krahé, B., Kuyper, L., Tomaszewska-Jedrzyiak, P., & Vanwesenbeeck, I. (2013). *Sexual aggression as a threat to young people's sexual well-being in Europe: A review of the evidence from 27 EU countries*. Manuscript submitted for publication.

<sup>11</sup> Hanly, C., Healy, D., & Scriver, S. (2009). *Rape and Justice in Ireland: A National Study of Survivor, Prosecutor and Court Responses to Rape* (pp. 224-227). Dublin: Rape Crisis Network Ireland.

<sup>12</sup> De Graaf, H., Kruijjer, H., van Acker, J., & Meijer, S. (2012). *Seks onder je 25e. Seksuele gezondheid van jongeren in Nederland anno 2012 (Seks under 25. Sexual health of young people in the Netherlands in 2012)*. Utrecht/Amsterdam: Rutgers WPF SOA Aids Nederland.

<sup>13</sup> Ramos-Vergeles, M., Fuertes, A., & de la Orden, V. (2006). La victimización sexual en las relaciones con los iguales en una muestra de mujeres adolescentes y jóvenes: prevalencia y creencias relacionadas con la victimización (Sexual victimization in relations with peers in a sample of adolescent and young women: Prevalence and beliefs related to victimization). *Revista de Psicología Social*, 21, pp. 127-140.

of the women experienced at least one incident of sexual victimization by a male acquaintance.

- In Sweden, a report<sup>14</sup> found that the median age of reporting rape had lowered from 27 years old in 2000 to 22 years old in 2005.

Sexual violence affects the enjoyment of all rights, including the right to life, the right to health, the right to self-determination, the right to liberty and the right to bodily integrity. It is a human rights issue that has been taken up accordingly within different international treaties, such as the United Nations Convention on the Elimination of Discrimination Against Women (CEDAW, Recommendation 19,

1994) and the Convention on the Rights of the Child (CRC). Exposure to sexual violence has lifelong consequences like adverse sexual and general health outcomes and also adds substantially to the worldwide overall burden of disease. A decrease in the incidence of youth sexual aggression and victimization will mean lower expenditure on health, courts and police, as well as a better educational achievement and productivity. Investing in the prevention of youth sexual aggression and victimization in the European Union is not only necessary for the present generations, but should also be seen as an investment in the future of Europe.

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<sup>14</sup> Brå. (2008). *Våldtäkt mot personer 15 år eller äldre. Utvecklingen under åren 1995-2006. Rapport 2008-13.*

# STAKEHOLDER PERSPECTIVES AND RECOMMENDATIONS TO EUROPEAN INSTITUTIONS

## POLICIES AND LEGISLATION ON YOUTH SEXUAL AGGRESSION AND VICTIMIZATION AT EU LEVEL: WHAT HAS BEEN DONE SO FAR?

Except for issues that have a clear cross border dimension, there is no explicit legal basis at the EU level to propose specific legislation aimed at youth sexual aggression and victimization. Measures to combat youth sexual aggression and victimization should principally be covered by national legislation. The European Union institutions, however, can and should encourage member states to implement policies and practices on youth sexual aggression and victimization. The Charter of Fundamental Rights of the European Union (CFREU) states that the EU, “is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and rule. It places the individual at the heart of its activities, by establishing the citizenship of the Un-

ion and by creating an area of freedom, security and justice.”<sup>15</sup> According to this document, the European Union, as a duty bearer towards its citizens, should take a leading role in the protection of the rights of vulnerable groups within its territory.

Specific policy documents and instruments that directly focus on the issue of youth sexual aggression and victimization still have to be developed by EU institutions, but the urgent call to address gender-based and sexual violence among young people, and particularly the obligation to invest in prevention, is reiterated in documents related to violence against women (VAW) and child sex abuse (CSA). Article 17 of the Resolution on the Elimination of Violence Against Women, adopted by the European Parliament on 26 November 2009, for example, exhorts member states “to take up measures to prevent gender-based violence among young people by providing for targeted education campaigns and better cooperation among stakeholders and the various

<sup>15</sup> Charter of Fundamental Rights of the European Union (2000/c 364/01). Retrieved on 29 October 2013 from: [http://www.europarl.europa.eu/charter/pdf/text\\_en.pdf](http://www.europarl.europa.eu/charter/pdf/text_en.pdf).

circles affected by the phenomenon, such as families, schools, the public space and the media.”<sup>16</sup>

European Union institutions have addressed VAW and CSA in various policies and instruments. For example, in the European Commission’s “Strategy for equality between men and women (2011-2015),”<sup>17</sup> it announces a plan for an EU-wide strategy for combatting violence against women. The European Commission furthermore provided a platform for NGOs and research institutes in Europe to develop and implement projects to combat gender-based violence by means of the Daphne III Programme. The European Council also took initiatives to

address gender-based violence.<sup>18</sup> Some legally binding directives and regulations were developed that focus on sexual harassment, human trafficking and, more recently, the right of victims of sexual violence to protection in another EU country, which was approved by the European Parliament on 22 May 2013.<sup>19</sup>

Regarding Sexual Reproductive Health and Rights (SRHR) policies, a library briefing of the European Parliament asserts that a harmonised approach on Comprehensive Sexuality Education (CSE)<sup>20</sup> is seen as a means to help facilitate healthy and safe sexual relationships across the Union’s broad cultural and social spectrum.<sup>21</sup> Sexuality education

<sup>16</sup> European Union, European Parliament. (2009), *European Parliament resolution of 26 November 2009 on the elimination of violence against women* (P7\_TA(2009)0098). Retrieved on 29 October 2013 from the European Parliament’s website, shortened URL: <http://goo.gl/LLPJUp>

<sup>17</sup> European Union, European Commission. (2010), *Communication from the commission to the European parliament, the council, the European economic and social committee and the committee of the regions: Strategy for equality between women and men 2010-2015* (COM(2010) 491 final). Retrieved on 29 October 2013 from the EUR-Lex website, shortened URL: <http://goo.gl/E8TYSv>

<sup>18</sup> European Union, General Affairs Council. (2008), *European guidelines on violence against women and girls and combating all forms of discrimination against them* (not published in the Official Journal). Retrieved on 29 October 2013 from: <http://www.consilium.europa.eu/uedocs/cmsUpload/16173cor.en08.pdf>.

European Union, European Council. (2012). *Council conclusions on Combating Violence Against Women, and the Provision of Support Services for Victims of Domestic Violence*. Retrieved on 29 October 2013 from: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/lisa/134081.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lisa/134081.pdf).

European Union, European Council. *New European Pact for equality between women and men for the period 2011 - 2020* (PRESSE 51). Retrieved on 29 October 2013 from: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/lisa/119630.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lisa/119630.pdf).

<sup>19</sup> Directive 2002/73/EC, which can be found at the EUR-Lex website (shortened URL): <http://goo.gl/XSm0dp> and directive 2011/36/EU, also available at de EUR-Lex website (shortened URL): <http://goo.gl/3UbjJE>. Both documents contain legally binding decisions on sexual harassment and human trafficking. On 22 May 2013, the European Parliament approved an EU-wide civil law protection for victims. Retrieved on 29 October 2013 from the European Parliament’s website (shortened URL): <http://goo.gl/DFxx4f>. This legislative Resolution complements the European Protection Order for crime victims.

<sup>20</sup> According to the IPPF Framework, Comprehensive Sexuality Education (CSE) “seeks to equip young people with the knowledge, skills, attitudes and values they need to determine and enjoy their sexuality - physically and emotionally, individually and in relationships. It views ‘sexuality’ holistically and within the context of emotional and social development. It recognizes that information alone is not enough. Young people need to be given the opportunity to acquire essential life skills and develop positive attitudes and values.” Retrieved on 29 October 2013 from: <http://ippf.org/resource/IPPF-Framework-Comprehensive-Sexuality-Education>.

<sup>21</sup> Library of the European Parliament (2012). *Sexuality Education in the EU- “Sex education” in a broader social context*, p. 2.

falls under member state responsibilities and very little EU law applies directly to sexuality education policies. However, although no specific reference is made to it, it may be argued that sexuality education falls within legislation on general health education—Article 168(1). Article 14(1) of the European Charter of Fundamental Rights (CFR) guarantees the right to education, and combined with the former article makes a compelling case for including sexuality education in curricula throughout Europe. If both education in general and health education are considered rights, so should sexuality education, which is an indispensable element of general health education.

## **POLICIES AND LEGISLATION AT EU LEVEL: CRUCIAL SHORTFALLS**

Although there has been an increased commitment by EU institutions to work on VAW and CSA, the European Union still lags behind in comparison to other regions. For instance, the African Union and the Organisation of American States have both developed legal instruments to combat violence against women.<sup>22</sup> Regarding SRHR policies, stakeholders observe a trend in which the European Union changed the focus from a more comprehensive approach towards sexual health

(including funding of the European Sexual Health Forum,<sup>23</sup> and projects that address sexual violence, sexuality education and the sexual and reproductive rights of young people, such as Y-SAV, SAFE I and SAFE II<sup>24</sup>) to an almost exclusive focus on Sexually Transmitted Infections (STIs) prevention and treatment. The stakeholders involved in the Y-SAV project consider this a highly troublesome development, as they are afraid that this change in policy priorities at the EU level will affect decisions of individual member states and hinder both present and future work on youth sexual aggression and victimization.

## **LACK OF STANDARDIZED DATA COLLECTION ON YOUTH SEXUAL AGGRESSION AND VICTIMIZATION AT EU LEVEL**

Some aspects of youth sexual health are starting to be adequately monitored in Europe, but the European Union's knowledge base for youth sexual violence is notably limited. The European Centre for the Prevention and Control of Diseases (ECDC) has a mandate for the surveillance of HIV-relevant behaviour and outcomes. Reproductive health indicators have been developed within the European Health Programme's project 'Reprostat' and its continuation, the determinants of teenage pregnancies have been

<sup>22</sup> The Inter-American Convention on the prevention, punishment and eradication of violence against women, adopted in 1994 by the Organisation of American States, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, adopted in 2003 by the African Union, both address the issue of violence against women.

<sup>23</sup> On 13 March 2009 and 13 January 2010, two meetings of the Sexual Health Forum were hosted by DG Sanco (European Union Directorate General for Health and Consumers). The aim was to work towards a strategy on sexual health for young people at the EU level. After these two meetings there has not been a follow up.

<sup>24</sup> SAFE I and SAFE II were projects on SRHR and young people implemented by the IPPF European Network in collaboration with IPPF member associations. See: <http://www.ippfen.org/en/News/Intl+news/SAFE+II+project+on+youth+SRHR.htm>

investigated and, since July 2008, the state of reproductive health and fertility in the European Union is being monitored and partially included in the European Core Health Indicators (ECHI). Since 16 June 2010, the European Institute for Gender Equality (EIGE) began gathering existing data on sexual violence within the European Union.<sup>25</sup> Although, according to EU law, the Union does not have the legal authority (or competence) to standardise data collection on youth sexual aggression and victimization, EU institutions such as Eurostat, ECDC, EIGE and the European Commission can require member states to collect statistics and provide criteria and minimum standards for data collection and monitoring. The commitment to creating a knowledge base for supporting adequate strategies to combat youth sexual aggression and victimization in the EU should be reflected in the funding mechanisms and budgets of European Institutions.

## COUNCIL OF EUROPE CONVENTIONS: WHAT HAS BEEN DONE SO FAR?

The European Union instruments described above are not legally binding, but the Council of Europe (CoE) Conventions do provide legal and political grounds for holding states accountable for addressing youth sexual aggression and victimization. The EU member states all signed the European Convention on Human Rights

(ECHR) and the European Social Charter (ESC).<sup>26</sup> These human rights instruments articulate the obligation of state institutions and state agents to protect, respect and fulfil the human rights of their citizens, such as the right to live and the right to liberty – all of which are interlinked with youth sexual aggression and victimization. According to these CoE human rights instruments, violence targeted disproportionately at members of disadvantaged groups is a state responsibility. Young people, for the major part girls and young women, are particularly vulnerable to becoming victims of sexual violence and therefore should be particularly protected. States are not only obligated to protect citizens from violence, but also have the positive obligation of creating measures that prevent violence from occurring, such as addressing gender inequality and challenging dominant gender attitudes, roles and stereotypes that often produce a culture of violence.

In a major breakthrough the Council of Europe Convention on Combating and Preventing Violence Against Women and Domestic Violence (Istanbul Convention) was opened for signature on 11 May 2011. The Istanbul Convention is the first legally binding instrument in Europe to address VAW as a human rights violation and a form of discrimination. The instrument goes beyond traditional legal responses and defines in detail the range of integrated measures that states are required

<sup>25</sup> Sexual violence against women in the European Union. *European Institute for Gender Equality*. Retrieved on 29 October 2013 from: <http://eige.europa.eu/content/sexual-violence-against-women-in-the-european-union>.

<sup>26</sup> European Court of Human Rights, Council of Europe. (2010). *European Convention on Human Rights*. Retrieved on 29 October 2013 from: [http://www.echr.coe.int/Documents/Convention\\_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf). European Union, European Council. (1961), *European Social Charter*. Retrieved on 29 October 2013 from: <http://conventions.coe.int/Treaty/en/Treaties/Html/035.htm>.

to take in order to meet their obligation of due diligence.<sup>27</sup> The European Parliament adopted a strong resolution calling for a strategy on all forms of violence against women in 2011. This resolution asks both the EU and the individual member states that have not yet done so to sign and ratify the Istanbul Convention.<sup>28</sup> Another major instrument of importance is the Council of Europe Convention on the Protection of Children against Sexual Exploitation (Lanzarote Convention, 2007).<sup>29</sup> The Lanzarote Convention stipulates that states in Europe and beyond shall adopt specific legislation and take measures to prevent sexual violence, to protect child victims and to prosecute perpetrators.

Both Conventions also provide strong grounds and obligations concerning prevention of youth sexual aggression and victimization and the importance of comprehensive sexuality education. Articles 6 and 9.1. of the Lanzarote Convention, for example, require state parties to take necessary measures to ensure that children receive information on sexual exploitation and abuse as well as on the means to protect themselves. Article 14

of the Istanbul Convention refers to the important role of education in preventing violence against women and domestic violence, and proposes that education should address issues such as non-stereotyped gender roles, mutual respect and the right to personal integrity.

## COUNCIL OF EUROPE CONVENTIONS: SHORTFALLS

One of the observations from the stakeholder consultation is that limited attention is given to youth sexual aggression and victimization at the CoE level and that the issue, in particular peer-to-peer sexual violence, “falls between the stools of two different platforms.” Within the Lanzarote Convention and related CoE activities, such as the 1 in 5 campaign,<sup>30</sup> measures against child sexual abuse predominate in which children are mainly perceived as passive victims of sexual abuse and sexual exploitation by an older perpetrator or person of authority, whilst the Istanbul Convention deals with violence against women older than 18 years old. When taking into account the legal definition of a ‘child’ (as in the United

<sup>27</sup> To respect, protect and fulfil human rights, state parties must proactively engage in activities that safeguard the exercise of rights. These three obligations are often labelled as the ‘three Ps’:

- the obligation to prosecute with due diligence
- the obligation to protect and assist victims
- the obligation to prevent the violence by addressing the root causes.

Due diligence provides a standard of care used to measure whether a state has complied with its international obligations.

<sup>28</sup> For more information and a list of countries that have signed and/or ratified the Convention, see: European Union, European Council. (2011, opened for signature) *Council of Europe Convention on preventing and combating violence against women and domestic violence CETS No.: 210*. Retrieved on 29 October 2013 from: <http://www.conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?CL=ENG&NT=210>.

<sup>29</sup> For more information and a list of countries that signed and/or ratified the Convention, see: European Union, European Council. (2010), *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse CETS No.: 201*. Retrieved on 29 October 2013 from: <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=201&CM=1&DF=&CL=ENG>.

<sup>30</sup> *ONE in FIVE : The Council of Europe Campaign to stop sexual violence against children*. European Council. Retrieved on 29 October 2013 from: [http://www.coe.int/t/dg3/children/1in5/default\\_en.asp](http://www.coe.int/t/dg3/children/1in5/default_en.asp).

Nations Convention of the Rights of the Child and the Council of Europe Lanzarote Convention) as any person under the age of 18, it should be recognised that children are not a homogenous group. Children often start dating between 15-18 years old and they should be seen as potential sexual agents and thus as potential victims and perpetrators of sexual aggression. They have the right to make well

informed decisions about what is best for their own well-being while taking into account the well-being of others.<sup>31</sup> However, a large proportion of this cohort of young people are not sufficiently equipped, cognitively, experientially or in terms of power to make these choices in the ways that may be expected from adults. Therefore, tailored approaches are needed to empower this group.

Resulting from the Y-SAV stakeholder consultations, the following recommendations are put forward to European institutions and the European Commission in particular:

1. The EU should continue to produce policy documents, resolutions, roadmaps and other instruments that provide operational guidelines and intervention tools to hold states accountable for their dual responsibility in preventing and responding to sexual violence. These instruments should more specifically target youth sexual aggression and victimization. The guidelines and tools must cover the full spectrum of prevention, protection and prosecution. This is an opportunity for the EU to set a precedent for addressing youth sexual aggression and victimization by providing member states with a common platform from which to move forward.
2. Within its policies on gender-based violence, the EU should recognise youth as a distinct stage of development, as different from childhood or adulthood, and to recognise the specific needs of young people (12-25 years), but most notably those between the age of consent and legal adulthood.
3. In order to maximise prevention efforts, the EU should officially recognise young people as valuable partners in addressing and understanding the dynamics of youth sexual aggression and victimization and to ensure that young people are involved in all stages of decision making, design, development, implementation, monitoring and evaluation of policies, programmes and services dealing with youth sexual aggression and victimization.<sup>32</sup>

<sup>31</sup> This is stipulated in international human rights standards, for example in the Programme of Action of the International Conference on Population and Development (ICPD).

<sup>32</sup> Meaningful youth participation is an obligation of EU institutions and governments, as outlined in the Lisbon Treaty, the Europe 2020 flagship initiative Youth on the Move, the World Programme of Action for Youth and international instruments such as the ICPD Programme of Action, the resolution emerging from the 45th Session of the Commission on Population and Development (CPD) 2012, the Beijing Declaration and Platform of Action and the Agreed Conclusions on the 57th Commission on the Status of Women.

4. The EU should continue to broaden the provision of opportunities for mutual learning between national authorities and non-governmental organisations from different member states concerning good practices for addressing youth sexual aggression and victimization within policies and legislation, prevention, services, campaigning and monitoring. Specific funding could be made available for combatting youth sexual aggression and victimization under the Rights and Citizens Programme (2014-2020), in which the Daphne Programme<sup>33</sup> will be incorporated.
5. The European Commission should fully incorporate sexual health within the EU health policies and programmes in a manner that takes a positive approach to sexual health in relation to mental health and well-being. This means that the health policy response should not be limited to risk prevention of unwanted pregnancy and STI's among young people, but should also include the promotion of respectful and positive relationships that are free of coercion, discrimination and violence.
6. The EU should work towards harmonisation of rights-based comprehensive sexuality education within its territory by proposing minimum standards<sup>34</sup> and through supporting mutual learning between member states in the area of sexuality education, as has been done through the SAFE II project funded by the health programme. EU institutions can have an indirect, but important, influence on how sexuality education programmes are established at the level of member states.
7. EU institutions such as Eurostat, EIGE, ECHI and ECDC should develop measures to facilitate standardisation of data and data collection. The commitment to create a knowledge base to bolster adequate strategies to combat youth sexual aggression and victimization in the EU should also be reflected in the funding mechanisms and budgets of European institutions.
8. The European Union and the individual member states should sign and ratify the Lanzarote Convention and the Istanbul Convention and take into account the specific needs of adolescents (age of consent to 18 years old) and 'younger adults' between 18-25 years old in the implementation of the Conventions.

<sup>33</sup> Fight Against Violence (Daphne) is the only EU-wide programme to combat violence against women, children and young people: (16 July 2013). Daphne III. *European Commission*. Retrieved on 29 October 2013 from: [http://ec.europa.eu/justice/fundamental-rights/programme/daphne-programme/index\\_en.htm](http://ec.europa.eu/justice/fundamental-rights/programme/daphne-programme/index_en.htm)

<sup>34</sup> The WHO Europe Standards for Sexuality Education in Europe could possibly be a guide in this area: World Health Organisation and the Federal Centre for Health Education (2010). *Standards for Sexuality Education in Europe: A framework for policy makers, educational and health authorities and specialists*. Cologne: Federal Centre for Health Education. Retrieved on 29 October 2013 from: [http://www.oif.ac.at/fileadmin/OEIF/andere\\_Publikationen/WHO\\_BZgA\\_Standards.pdf](http://www.oif.ac.at/fileadmin/OEIF/andere_Publikationen/WHO_BZgA_Standards.pdf)

# STAKEHOLDER PERSPECTIVES AND RECOMMENDATIONS TO NATIONAL AUTHORITIES

## YOUTH SEXUAL AGGRESSION AND VICTIMIZATION IN THE INSTITUTIONAL FRAMEWORK (POLICIES AND LEGISLATION)

Stakeholders note that VAW and CSA are growing concerns in many European countries. Recent revelations of sexual abuse in religious and other institutional settings have been particularly mentioned as driving factors for change. Almost all countries have strategies and action plans in place to combat VAW and CSA, although the degree and quality to which these strategies are actually implemented differs by country. There is general agreement among stakeholders that the growing attention to these issues is an opportunity for agenda-setting. In general, this consensus led to an institutional framework to work on youth sexual aggression and victimization, increased priority and action in the field (more services, helplines, campaigns, etc.) and cooperation between departments that work on justice, health and/or gender equality. When taking into consideration the target countries of the consultation, particularly Spain and Ireland have made

a notable progress in the recent past. In the period 2004 to 2011, Spain made advancements with the development of specific measures to fight gender-based violence, including sexual violence in the framework of the Organic Law 1/2004. In 2007, Ireland created the National Office for the Prevention of Domestic, Sexual and gender-based Violence (COSC) to promote a well-coordinated whole government response to the issues.

Although the increased attention to VAW and CSA has been recognised as a positive step by all stakeholders, they also raised concerns about some severe limitations within policies and legislation.

The following recommendations were provided on policies and legislation:

**To consider young people of 12-25 years old as a specific age group and target cohort in policy making on sexual violence**

Stakeholders see that policies often fail to address the specific vulnerabilities, needs and the complex dynamics of



sexual aggression and other sexual health issues young people experience. The ages of 12-25 are often used for youth action plans on employment, sports, leisure and youth participation, but never with regards to sexual violence. In plans on CSA, young people under 18 years old are primarily considered as victims or passive objects of sexual abuse committed in a context of hierarchical relationships. In plans on VAW, young people older than 18 years old are considered as 'adults', married or within long-term relationships. However, the lives of young people are seldom so black and white.

**To use a more positive approach in policy making on youth sexuality and to recognise young people as sexual agents**

Most stakeholders observe that sexuality, in particular youth sexuality, is a politically sensitive topic. This is especially evident in countries where conservative morals around family and sexuality prevail in policy making and/or the influence

of religion on policymaking is very strong (e.g. Greece, Slovakia, Lithuania, Bulgaria). There seems to be a hesitation to recognise young people as sexual agents involved in sexual interactions and relationships, which could also possibly be violent. This has significant implications for policies affecting young people in European countries, in that there may be little or no attention given to SRHR within youth policies. The shortfall in policies is particularly evident for young people who are older than the age of consent but younger than 18. Although this cohort are still children according to the CRC and the CoE Lanzarote Convention, they are rendered the legal autonomy to make decisions concerning their sexual activity. However, a paucity of well tailored investments in prevention often hinders them from making well informed decisions regarding their sexual lives. A more positive and confidence building approach could lead to more openness to discuss and address sexual aggression and victimization with young people. After

all, sexual health is not only the avoidance of disease and non-consensual sexual experiences, but it also encompasses the development of a positive sexual identity and the ability to experience sexual pleasure.<sup>35</sup>

### **To create conditions for meaningful youth participation at all stages of decision making**

Young people are key stakeholders in combatting and preventing youth sexual aggression and victimization. They hold the expertise regarding their situations, environments, challenges and culture, and they have the democratic right to participate and actively contribute to efforts that affect their lives. It is important that governments create an enabling environment for young people to meaningfully participate in all stages of decision making, design, development, implementation, monitoring and evaluation of policies, programmes and services dealing with youth sexual aggression and victimization. This can be accomplished by investing in an infrastructure where young people can participate and share their ideas and visions regarding the solution to the problem at all levels, local, regional and national. This includes investing in the capacity building of young people so they can effectively navigate and contribute to political processes.

### **To adapt legislative definitions in order to address peer-to-peer sexual violence**

An important observation by stakeholders in the different countries is that definitions of domestic violence and/or gender-based violence within legislation often do not take sufficient account of the needs of younger victims. Such legislation is primarily concerned with the protection of people, mostly women, who face marital violence or violence perpetrated by a co-habiting partner. An example is the law in Ireland which stipulates that partners in dating relationships (with no cohabitation and no child in common) are not eligible for protection under the Domestic Violence Act, 1996.<sup>36</sup> As young people are more likely to be in a relationship in which they do not live together with their partner, this legislation disproportionately affects and excludes some victims of sexual aggression and violence. This shortfall in legislation and the need to make legislative definitions more inclusive are increasingly being recognised. Although the UK was not one of the countries where consultations took place, it is worth mentioning that in March 2013 the government decided to change the definition of domestic violence to include 16 and 17 year olds and coercive behaviour.<sup>37</sup> This decision was taken in accord-

<sup>35</sup> WHO definition: "Sexual health is a state of physical, mental and social well-being in relation to sexuality. It requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence." Definition retrieved 29 October 2013 from: [http://www.who.int/topics/sexual\\_health/en/](http://www.who.int/topics/sexual_health/en/)

<sup>36</sup> Women's Aid. (2012). *Recommendations for the Review of the Domestic Violence Legislation, November 2012*. Retrieved 29 October 2013 from: [http://www.hcch.net/upload/wop/hidden/2013/womensaid\\_recom.pdf](http://www.hcch.net/upload/wop/hidden/2013/womensaid_recom.pdf)

<sup>37</sup> Home Office. (18 September 2012). New definition of domestic violence. *Gov.uk*. Retrieved on 29 October 2013 from: <http://www.homeoffice.gov.uk/media-centre/news/domestic-violence-definition>

ance with the government's commitment to address teenage relationship abuse.

### **To base the legal definition of rape on non-consent**

In order to prevent young people from being sexually abused, the legal framework is important. Legislation on rape and sexual violence describes what are considered criminal sexual acts by law. Within the EU, three types of rape law can be distinguished that draw different lines with regard to the level of coercion/unwillingness that must be expressed for the act to be considered a crime: a law based on violence/threat; a law based on violence and a helpless state; and a law based on non-consent. In countries where a violence/ threat-based definition of rape is still in order, a perpetrator can only be convicted when there is physical proof of force, which leaves a narrow space to do justice. Only three states in the EU today have a rape law based on non-consent: the UK, Ireland and Belgium. Changing the rape law definition from a crime of violence to a crime against integrity, basing it on non-consent and not on coercion is a way to support the vulnerable and may impact attitudes of young people regarding sexual integrity and self-determination.<sup>38</sup> A rape law based on non-consent, not on coercion,

could gradually make the need for clear consent a natural condition for sexual acts, as it requires all people involved to take active measure and communicate to ascertain consent or 'a clear yes.'<sup>39</sup>

### **To establish reporting protocols on child protection and sexual violence instead of mandatory reporting legislation**

As a result of revelations of sexual abuse in religious and other institutions and the failure of professionals to report to statutory bodies, there is an intensified discussion in many European countries on whether there should be mandatory reporting legislation that forces professionals to report knowledge, or even suspicion, of sexual child abuse to the authorities. Stakeholders are concerned about the direction of this debate because of the direct consequences mandatory reporting would have for their work with young people, especially the 'older,' potentially sexually active young people. Mandatory reporting legislation puts professionals in the complicated position in which they have to decide whether something is abuse or normal sexual behaviour. Stakeholders argue that an obligation to report cases to the authorities will damage the relations of trust they build with young people. Reporting obligations will

<sup>38</sup> Harmonising rape laws between countries is complicated because according to the Lisbon Treaty, penal law and procedural law are national responsibilities. However, there are important legislative instruments that European countries have to follow, such as the Conventions of the Council of Europe and decisions taken by the European Court of Human Rights, that have broadened the concept of rape (the case of M.C./Bulgaria, ECHR 2005, the Council of Europe, Minister Committee 2002, art. 35 and the CoE Istanbul Convention, Chapter V, article 36 on sexual violence, including rape).

<sup>39</sup> For an elaborated analysis of the legal situation regarding Y-SAV and recommendations: Diesen, C. Lainpelto, K. & Vanwesenbeeck, I. (2013). *Youth Sexual Aggression and Victimization- a European Agenda?* Manuscript submitted for publication.

also discourage young victims and perpetrators from seeking help and talking to professionals.<sup>40</sup> It is important that children are protected from exploitation and sexual abuse, but teenagers engaged in consensual sexual experimentation, for example, should never be penalised. For these reasons, stakeholders advocate for a reporting protocol rather than mandatory reporting legislation.

Changing the law is important, but it will not change the pervasively dominant discourses and scripts that heavily influence the development of sexual relationships. Additional measures are needed to target the gendered cultural norms that help shape sexual negotiations and the individual practices of young people. Adequate preventive and curative public health measures are as important as legal justice systems.



<sup>40</sup> The conclusion that mandatory reporting legislation will discourage victims to seek help also resulted from international research. Gielen et al. (2000). Women's Opinions About Domestic Violence Screening and Mandatory Reporting. *American Journal of Preventive Medicine*, 19(4), 279-85. Malecha et al. (2000). Mandatory Reporting of Intimate Partner Violence: Safety or Retaliatory Abuse for Women? *Journal of Women's Health & Gender-based Medicine*, 9(1), 75-78.

## IN-SCHOOL AND OUT-OF-SCHOOL PREVENTION

Evidence has been accumulated in international studies that sexual violence is among the most costly interpersonal crimes in the world, especially considering its high prevalence and the resulting expenditure on health, psychological and legal support.<sup>41</sup> Stakeholders consistently and at all levels pointed at the need for primary prevention strategies to address the root causes of sexual violence.

One of the ways in which primary prevention can reach a large group of young people is through compulsory and fully implemented comprehensive sexuality education (CSE) within schools and in out-of-school contexts. The following crucial limitations of CSE have been identified within the consultations:

- There is a heavy focus on risks such as unintended pregnancy and the spread of STIs, but there is little or no attention to respectful and ethical sexual relations and pleasure and the link between dominant hetero-normative scripts and sexual coercion. Where religious forces are influential, education often promotes abstinence from
- sexual activity. Promoting abstinence does not appropriately address the realities of young people and leaves them unprepared.
- Within prevention strategies there is an emphasis on knowledge transmission rather than working on attitudes about gender relations and sexual interactions and the development of skills around negotiation and relational communication.
- Although sexuality education is compulsory in almost all EU countries,<sup>42</sup> the way it is delivered and the extent to which it deals with sexual violence differs. Clear quality standards and monitoring are often absent, and in too many situations the quality and content of the education depends on the skills, knowledge and ideological background of the individual teacher and/or institution.
- Regulations enable parents to withdraw their children from compulsory sexuality education programmes, which affects the right of the children to education about their bodies and the right of the child to make well informed decisions.<sup>43</sup>
- In some situations, there is a narrow focus on the ‘protection’ of girls by

<sup>41</sup> WHO Health & Violence reports; Morrison, Z., Quadara, A., & Boyd, C. (2007). “Ripple effects” of sexual assault (ACSSA Issues No. 7). Melbourne: Australian Centre for the Study of Sexual Assault, Australian Institute of Family Studies; Miller, T.R., Cohen, M.A & Wiersema, B. (1996). *Victim Costs and Consequences: A New Look*, Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice; Dubourg, R. Hamed, J & Thorns, J. (2005). *The economic and social costs of crime against individuals and households, 2003/04*, Home Office Online Report 30/05; Post, L. A., Mezey, N., Maxwell, C. D., & Wibert, W. N. (2002). The rape tax: Tangible and intangible rape costs. *Journal of Interpersonal Violence, 17*(7), 773-82.

<sup>42</sup> For an overview see: European Parliament and DG for Internal Policies of the Union. (2013), *Policies for sexuality education in the European Union*: Retrieved on 29 October 2013 from: <http://bookshop.europa.eu/en/policies-for-sexuality-education-in-the-european-union-pbBA3113725/>.

<sup>43</sup> As laid down in the UN Convention of the Rights of the Child, the Council of Europe Lanzarote Convention and the Council of Europe Istanbul Convention.

teaching them how to indicate their limits, instead of discussing respectful relationships with both girls and boys.

- Teachers and youth workers often feel unequipped to adequately address sexual violence with young people and a framework is often lacking on how to follow up on arising questions, how to refer victims, and the obligations regarding reporting guidelines and protocols.

**The following recommendations were provided on in-school and out-of-school prevention.**

**To use a positive approach towards sexuality and focus on attitudes and skills building**

Stakeholders share the opinion that a positive approach towards sexuality and the recognition of young people as individuals with sexual feelings can lead to a more open communication between young people. Over the last decade, evidence on the relationship between CSE and positive health outcomes among young people has been assembled within international research circles.<sup>44</sup> To combat sexual violence, it is imperative that sexuality education addresses the myths that normalise sexual violence. It should also enable young people to critically analyse media and other messages that commu-

nicate narrow models of femininity and masculinity. The continuum of sexual violence and its gendered dimensions should be a core aspect of sexuality education to enable young people to recognise sexual coercion. Providing information on risks and appropriate behaviour to young people is not sufficient: they need to improve their communication skills to be able to act upon this knowledge.

**To focus more on boys and masculinity within prevention**

Both young women and young men should be engaged in challenging a culture that continues to allow sexual violence to occur. Prevention of sexual violence that focuses exclusively on building the assertiveness and skills of women to say no is in direct contrast with the consent model in which active communication between both partners is required. Rather than promoting a communication between partners, it reinforces the gendered norm that the male sexual drive is uncontrollable and that women are responsible for putting limits and managing males' sexual behaviour. There is an urgent need for the further development of innovative approaches and prevention directed at boys that enable them to reflect on alternative models of masculinity disconnected from sexual prowess and aggression.

<sup>44</sup> For example: Kirby, D. (2007). Sex and HIV Programs: Their Impact on Sexual Behaviors of Young People Throughout the World. *Journal of Adolescent Health* 40: 206-217; Palmer, L. (2010). *Advancing Promising Program and Research/Evaluation Practices for Evidence-based Programs Reaching Very Young Adolescents: A Review of the Literature*. Washington, DC: Institute for Reproductive Health, Georgetown University; UNESCO. (2009). *International Technical Guidance on Sexuality Education: an evidence-informed approach for schools, teachers and health educators, Volume 1 & 2*. Paris: UNESCO. Published in partnership with UNAIDS, UNFPA, UNICEF and WHO; UNESCO. (2010). *Levers of success: Case studies of national sexuality education programmes*. Paris: UNESCO. Retrieved on 29 October 2013 from: <http://unesdoc.unesco.org/images/0018/001884/188495e.pdf>; Yankah, E. and Aggleton, P. (2008). Effects and Effectiveness of Life Skills Education for HIV prevention in Young People. *AIDS Education and Prevention* (20), 465-485.

### **To secure youth participation in the design and/or delivery of comprehensive sexuality education**

Within the delivery of education, young people should be taken more seriously as sources of knowledge on issues affecting them. They can take a lead in designing sexuality programmes. In some countries there have been positive experiences with participatory methodologies or inviting external experts, who are often peers belonging to youth-led organisations, to provide education on sexual violence. There are good examples of rights-based sexuality workshops facilitated - within schools and with groups outside of the school context - by NGOs and youth-led organisations.<sup>45</sup>

### **To create and monitor minimum standards for comprehensive sexuality education**

In order to monitor an effective implementation of sexuality education, minimum standards are needed. The WHO Europe and BZgA Standards for sexuality education can be used here. They say that sexuality education seeks (among others) the following outcome: “To be able to build (sexual) relationships in which there is mutual understanding and respect for one another’s needs and boundaries and to have equal relationships. This contributes to the prevention of sexual abuse and sexual violence.”<sup>46</sup>

### **To provide adequate and sufficient training to professionals**

Teachers and youth workers indicated that in order to discuss sexual violence with young people and to provide sensitive and non-judgemental support, they need training to build their self-confidence and skills and they need access to educational methods and information. Governments should support the integration of sexual violence content into teacher training programmes and teacher education. Additionally, governments could also make educational methods available through online resource centres, or provide funding to an institution that can advise teachers and youth workers. Furthermore, for the promotion of youth sexual aggression and victimization prevention through education in schools, it is crucial to form strategic alliances that could endorse sexuality education in schools, such as associations of parents, teacher unions, national youth councils.

### **To invest in complementary out-of-school youth sexual aggression and victimization prevention**

While schools and other educational institutions are important sites for youth sexual aggression and victimization prevention, some young people who have become marginalised from mainstream education may not benefit from CSE and sexual violence prevention programmes in schools. It is important to engage young

<sup>45</sup> See for examples the reports with country specific recommendations: <http://ysav.rutgerswpf.org/content/recommendations>

<sup>46</sup> WHO Regional Office for Europe and BZgA. (2010). Standards for Sexuality Education in Europe. A Framework for policymakers, education and health authorities and specialists.

people in primary prevention through a variety of channels, such as through community work and investment in activities designed and led by young people themselves. It has been mentioned by stakeholders that NGOs working on youth sexual aggression and victimization prevention should be adequately funded.

## CARE AND SUPPORT FOR YOUNG VICTIMS

During the last few years, it has been increasingly recognised that there should be specific support services for young victims of youth sexual aggression and victimization, either independently or within existing services for sexual violence. In some countries, initiatives have been implemented to provide free SRHR counselling and help on sexual violence to young people.<sup>47</sup> Additionally, experi-

ence is built up with one-stop rape crisis centres (for example in the Netherlands, Denmark, Austria). In these centres forensic doctors, nurses, police and mental health workers collaborate on one site to offer the minimum required help as soon as possible, and the victim is not obliged to pass through different services at different locations. However, these are exceptions, and from the consultations and the Y-SAV database, it can be concluded that there are hardly any state sponsored services directed at victims of youth sexual aggression and victimization. Often child sexual abuse and sexual violence against women are treated as two separate issues. Young people under the age of 18 are referred to child support lines and centres, whereas people older than 18 have to seek support at services that are often centred on domestic violence.



<sup>47</sup> For example, the Sense consultation hours and support offered by the organisation FierFryslan in the Netherlands.

**The following recommendations were provided on care and support:**

### **To create youth-friendly services**

“Youth-friendly service delivery is about providing health services based on a comprehensive understanding of what young people in a given society or community want. It is based on an understanding of and respect for the realities of young people’s diversity and sexual rights.”<sup>48</sup> Young people face many barriers to accessing health care and support services concerning sexual violence. They often lack the information on where and how to access services, opening hours are too restricted (especially for young people who are in school), services might be too expensive and laws and policies could curtail their anonymity. To reach out to young victims of sexual violence, it is important to establish services in easily accessible locations with flexible opening hours and to ensure that information on the services is adequately provided. Support organisations could adapt their messages to appeal to young people – moving away from the exclusive term of domestic violence – and they can make their services more relevant to young people by updating their knowledge on, for example, abuse through new media, GPS technology etc. Tailor-made services also need to be designed for specific categories of young people – diverse cultural backgrounds, disabled young people – that often face other challenges and have specific needs. Experiments that provide young victims of sexual violence with anonymous online support, where help is given through online forums and by

chat or email with a professional, deserve wider implementation, which will in turn complement face-to-face support.

### **To create conditions for meaningful youth participation in the design, evaluation and implementation of services**

Young people themselves are best placed to articulate their needs and provide feedback on the extent to which these needs are actually addressed. Therefore, it is important to ensure opportunities for young people to be involved in design, implementation and evaluation of health care and support services for victims of youth sexual aggression and victimization.

### **To provide education for professionals so they are able to respond to young people’s needs and rights**

All stakeholders emphasise the need for training for health care professionals and social workers so they can more effectively understand the realities of young people—the place of social media and specific slang used among young people – and respond to their needs. When protocols exist on how to deal with victims of sexual violence, training should be in place for professionals on how to work with these protocols and how to apply them in cases of young victims. It is also important to consider that sexually active young people are vulnerable to being stigmatised and that fear of judgmental attitudes of professionals can deter young victims of sexual violence from seeking help. In order to provide sensitive support and to create

<sup>48</sup> Youth-friendly services. *International Planned Parenthood Federation*. Retrieved on 29 October 2013 from: <http://ippf.org/our-work/what-we-do/adolescents/services>.

an environment in which young victims feel safe to discuss sexual aggression and victimization, it is important that health care professionals and social workers are also challenged to question their own normative thinking and prejudices.

**To assure sustainability of funding and continuity of services**

Often services for victims of sexual violence are provided by semi non-governmental organisations that are financially supported by the state. Sustainable funding for and availability of services is a prerequisite to realising the basic right of victims of sexual violence to health care and support.<sup>49</sup> However, in many situations, services and shelters are forced to spend time fundraising that could have otherwise been used to help victims and sometimes, faced with budget cuts due to the current economic situation, have no other recourse other than shutting down.

**AWARENESS RAISING AND CAMPAIGNING ON Y-SAV**

The stakeholder consultation uncovered a gap in awareness raising and campaigning around youth sexual aggression and victimization. In many countries, government sponsored national campaigns have been implemented on domestic violence and child abuse, which led to an increased awareness of these issues among the population. However, the observation is that most campaigns fail to address the specific dynamics of youth sexual aggression and victimization and the more subtle forms of coercion.

Campaigns deal predominantly with physical violence – showing posters of battered women, usually between 30 and 50 years old and children as passive victims of sexual abuse – and do not appeal to young people. Another critical observation is that campaigns often focus on the female victim and her role in seeking support and reporting, whereas men, boys and perpetrators are hardly addressed. The idea is reproduced that men’s sexuality is in some sense uncontrollable and women are responsible for setting limits and saying no.

**The following recommendations were provided on awareness raising and campaigning:**

**To invest in campaigns that address the full spectrum of youth sexual aggression and victimization and that reach out to bystanders and men**

An investment is needed in campaigns that address sexual aggression and victimization by encouraging new constructions of masculinities, promoting communicative models of consent, and highlight the responsibility and role of bystanders to intervene in violent situations or to challenge norms that legitimise sexual violence. Various good practices regarding sexual aggression are, for example, be found in the Netherlands and Ireland. The ‘speak easy about sex’ campaign in the Netherlands aims particularly at the prevention of sexually transgressive behaviour among young people 12-18 years old. Through online interventions (games) and a poster campaign, the message is

<sup>49</sup> Articulated in Human Rights Legislation, for example the CoE Istanbul Convention and CEDAW’s recommendation 19 on Violence Against Women.

put forward that it is important to openly communicate about sex and ask about the other person's desires and limits instead of assuming consent. The '2in2u campaign' implemented by Women's Aid Ireland draws away from a narrow definition of domestic violence and aims at awareness raising regarding healthy relationships and more subtle forms of coercive behaviour – stalking, being too pushy and controlling – within relationships.

**To explore the potential of social media to reach out to young people:**

Stakeholders also put forward that the potential to address youth sexual aggression and victimization through social media should be further explored. However, according to them, social media could never be a substitution for campaigns and prevention efforts in which there is real life contact with the target group. Social media can be a complementary instrument to other approaches in order to promote discussion and to reach out to a large audience. However, in addressing the root causes of sexual violence, awareness raising should always be combined with long-term investment in comprehensive prevention work across multiple levels for educational and societal interaction, such as schools, the family and peer groups.

## **TREATMENT OF YOUNG PERPETRATORS AND YOUNG PEOPLE EXHIBITING RISK BEHAVIOUR**

Countries differ in their ways of dealing with young people with deviant sexual behaviour and in who exactly deals with them. However, there is a common agreement among stakeholders that treatment

programmes for young people who have committed a sexual offence are not sufficiently established and integrated into the legal system in the majority of the countries. In most cases, a firm law and order discourse prevails, which is often reproduced by the media and conservative politicians, calling for harsher penalties for juvenile sex offenders. There is a lack of publicly funded educational programmes promoting behavioural and attitudinal change.

**The following recommendations were provided on treatment of young perpetrators and young people exhibiting risk behaviour:**

**To invest in mandatory educational programmes for young perpetrators and young people exhibiting risk behaviour**

During adolescence, young people begin discovering their boundaries and defining what is appropriate and inappropriate sexual behaviour. Mandatory programmes that focus on learning from mistakes, and challenge young people in a positive way to change their behaviour and opinions, could reduce the chance of repeat offending. Particularly when young people show early signs of harmful sexual behaviour, or commit a minor offence, without a psychopathology diagnosis, a mandatory educational programme is considered more effective for the treatment of young offenders than imprisonment, a fine or mandatory community service. The following aspects of an educational programme have been brought forward as key to promoting more positive sexual behaviour in the future: changing adverse gender attitudes; building skills to rec-

ognise one's own sexual limits and those of others; and learning to cope with peer pressure and sources of social influence, such as the media. Mandatory educational programmes may also be used preventively on a voluntary basis.

### **To secure institutional, organisational and financial structure and sustainability of young perpetrator programmes**

In order to be effective, an institutional structure must be present or set up, into which the mandatory educational programme can be embedded, preferably within a country's legal system. Activities and responsibilities need to be well coordinated, and a central agency should be responsible for coordinating services and improving effectiveness. Child Welfare Councils, for example, could be involved to advise the prosecutor about the appropriate treatment of the young offender, and there must be clear legal agreements with regard to responsibility and procedures (e.g. the case will be reverted to court or a different, more severe punishment is imposed when the young person does not show up). Furthermore, parents and other caretakers should be involved and supported so they can adequately discuss issues of sexuality with their children.

## **RESEARCHING AND MONITORING Y-SAV**

A structured data collection on youth sexual aggression and victimization is fundamental to informing national policies

and to creating visibility and awareness of the problem. Knowledge on gender-based violence, violence against women and child sexual abuse in Europe is beginning to accumulate in several databases.<sup>50</sup> The specific visibility of young people and data on sexual violence among young girls and boys, however, is notably limited, both at the EU level and within EU member states. The Y-SAV project's knowledge base reveals that in many countries, there is a shortage of studies concerning prevalence, risk and resilience factors in the age group of the project (12-25 years). Definitions, indicators and data collection methodologies are different, which makes it difficult to make comparisons between countries and to provide an adequate assessment of prevalence and incidence of youth sexual aggression and victimization within the European Union.<sup>51</sup>

**The following recommendations were provided on researching and monitoring Y-SAV:**

**To ensure harmonisation in data collection and establish a uniform set of quality standards and indicators for monitoring youth sexual aggression and victimization**

Particularly in countries where competences and responsibilities are decentralised to regions or municipalities, national authorities should ensure harmonisation in data collection and establish a uniform set of quality standards and indicators for

<sup>50</sup> EIGE database: European Institute for Gender Equality. Retrieved on 29 October 2013 from: <http://eige.europa.eu/>; EWL database/ observatory: European Women's Lobby. Retrieved on 29 October 2013 from: <http://www.womenlobby.org/spip.php?rubrique221&lang=en>.

<sup>51</sup> This issue is further elaborated in Krahe, B., Kuyper, L., Tomaszewska-Jedrysiak, P., & Vanwesenbeeck, I. (2013). Sexual aggression as a threat to young people's sexual well-being in Europe: A review of the evidence from 27 EU countries. Manuscript submitted for publication.

monitoring youth sexual aggression and victimization.

**To collect gender and age disaggregated data on sexual violence**

Article 11 of the Istanbul Convention requires state parties to collect disaggregated data regularly on violence against women and domestic violence. In order to address the specifics of youth sexual aggression and victimization and adequately respond to the needs and rights of young victims and perpetrators, it is crucial that countries that signed and ratified this Convention comply with the minimum requirements listed there. The recorded data on victims and perpetrators should be disaggregated by sex, age, type of violence, the relationship of the perpetrator to the victim, geographical location, as well as other factors deemed relevant, such as disability.

**To integrate specific questions about sexual violence in annual health surveys**

The Standard Set of Indicators (SSI) and Standard System for Data Collection (SSDC)<sup>52</sup> developed in the framework of the Y-SAV project will provide input for these questions, and can guide future research and monitoring.

The creation of National Observatories on combatting violence against women in some countries, for example Spain and Greece, were considered to be promising initiatives and good practices for gathering data at national level. These observatories, however, can only provide relevant information when mechanisms for systematic data collection on victims and perpetrators are in place, and when common registration tools in the various agencies involved in victim and perpetrator support are introduced and adequately used.



<sup>52</sup> For the Standard Set of Indicators, see: Set of indicators. *Y-SAV Rutgers WPF*. Retrieved on 29 October 2013 from: <http://ysav.rutgerswfp.org/content/set-of-indicators>

# 5

## CONCLUSIONS

Understanding and preventing sexual aggression and victimization among young people 12-25 years old in Europe is critical not only to tackling the high prevalence at present, but also to investing in sexual health and equal relationships for future generations. Unfortunately, the Y-SAV project shows that at the EU level and within member states of the European Union, the problem is given only limited attention. There are hardly any policies and programmes specifically targeted at young people, and within approaches towards child sexual abuse and violence against women, young people are either seen as children or adults rather than a distinct target group with specific needs of their own.

In order to adequately respond to youth sexual aggression and victimization, young people need to be recognised as potentially sexually active agents, and thus potential victims or perpetrators, within the institutional framework. However, legislative and policy changes will only have positive effects when combined with a change in culture. Gender stereotypes and hetero-normative scripts towards sexuality partly normalise and perpetuate sexual violence. In order to change the underlying causes of sexual violence, a long-term investment is needed in comprehensive interventions at

all levels and across multiple institutions and fields of interaction, such as formal and non-formal education, the family and media discourses. An appropriate response also entails an active promotion of a new set of norms and a positive sexuality. Such a comprehensive policy will not only prevent sexual aggression and victimisation among young people, but will enhance their overall sexual health.

In developing and implementing policies and interventions, young people have to be recognised as individuals who can make responsible sexual choices, and need to be engaged in defining the issues that affect them and their lives. It is crucial to promote the empowerment of young people by creating conditions for them to participate in all stages of decision-making, design, development, implementation, monitoring and evaluation of policies, programmes and services. Tackling youth sexual aggression and victimization requires a system that supports young victims; legal action should be taken towards aggressors and prevention should be implemented in ways that appeal to youth. These protective systems, however, should not turn into protectionism where young people are not acknowledged as the sexual beings that they are, and where 'others' define what young people need.

# ANNEX

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## LIST OF CONSULTED ORGANISATIONS AND EXPERTS

### Bulgaria

- Animus Association
- Amalipe (in VelikoTarnovo)
- Centre Dinamika (in Ruse)
- Centre for Rehabilitation, Counselling and Psychotherapy, and Gender Education Research & Technologies
- Crisis Centre (in Plovdiv)
- Gender Alternatives
- Ministry of Health
- National Centre of Public Health and Analyses (PETRI project)
- Red Cross

### Germany

- Counselling agencies such as Lilith Pforzheim, Timae.V.
- Institution of the Special Representative for Dealing with the Problem of Sexual Abuse (Unabhängiger Beauftragter zur Aufarbeitung des sexuellen Kindesmissbrauchs)
- The Federal Centre for Health Education (BZgA)
- The Federal Working Group of Feminist Organisations against Sexual Aggression (BAG FORSA)
- The National Association of Women's Counseling and Rape Crisis Programs - Women against Violence (bff)
- The University Medical Center Hamburg-Eppendorf

### Greece

- Counselling Centre of the General Secretariat for Equality, Athens (Elena Apostolidou)
- Council of Europe campaign 'One of Five' in Greece (Michalis Katrinis).
- The Administration of Secondary Education of Heraklion, Division of School Activities (Aggeliki Zacharatou)

- The Association of Heraklion Prefecture Female Boards/Shelter for Abused Women and Children (Maria Pachiadaki, Emmanouela Skoula, Agoritsa Maggipa, Marilena Flytzani)
- The Hellenic Society for Research and Prevention of Sexual Abuse 'Obrela', Athens (Orestis Giotakos)
- The Institute of Child's Health, Athens (George Nikolaidis)
- The NGO 'The Child's Smile', Athens (Stefanos Alevizos)
- The Society for Systemic Therapy and Intervention (Aikaterini Garefalaki)
- Young Women's Christian Association/Branch of Heraklion, Crete (Agoritsa Maggipa)

### Ireland

- Foroige Donegal
- Foroige Dublin
- HSE Crisis Pregnancy Programme
- Irish Red Cross
- National Office for the Prevention of Domestic, Sexual and gender-based Violence (Cosc)
- The National Youth Council Ireland (NYCI)
- OneinFour
- Rape Crisis Network Ireland
- Women's Aid
- Individual experts: Declan Coogan (Lecturer in Social Work, School of Political Science and Sociology at the National University of Ireland Galway); Phil Garland (HSE Assistant National Director for Children and Family); Clare Gormley (Principal Psychologist, Health Service Executive (West) and Athrú, Galway)

### Lithuania

- Children Development Centre (Vilnius University)
- Children House
- Children Support Centre

- Department of Youth Affairs
- Educational Development Centre (Ministry of Education)
- Family Planning and Sexual Health Association
- Health Education and Disease Prevention Centre (Ministry of Health)
- Lithuanian University of Education, Faculty of Philosophy (Vilnius University)
- Ministry of Health
- Ministry of Social Security and Labour
- The Children’s Rights Ombudsman
- Tolerant Youth Association
- Research Centre on Human Reproductive Health (Lithuanian University of Health Sciences)
- Representatives of the Parliament
- Secured Child Centre
- Vilnius Women’s House/Crisis Centre for Women
- Women’s Issues Information Centre

## Netherlands

- BlijfGroep Amsterdam.
- Centrum Seksueel Geweld Utrecht
- FierFryslan
- Hulpmix
- Movisie
- Moviera
- Nationaal rapporteur mensenhandel en seksueel geweld tegen kinderen
- Rutgers WPF

## Slovakia

- Children of Slovakia Foundation (Dana Rušinová, Karin Vaňatková)
- Department of Youth Work Development (Jana Miháliková)
- Iuventa/Slovak Youth Institute
- Linka-Lienka helpline (Katarína Fújerikóná, Dana Lovašová)

- Slovak Family Planning Association (Lenka Rovňanová)
- Student Council for Slovakia Higher Education (Katarína Stoláriková)
- The Slovak Academy of Science (Gabriel Bianchi)
- UNICEF children-helpline (Gabriela Krupčíková, Katarína Trlicová)

## Spain

- Acción en Red
- Federación Mujeres Jóvenes
- Federación Planificación Familiar Española (FPFE)
- Fundación Mujeres
- Sexpol
- Solidaridad.
- Individual experts: Lucas Platero (Universidad Complutense Madrid and LGBT activist), Diana Sojo (gynaecologist at Centro de Salud Madrid), Isabel Sorriano Villaroel (Femtopia), Isabel Vicario-Molina (Department of Developmental and Educational Psychology, University of Salamanca), Lucía Mazarrasa Alvear (Instituto de salud Carlos III), Vita Arrufat (Public Health Unit, Castelló; Red Activas), María Dolores GerezValls (Director of Centro de Salud San Fernando), Margarita Galustian Jimenez (Lawyer), Concha Lopez Casares (Psychologist), Rafaela Martin Perez (individual expert, collaborates with different women’s organisations), Juan Carlos Diezma (Doctor, Works in health promotion for young people in Madrid), Raquel Millan Susinos (Social Worker).

## Sweden

- Stockholm University (Christian Diesen, Katrin Lainpelto, Eva Diesen, Carl Göran Svedin and Josefin Grände)

The presentations and outcomes of the “Acting against youth sexual aggression and victimization in Europe” (26-28 March 2013, Amsterdam) conference, which brought together 100 researchers, practitioners and policy-makers from all over Europe, were used to shape this document. We want to particularly acknowledge the speakers at the conference and the 23 young people who participated in the youth pre-conference. Their youth statement<sup>53</sup> is reflected within the recommendations in this document.

<sup>53</sup> <http://ysav.rutgerswfpf.org/content/youth-statement>



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