



**Message  
Consent**

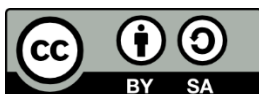
## **D2.1 Message conSENT Guide**

**For elementary school teachers**

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## Introduction

The present Guide is the result of the ***Mentoring elementary teachers and students about CONSENT (Message conSENT)*** project, a 24-month Erasmus+ Project for school education that aims to mentor and educate teachers of elementary schools with a consent teaching skills guide in order to teach ways of understanding, negotiating, and learning consent as a life skill to children of ages 8-12 through Human Rights Education Practices. The **Message conSENT** project will create basic instructional resources to help teachers and parents talk to primary students about ‘consent’ as a life skill.

**The project's objective** is to help prevent gender-based violence by intervening in early education and teaching both young boys and young girls about personal boundaries, how to say ‘no’ and respect ‘no’, and how to understand and respect both their own will and that of others.

The present Guide has been elaborated by experts & professionals from seven (7) countries (Croatia, Cyprus, Germany, Greece, Italy, Spain and Turkey) from Organizations with different backgrounds (universities, lifelong learning organisations, research institutes, youth organisations, associations active in the area of child protection etc.), after extensive research and discussions about the

**It does this by** using the Human Rights Education methodology and by helping students develop their communication and mutual respect skills as well as their conflict resolution abilities.

concept of “consent” in their countries and whether it is implemented within the school context or not.

To this end, it is worth mentioning that the present Guide does not intend to substitute any official curricula or guidelines provided to teachers by the competent Ministries in their countries according to national laws and



regulations. Instead, it can be used as an additional tool and point of reference for primary school teachers who wish to conduct

focused workshops and interactive activities in the classroom on the concept of 'consent'.

## Human Rights Education (HRE)

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*"Every individual and every organ of society ... shall strive by teaching and education to promote respect for these rights and freedoms."*

(Universal Declaration of Human Rights, 1948).

According to the Plan of Action for the Fourth Phase of the World Programme for Human Rights Education (2022, p. 16) provisions on human rights education have been incorporated into many international instruments and documents, including the Universal Declaration of Human Rights (art. 26); the United Nations Educational, Scientific

and Cultural Organization (UNESCO) Convention against Discrimination in Education (art. 5); the International Convention on the Elimination of All Forms of Racial Discrimination (art. 7); the International Covenant on Economic, Social and Cultural Rights (art. 13); the Convention against Torture and Other Cruel, Inhuman or Degrading



Treatment or Punishment (art. 10); the Convention on the Elimination of All Forms of Discrimination against Women (art. 10); the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) (arts. 30 and 31); the Convention on the Rights of the Child (art. 29); the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (art. 33); the Convention on the Rights of Persons with Disabilities (arts. 4 and 8); the

Vienna Declaration and Programme of Action (Part I, paras. 33–34; Part II, paras. 78–82); the Programme of Action of the International Conference on Population and Development (paras. 7.3 and 7.37); the Durban Declaration and Programme of Action (Declaration, paras. 95–97; Programme of Action, paras. 129–139) and the outcome document of the Durban Review Conference (paras. 22 and 107); and the 2005 World Summit Outcome (para. 131).

According to the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (2010), **HRE refers to education, training, awareness raising, information, practices and activities** which aim, by equipping students with knowledge, skills and understanding and developing their attitudes and behavior, to empower individuals to contribute to the building and interpretation of a universal culture of human rights in society, with a view to the promotion and protection of human rights and fundamental freedoms.

Furthermore, according to the Plan of Action for the Fourth Phase of the World Programme on Human Rights Education (2022, p. 17), human rights education is a lifelong process that promotes the following:

(A)  
**KNOWLEDGE & SKILLS**

(B)  
**ATTITUDES**

(C)  
**BEHAVIOUR**



Learning about human rights and acquiring skills to exercise them in daily life

Developing or strengthening attitudes, values and values and beliefs that uphold human rights

Actions taken to defend and promote human rights

On the whole, HRE is recognized by the Council of Europe and the United Nations as a fundamental human right. As our main target groups are both elementary school teachers and students, from a children's rights perspective, children have the right to education, the right to leisure time, the right to protection from violence as well as the right on child-friendly living conditions, the protection of children's interests and ensuring equal development opportunities for all children. (UNICEF, 2023).



The United Nations Convention on the Rights of the Child (UNCRC) recognizes children as particularly vulnerable. Their vulnerability is double-edged as it can come from adults as well as from other children. Therefore, it is

important to strengthen their personality and equip them with consent as a life skill.

Moreover, learning about the obligations that come with each right is essential to understanding one's own human rights. Just as



human rights are the property of both people and society at large, it is everyone's job to uphold, protect, and advance these rights. For instance, the Preamble of the Universal Declaration of Human Rights (UDHR) calls on "every individual and every organ of society" as well as governments to support human rights. Education on human rights gives people the knowledge and awareness they need to fulfill this obligation.

HRE teaches both about and for these rights. Its aim is to promote understanding,

***In 2010, the World Programme on Human Rights was launched and currently focuses on the Fourth Phase (2020-2024), which addresses youth empowerment through human rights education.***

There is a particular focus on education and training in equality, human rights and non-discrimination, and inclusion and respect for diversity to promote the building of inclusive and peaceful societies and to align the fourth phase with the 2030 Agenda for Sustainable Development and in particular target 4.7 of the Sustainable Development Goals.

The Plan of Action for the Fourth Phase of the World Programme for Human Rights Education (2022, pp. 19-20) sets out ten principles for human rights education, including the importance of promoting respect for and appreciation of diversity and rejecting discrimination based on race, color, sex, age, gender and sex. In addition, other aspects such as promoting social cohesion by combating

appreciation and acceptance of responsibility for respecting, defending and promoting human rights. Empowerment, a process through which individuals and communities gain more control over their lives and the decisions that affect them, is an important outcome of human rights education. The realization of universal human rights, fairness and dignity is the ultimate goal of human rights education.

poverty, violent conflict and discrimination and promoting safe teaching and learning environments that encourage participation, the enjoyment of human rights and the full development of the human personality, as well as the use of participatory methods that incorporate knowledge, critical analysis and skills for individual and collective action to promote human rights and that take into



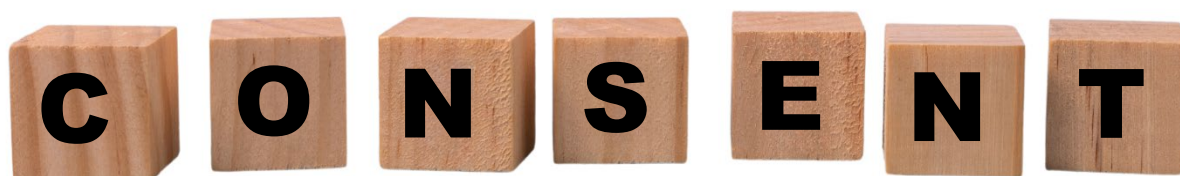


account the age, cultural characteristics and context of learners, are also part of the education and training activities under the World Programme.

It is worth noting that strategies and measures to promote human rights education for young people are provided in formal education in secondary, higher and vocational education.

Thus, there is a gap in human rights education strategies for primary school students and teachers. Moreover, consent as part of human rights education is not mentioned once in the sections on Teaching and Learning Processes and Tools and Training of Educators of the Plan (2022, pp. 29-38).

## Definition of the term 'consent'



***'Consent' is defined as respecting one another's boundaries in order to be and feel safe, develop healthy relationships and preserve dignity.***

In other words, 'consent' is permission for something to happen or an agreement to do something, while it requires respect, communication, freedom and equality (Casby & Lyons, 2019). Children should be taught the concept of consent from a young age. Better relationships with family, friends, peers, and eventually love partners can result from it. It is essential for our children to understand early

on that they are in charge of their own bodies, that individuals have the right to decide what happens to their body and what does not. And to honor that in other people as well.

This is something that is beneficial in the workplace, in the classroom, on the playground, and in daily life (Quealy-Gainer, 2020).



**Relating the term of consent to children we mean teaching a child to say 'no' or 'yes' being able to set boundaries, making decisions about their bodies and responding appropriately when they receive 'no' as an answer.**

Safe touch is also included in the term of consent as a prerequisite of a child feeling comfortable and confident enough to set boundaries that will be respected.

'Consent' is also related to online interactions and relationships, including content such as messages, photos or videos (Trucco, et al., 2020).

According to research, 43% of kids have experienced online bullying. One in four kids has experienced it more than once. This demonstrates that cyberbullying is pervasive in our society and that a growing number of young adults are suffering from its devastating repercussions. Cyberbullies can contact their victims via a variety of different channels, including text messages, calls to smart phones, social networking websites, and online instant

chatting. Cyberbullying is a serious problem that, like traditional bullying, may leave the victim uneasy and overly self-conscious. This may eventually lead to the likelihood of suicide as a result of cyberbullying (Subaramaniam, et al., 2022).

Even if there are many kinds of consents, the aim of this report is to introduce 'consent' as a term in elementary schools, so that children of ages 8-12 become more familiar with its principles.

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NO

MAYB





## Consent as a life skill

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Every adult faces daily issues that relate to their relationship with a set of boundaries as well as their efforts to achieve new goals. Such challenges require effort, goal setting, discipline and constant redefinition of one's actions in order to achieve the desired outcome. Any such process can cause stress, tension, anger and even frustration. As adults, we are often faced with situations in which we need to utilize or retrain in a range of social life skills. We often realize that as kids, we were not given the chance to gain meaningful life skills.

***The concept of consent is an important concept that is involved and relevant in a range of areas of adult daily life.***

Consent in personal relationships, consent in career paths, consent in interpersonal relationships, consent in life decisions (Burton et al., 2023). How useful, therefore, would it be to have the opportunity to become familiar with the concept of consent from an early age? How much more easily or mechanically would we as adults respond to circumstances requiring consent if we had the opportunity to be trained in similar circumstances as children? (Srikara & Kishore, 2010).

Therefore, if we were to go back in time we might have learned a lot of useful lessons for life and especially for adulthood, if we had the opportunity to be taught and learn through

experiential processes the meaning of consent in different aspects of our everyday life. If our formal education included familiarity in terms of ways of setting boundaries, relating and



interacting with those around us, perhaps every relationship and interaction in adult life would also be somewhat more forthcoming and honest (Kubota & Nakazawa, 2022).

At this point, then, we ought to reflect on our responsibility as adults towards children. In

whatever role we relate to a child, whether we are parents, teachers or caregivers in the broadest sense, we ought to try to accompany each child by educating and shielding them through the development of life-useful skills (Kennedy, 2021).



***The ideal person to train a child in a series of skills useful for life - including the concept of consent and personal boundaries - are his or her reference persons.***

***A child's reference persons are both parents and teachers.*** Good practices, of course, are developed and mastered holistically and en masse if they are part of a formal education programme.

***But how could a teacher pass on life-useful skills?*** Is a personal example and life experience sufficient? Does such an effort to cultivate the concept of consent in children require training and the use of specific tools by the reference person to achieve the educational process?

The answer to this question is certainly positive. After all, a teacher is a person of responsibility and as a person of responsibility he or she teaches after having been taught and equipped with the necessary tools for education.



As far as the formal training that a teacher receives before entering the classroom is concerned, the concept of consent does not seem to be part of it at least in most of the countries participating in the Message conSENT project. The fixation on cognitive tools often undermines the pedagogical substance of the teacher, making him/her focus on the object of learning, losing its social and emotional implications.

Several teachers who wish to upgrade their pedagogical skills are seeking training in the concept of consent through optional training workshops, personal reading and contact with child protection and social responsibility bodies. Of course, this is not part of their typical and formal training. However, the effects of the positive impact of relevant educational programmes that include life-useful concepts and skills are evident. Several studies illustrate the importance of educating children about the concept of consent as a means of preventing abuse (Rizos, 2022).



## Legal framework in Europe and in each country

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### EUROPE

There is currently no effort being made to standardize the age of consent throughout all Member States, and neither the European Union nor the Council of Europe have advocated a set age. However, sexual abuse of children under the age of 18 is now illegal in the majority of European nations. The Lanzarote Convention, also known as the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, requires nations that ratify it to make certain acts involving children under the age of 18 illegal, such as their involvement in prostitution and

pornography. Other behaviors that will be punished include having intercourse with a child—defined in Article 3 as a person under the age of 18 years old—under the following circumstances referring to threats, coercion, or force. Additionally, abuse happens when someone, including a family member, is in a position of authority, trust, or influence over the child. Moreover, a child's extremely vulnerable status is jeopardized, especially if they have a physical or mental impairment or are dependent.

The 'legal age for sexual activity' is also known as the age of consent and should be set by



States at a young age that they think appropriate. (There is no recommended age.) As of December 2016, 42 states have ratified the Convention, while five more had signed it but had not yet done so.

A directive known as "Directive" 2011/92/EU of the European Parliament and of the Council



## CROATIA

In Croatian legislation, the term 'consent' is used within the Law on the protection of personal data. This Act regulates the protection of personal data on natural persons and the supervision of the collection, processing and use of personal data in the Republic of Croatia. The purpose of personal data protection is the protection of private life and other human rights and fundamental freedoms in the collection, processing and use of personal data.

If we are talking about the term consent, used for teaching children about negotiating and setting boundaries as life skills to children of ages 8-12, there are no national strategies or laws. There are only few articles on this topic which are published by Croatian psychologists, but most of the educational material and

of December 13, 2011, on fighting the sexual abuse and sexual exploitation of children and child pornography exists in the European Union (EU 28). It addresses the sexual abuse of children under the age of 18.

national health recommendations are focused on teaching parents, guardians and teachers how to set boundaries to children.

The Republic of Croatia has been a party to the United Nations Convention on the Rights of the Child since 1991. By accepting the Convention, Croatia undertook to guarantee every child the rights prescribed by the Convention.

The European Convention on the Realization of Children's Rights in the Republic of Croatia has been in force since August 1, 2010, and it particularly protects the procedural rights of the child, i.e. the right of the child to get all relevant information and has the right to express his opinion as well as the right to request a special representative.





However, there are Croatian national legislative frameworks which include (partially) the Law on protection against domestic violence, the Criminal Law and the Law on Gender Equality.

The law stipulates that content related to issues of gender equality is an integral part of preschool, primary and secondary education and higher education, as well as lifelong education and training, and includes the preparation of both sexes for active and equal

#### ***Law on education in primary and secondary schools***

As far as the Law on education in primary and secondary schools is concerned, It is stipulated that all employees of school institutions are obliged to take all measures to protect the rights of students and to immediately inform the director of the school institution of any violation of those rights, and the director is obliged to report this to the social welfare authority or another competent authority. Violation of students' rights includes all forms of violence, abuse, neglect, abuse and exploitation of students. This provision is regulated in more detail by the Rulebook on the manner of behavior of reporting any violation of these rights to the competent authorities (Official Gazette 132/13). It is also stipulated that in the case of violence between

participation in all areas of life. Sexual harassment is discrimination and is defined as any unwanted verbal, non-verbal or physical behavior of a sexual nature, which aims at or represents a violation of personal dignity, and especially if it creates an unpleasant, hostile, humiliating or offensive environment. The work of the independent body responsible for combating discrimination in the field of gender equality is performed by the ombudsman for gender equality.

students, the protection of students' rights must be ensured by educational workers and the director, acting in accordance with the Protocol on actions in the event of violence between children and young people. The Law on Education in Primary and Secondary Schools also regulates pedagogical measures that can be imposed due to violent behavior in primary and secondary schools (Article 84). In the Ordinance on criteria for the imposition of pedagogical measures (Official Gazette 94/15, 3/17), unacceptable behaviors are classified according to their severity, so, for example, covering up violent forms of behavior is considered more serious unacceptable behavior, causing and encouraging violent behavior (e.g. passing on incorrect information



that is the cause of violent behavior, chanting before or during violent behavior, recording of events that include violent behavior and similar behaviors) and violent behavior that did not result in serious consequences is

considered serious unacceptable behavior, and violent behavior that resulted in serious emotional or physical consequences for another person is considered particularly severe unacceptable behavior.



## CYPRUS

In Cyprus, the term 'consent' is an important concept in the context of education and is recognized in various legal and regulatory frameworks.

As for the Student Consent, the Ministry of Education and Culture is responsible for regulating and overseeing the education system. The Education Law (Law 69(I)/1999) and the Regulations for the Organization and Functioning of Public Schools set out the rights and responsibilities of students in the education system. Under these laws, students have the right to provide or withhold their consent for certain activities. Schools must inform students and their parents about the nature and purpose of any proposed activities and obtain their consent before proceeding.

In addition to student consent, parental consent is also an important concept in education in Cyprus. Parents or legal guardians

are responsible for ensuring that their children attend school and comply with the requirements of the education system. They are also responsible for providing consent for certain school activities.

The General Data Protection Regulation (GDPR), which is applicable in Cyprus, also applies to schools and educational institutions. This means that schools must obtain the explicit and informed consent of parents or legal guardians before processing the personal data of students. This includes data such as health information, academic records, and contact details.

As for the Research Consent, if a school or educational institution intends to conduct research or surveys involving students, they must obtain the informed consent of the students and their parents. This includes informing them about the nature and purpose



of the research, the risks and benefits, and the confidentiality and anonymity of the data collected.

Overall, consent is an important concept in official legislation in education in Cyprus, and is recognized in various contexts, including student activities, parental responsibilities, data protection, and research. The specific

requirements for providing consent may vary depending on the context and the individual's age, mental capacity, and other relevant factors. Finally, it is important for schools to be aware of their legal obligations and to seek legal advice or consult with relevant authorities if they have specific questions or concerns about consent in education in Cyprus.



## GERMANY

In Germany consent has different meanings, so it is not easy to find a legislative framework, but the Basic Law offers the protective and legislative framework for children. The following three Laws ensure the protection of children and youth in Germany.

The Basic Law is the constitution of the Federal Republic of Germany and contains the basic legal and political order of our country. The fundamental rights enshrined in it are of particular importance: they bind all state authority as directly applicable law (Art. 1). The Federal Constitutional Court, with its seat in Karlsruhe, is an independent constitutional body that monitors compliance with the fundamental rights enshrined in the Basic Law (Articles 1 to 19).

The Basic Law regulates the organization of the state, secures individual freedoms and establishes an objective order of values.

According to the German Children's Fund (Deutsches Kinderhilfswerk, 2022) specific children's rights are not mentioned in the Basic Law. However, the Federal Constitutional Court says: Care and upbringing must be oriented towards the best interests of the child.

The German Civil Code (BGB) governs legal relationships, with its 4th book focusing on family law, including relationships, maintenance claims, and parental rights.

The year 2000 saw the prohibition of corporal punishment in parenting, emphasising the inadmissibility of degrading educational



measures (§1631 BGB). The Child and Youth Welfare Act (KJHG), part of the 8th Book of the Social Code, ensures nationwide services for children and families. Independent youth welfare organisations provide services, and youth welfare offices handle specific tasks.

Child and youth welfare regulations are part of concurrent legislation, with the Federation providing the framework and Länder implementing details. Amendments strengthen the rights of illegitimate and adopted children. Article 8 emphasises children's participation in public youth welfare decisions and their right to counselling.

Article 8a) addresses child welfare endangerment, requiring the youth welfare

office to involve the family court in assessing danger. In urgent situations, the office is obligated to take immediate action to protect the child. Article 8b) outlines guidance for facilities accommodating children, ensuring professional guidelines and complaint procedures.

The "Children's Rights Index" by the German Children's Fund (2019) evaluates children's rights implementation, focusing on participation, health, standard of living, education, and leisure. State governments can utilise the index to enhance child and youth policies, based on the UN Convention on the Rights of the Child.



## GREECE

In Greek legislation, the concept of consent initially appears through the concept of consent and the Personal Data Act. Subsequently, it is related to consent to sexual activity, and is also touched upon as a concept in the Convention on the Rights of the Child.

Subsequently, under the GDPR, kids are given further safety.

Children do, in fact, need extra protection when it comes to the processing of their personal data, especially when they are not aware of the hazards involved.

Any of the legal justifications permitted by the GDPR may be used to process children's personal data. The controller must take into consideration additional factors for some of them, though.



When processing is done with a child's consent, the controller must make sure the kid has been told and understands what is being consented to. If not, the consent is deemed "invalid" since the controller did not follow the requirement to provide clear information. Because of this, the language used must be straightforward, intelligible, and uncomplicated.

In the case of a child under the age of 16, the controller shall use all commercially reasonable efforts to confirm the age and identity of the individual providing consent. Member States may set a lower age restriction by legislation for these reasons, provided that the age is not less than 13, however.

The following is outlined in Article 21 (consent of a Minor) of the implementing statute 4624/2019:

If the child has reached the age of 15 and grants his or her consent, processing of the minor's personal data when providing information society services directly to them is legal when Article 6(1) (a) of the GDPR is in effect.

If the minor is younger than 15 years old, the processing described above can only be done with the approval of the child's legal guardian.

Children's automated decision-making, including profiling or automatic decision-making is, in theory, forbidden if it has a direct or indirect legal impact on children.

Children have the right to be exempt from these decisions under the GDPR. There are exceptions to this right, but they only apply if suitable steps have been made to safeguard the child's rights, freedoms, and interests.

Furthermore, the controller must be transparent about the processing of children's data when a profile is created for them. He or she must never take advantage of young children's inability to understand or their vulnerability in general.

Additionally, it is against the law to use a child's profile for marketing purposes. The controller shall honor the child's unalienable right to object to any such direct marketing action by the controller and to have it immediately halted upon request.

As for the age of consent and sexual abuse In Greece, 15 years old is considered to be the age of consent. The legal minimum age at which a person can give their assent to engaging in sexual conduct is known as the age of consent. Greek law prohibits those under the age of 14 from giving their consent to sexual activity, which could lead to charges of



statutory rape or another applicable local legislation.

Sexual acts and other 'lewd' behavior with children under the age of 15 are forbidden by Criminal Code Article 339(1). When the victim is younger than 12 years old, a mandatory minimum sentence of 10 years in prison must be served; if the victim is between the ages of 12 and 13, the penalty may be up to 10 years in jail. The punishment is 2 years in prison, if the victim is between the ages of 14 and 15 years old. Most significantly, article 339(2) states that 'lewd' acts committed by minors under the age of 15 are not illegal unless there is a three-year age gap between them. In the latter situations, reformative or therapeutic methods are applied to the implicated children.

The country is also governed by 'The Lanzarote Convention', also known as the the Council of

Europe Convention on the Protection of Children against sexual exploitation and sexual abuse , requiring nations that ratify it to make certain acts involving children under the age of 18 illegal, such as their involvement in prostitution and pornography. Other behaviors that will be punished include having intercourse with a child -defined in article 3 as a person under the age of 18 years old- under the following circumstances including threats, coercion, or force. Additionally, abuse happens when someone, including a family member, is in a position of authority, trust of influence over the child. Even more explicitly it is stated that a child's extremely vulnerable status is jeopardized, especially if they have a physical or mental impairment or are dependent.

Greece signed the Convention on 25/10/2007, while the Convention entered into force on 01/07/2010.



As far as the age of consent for sexual intercourse is concerned, Italy signed the Lanzarote Convention in 2007 and ratified it in 2013. This ratification has had an important impact on Italian legislation since it both strengthened and added new elements to

sexual exploitation of children (SEC) related offenses (ECPAT, 2019). Moreover, Art. 600 and 609 of the Italian Code prohibit and protect children against sexual exploitation, although they have some nuances and exceptions.



The legal age of sexual consent in Italy is generally considered 14, meaning that an adult above 18 can have sexual intercourse with a child aged 14. Nonetheless, it shall be noted that Italy allows sexual intercourse between children from 13 years old onwards, if they are performed with other minors and if they are a maximum of three years older than the first. This exception for minors below 13 to have consensual sex is often referred to as the 'Romeo and Juliette' clause (Caroli, 2022).

As stated above, from the age of 14, minors and adults can have consensual sexual acts, except if the adult is in a position of authority - i.e. teacher, guardian, cohabiting parent - then the age of consent becomes 16 (World Population Review, 2023).

Caroli (2022) points out that the Italian definition of child pornography is quite broad since it goes beyond minors involved in sexual acts. In fact, any disclosure of minors' genitals or erogenous zones is considered child pornography, whether the aim of the pictures/videos was created for this purpose or not. For instance, Caroli (2022) explains that secretly filming a child in a changing room constitutes child pornography. Nevertheless, it is important to point out that if the material is

produced by the children themselves and shared without being forced to do so, the people who receive these images cannot be punished (ECPAT, 2019).

Another interesting aspect of the Italian criminal code is the one on the sexual exploitation of children in travel and tourism (SECTT) punishing anyone who aims to exploit children in prostitution through the organizing or advertising of a travel trip. Besides, tour operators who organize travels outside of Italy are obliged to include a warning against the illegality of SECTT in any of the informative and marketing material provided (ECPAT, 2022).

The 2019 ECPAT Italia and ECPAT International report noted that Italy is participating in many European and International SEC-related initiatives. In fact, they implemented new activities to simplify communication with Interpol, Europol and SIRENE. Nevertheless, it shall be noted that although Italy signed the Istanbul Convention in 2012, the country still considers physical violence to be necessary in order for a sexual act to be considered rape when it involves adults.

As for the data processing and age of consent, the Italian Data Protection Authority, or the



Garante per la protezione dei dati personali (DPA) was established in 1997. They aim to enforce the rights of individuals regarding the processing of their personal data, and their tasks are established in the General Data Protection Regulation (GDPR) and in the Personal Data Protection Code (legislative decree No. 196/2003). The General Data Protection Regulation (GDPR) 2016/679 is a European Union law aiming to protect individuals' personal data. The GDPR has to be enforced in every EU country, but some specificities can be applied to each EU member state. For instance in Italy, since the age of consent is 14, individuals of 14 years and above can give their consent regarding data protection. In other words, children below 14

years old have to provide proof of consent from a supervisory adult or the holder of parental responsibility. It should be noted that the latter only concerns the processing of a certain type of personal data since consent from a legally responsible adult is not required for personal health data for scientific research purposes in the medical, bio-medical, or epidemiological sectors (Securiti, 2022).

Nevertheless, the convention, laws, and legislation do have several limits and do not entirely protect children from experiencing (sexual) exploitation. This is why more tools are needed to protect children against abuse and exploitation, whether it is sexual or under another form.







## SPAIN

In Spanish legislation, the notion of consent is directly linked to the body: both sexual and informed consent vertebrate the Spanish laws regarding this issue. Historically, the age of consent was established when the body reached its puberty: pubic hair marked it for the male body, menstruation for female. But since the XII century, laws regarding consent have been produced all over Europe.

In the XXI century, Spain has significantly changed its approach in regards to sexual consent for minors. Since 1995 according to the article 183.1 of the Penal Code, the age of consent has been 12 years old. In 1999, it was modified to 13, becoming the lowest limit in Europe for many years. The Committee on the Rights of the Child of the UN denounced in 2007 these low limits, and recommended that all countries establish it at 16 years.

In the year 2015, the law in Spain was modified and, with some obstacles, the age of consent was set at 16 years old. Many criticized this decision, as the average age for the first sexual experience was around 14, but the law finally became effective.

The most recent law regarding consent in Spain was enacted in October 2022, setting controversial yet progressive standards with the Law 10/2022. This was known as the “Only yes is yes Law” triggered after the case of “la Manada” in 2016[1], and it makes reference to consent before any sexual interaction. It establishes the age of consent at 16 years old, but includes that it rises till 18 if it is a case of deceit or abuse of authority, trust or influence. Additionally, the corruption of minors is punishable till 18 years old. The law also contemplates an exception: cases of minors with similar age and mental maturity will not be considered abuse of minors.

This Law changed the way of conceiving consent, as there will be no need for proof of physical violence, strength or intimidation in order for it to be considered assault.

Children will be protected by education and professionals in direct or indirect contact with them, who will be trained in all levels of Administration according to Law 10/2022.

In case of assault, every person and child has the right to: information and guidance, medical



and psychological assistance, economic help, free legal advice, and other personal services.

Additionally, advertising that uses gender stereotypes that encourages or normalizes sexual violence against women, girls, boys, and normalizes sexual violence against women, children, and adolescents, as well as promoting



## TURKEY

In Turkey also, there is no institutionalized way of introducing the concept of consent in formal education. According to the Convention on the Rights of the Child, every individual under the age of 18 is considered a child. Child protection law numbered 5395 and Turkish penal code numbered 5237 in Turkey are also in line with this definition. But also in Turkey, issues related to sexuality are generally avoided and preferred not to be spoken about. As a result of this, it is seen that the terms related to the subject are not fully settled and are used in wrong ways (Çalışandemir, Bencik, Artan, 2008).

prostitution, will be considered unlawful. In May 2021, the Spanish Parliament approved the Comprehensive Protection of Children and Adolescents from Violence<sup>1</sup>, which provided an integrated framework for the protection of children and adolescents against all forms of violence.

Turkey became a party to the United Nations Convention, which it signed on September 14, 1990, pursuant to the Parliamentary Approval Law No. 4058, dated December 9, 1994, and the aforementioned Convention entered into force on May 4, 1995, following the delivery of our ratification documents to the UN Secretariat for Turkey. The UN Convention on the Rights of the Child is the agreement with the widest participation in the UN system. The convention, which sets universal standards for the protection of children, establishes a legal framework for programs aimed at improving the situation of children. In the national plan, in accordance with the Prime Ministry Circular dated January 11, 1995, the General

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1

<https://www.womenslinkworldwide.org/en/awards/cases/la-manada>



Directorate of Social Services and Child Protection Agency (SHÇEK) was made responsible for monitoring the implementation of the principles and

provisions of the UN Convention on the Rights of the Child in Turkey ([mfa.gov.tr](http://mfa.gov.tr)).Current situation-Overview and specifics



## Current situation-Overview and specifics

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### CROATIA

The Republic of Croatia has signed and ratified a great number of international and European legislative instruments which are crucial for advancing general education, education for democratic citizenship and the management of diversity. These include the Convention for the Protection of Human Rights and Fundamental Freedoms, the Framework Convention for the Protection of National Minorities, the International Convention on the Elimination of All Forms of Racial Discrimination, the United Nations Convention on the Rights of Persons with Disabilities and the United Nations Convention on the Rights of the Child.

However, there are no legal Acts, Regulations or educational curricula for consent.

Even though various research papers and reports are showing that the integration of comprehensive sexuality education inside the school curriculum makes a significant difference in children's lives, regarding decisions about their body, life, developing positive attitudes about themselves and

people that surround them, it is still not part of the formal curricula in Croatia. As Aleksandra Stulhofer says, a sociologist and expert on youth sexuality: "There is no systematic sexuality education in Croatian schools, nor has it ever existed in the history of Croatian education system. There are just fragments of information, usually in biology and religion classes or as lectures that are organized by the good will of the school directors or some professors, in which the school doctor or a gynecologist talks about reproductive health. A small number of adolescents, during their four-year long high school education, find out something about human sexuality and that is usually a one-time thing. The content is delivered exclusively as information and does not affect the behavior. It happens that there is a mention of human sexuality during religious classes, but solely regarding religious dogma about the acceptance of sexuality inside a matrimony."

Child protection center of Zagreb and Brave phone conducted research Prevalence of



abuse and neglect of children in Croatia: Correlation between abuse in childhood and other traumatic experiences and some personality features. Results of this research indicate the prevalence of certain forms of abuse in childhood. According to the strict criterion, 15.9% were exposed to physical, 16.5% were exposed to emotional and 13.7% were exposed to sexual abuse. Note that if we include inappropriate exposures to children, then 18.1% of the youth experienced sexual abuse in their childhood.

The Child Protection Center of Zagreb conducted research on bullying in schools. The research included 25 elementary schools in 13 cities of Croatia, and examinees were pupils from the fourth to the eighth grade of elementary school.

Obtained results indicate that 27% of children experience some form of bullying in schools (verbal and physical) on a daily or on almost a daily basis, while 16% of children bully other children on almost a daily basis, while 8% of children simultaneously bully and are exposed to bullying.

Boys more frequently both bully other children and are exposed to bullying. The frequency of bullying, especially verbal, increases with age (from the tenth to the fourteenth year of age). School results of children who bully or are bullied are, on the average, worse. Only about 22% of bullied children ask adults for help. Children most frequently ask parents, while only 11% ask teachers for help.





## CYPRUS

In Cyprus, the importance of consent is recognized in various laws and regulations, and it is a key concept in education. However, there is no specific formal education curriculum that is dedicated solely to teaching about consent in Cyprus. Nevertheless, the topic of consent may be included in various subjects and activities across the education system, particularly in the areas of health education, sex education, and personal development.

For example, the Ministry of Education and Culture has developed a health education curriculum for primary and secondary schools in Cyprus, which covers a wide range of topics related to physical, emotional, and social health. The curriculum includes units on topics such as personal hygiene, nutrition, mental health, and sexuality, which may touch on the importance of informed consent in certain contexts. Additionally, the curriculum may include specific lessons or activities related to consent in the context of sexual health education.

Moreover, the Ministry of Education and Culture may provide training and guidance for teachers on how to address issues related to consent in the classroom. For instance, teachers may receive training on how to identify and respond to situations where students may not have given their consent or where there may be a risk of harm or exploitation.

Furthermore, organizations such as the Cyprus Network for Human Rights Education (HRE) and the Cyprus Pedagogical Institute may also provide resources and training for teachers on how to integrate the concept of consent into their teaching practice. The HRE principles emphasize the importance of promoting respect for human rights, including the right to informed consent, and may provide guidance on how to address issues related to consent in a variety of contexts.





## GERMANY

Germany does not have a centralized education system, therefore each of the sixteen German Federal states (Länder) is solely responsible for its education system and education policy implementation. Generally, the term 'consent' in the German context is associated with either gender, equality, age of consent, sexual consent or sexual diversity in the school context.

Policies and measures valid throughout Germany, at national level

Nationwide policies in Germany, spanning both federal and state levels, prioritise the well-being and rights of children and adolescents. The UN Convention on the Rights of the Child, notably Articles 2, 13, and 19, alongside Article 3 of the Basic Law, emphasise non-discrimination and protection from violence. The Basic Law reinforces equality

principles, prohibiting discrimination based on various criteria.

"Pedagogical action in schools is based on democratic values and attitudes that can be derived from the fundamental rights of the Basic Law and from human rights. The non-negotiable core of the free democratic basic order includes [...]the inviolability of human dignity, respect for human rights including children's rights, the right to free development of the personality, freedom of faith and conscience, the equality of all people before the law and in all social institutions, irrespective of gender, origin, religion, disability or sexual orientation [...]". These are some of the recommendations of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany (KMK) on democracy education (updated 11.10.2018).

### **Policies and measures about consent valid throughout Germany, at Federal level**

At the federal level, all German state constitutions cover important aspects such as gender identity, sexual orientation, gender equality, sex education, cultural practices, peace education, human rights education and

rights education. The common goal is to promote the school as a place of tolerance and cosmopolitanism and to foster understanding and acceptance within different communities. The following section looks in more detail at



how the topic of consent is addressed in the various primary school curricula.

### **Consent in the primary school curricula of the various German Federal States**

The following Federal States actively address consent in their curricula.

- **Berlin / Brandenburg**

In lessons and school life, students in Berlin and Brandenburg address and appreciate the diversity of sexual orientations, promoting an understanding of different lifestyles. Various learning opportunities are offered by the subjects of science, political education and natural sciences, biology, ethics (Berlin), life design-ethics-religious studies (Brandenburg), history, German and foreign languages. There are links to the overarching themes of democracy education (e.g. school culture, school community), sex education, gender mainstreaming (e.g. gender roles, gender identity, gender expression), health promotion (e.g. eating disorders, suicide risk) and violence prevention (e.g. bullying).

- **Bremen School Act and Bremen School Administration Act**

Bremen's primary education emphasises holistic development, focusing on individuality alongside common educational processes. It aims to provide basic education encompassing cognitive knowledge and personal, social, and methodological competencies, fostering positive self-esteem and a differentiated self-concept.

- **Hessian School Act**

Sexuality education in Hesse aims to address social developments and age-appropriate topics, including the human body, family structures, and sexual orientations, integrating them into various subjects. It seeks to enable moral decisions, understanding of human partnership, and a sense of responsibility, emphasising inclusivity and respect for diverse cultural and religious values.





– **School Act (SchulG) Rhineland-Palatinate**

At the primary level, topics include understanding differences between sexes, preparing for puberty, exploring identity and gender roles, as well as learning about human life's origin and development. Additionally, the curriculum covers aspects of friendship, emotions, love, and various family forms, alongside addressing the prevention of sexual violence by establishing healthy boundaries. Children's topics are approached gently and age-appropriately, avoiding a solely anatomical focus.

– **Order of the School System in the Saarland (School Order Act - SchoG)**

In primary schools, the curriculum emphasises teaching pupils to perceive, appreciate, and responsibly engage with the diversity of their natural and social environments. It also focuses on fostering understanding of gender equality and promoting the right of all individuals to shape their living conditions. Tasks of general educational importance include addressing topics such as media literacy, health, partnership, sexuality, and violence prevention in an interdisciplinary manner.

### **Sexual abuse of children in Germany**

According to the Police Crime Statistics report (2023), 17,704 children under the age of 14 were victims of sexualised violence last year (2020: 16,921). 2281 of them were younger than six years. The perpetrators: babysitters, fathers or acquaintances. Cases of distribution, acquisition, possession or production of so-called child pornography more than doubled last year. 39,171 such cases were reported to the police. This corresponds to an increase of 108.8 per cent (2020: 18,761). The number of cases of distribution or possession of juvenile pornography rose to 5105 (2020: 3107).

According to the police statistics, the number of children and adolescents who disseminated, possessed or produced abusive images, especially on social media, has also increased more than tenfold in Germany since 2018. While there were 1373 underage suspects at that time, their number rose to 14,528 last year.

In order to increase public awareness of the danger of sexual violence in the direct environment of children and young people, there is now a new, nationwide campaign called ["Don't push the thought away!"](#) that



started in 2022 against sexual violence against children and young people. It wants to sensitise the public that abuse mainly takes place in the close environment of children.

Moreover, teachers have access to [School against sexual violence](#). Specialist portal for protection concepts. On this portal, schools can find information and assistance in developing concepts for protection against sexual violence. State-specific offers and regulations are listed at the end of the respective topic area.

For instance, a digital training - basic knowledge on child sexual abuse is included on the portal. The Independent Commissioner on Child Sexual Abuse and the education authorities of the Länder provide a free digital training course of about four hours, a "serious game", on child sexual abuse. The course "**What's wrong with Jaron?**" provides school staff with basic knowledge in a practical way. Only those who know what sexual violence means, who commits it and how it is planned can understand the importance of protection concepts and support their development. The course is recognised throughout Germany as further training.

Under the heading: [Tips, Materials](#) there are many websites and projects on prevention aimed at teachers, children as well as parents.

Some Germany-wide initiatives and programmes for the prevention of sexual abuse:

- [Trau Dich! Dare!](#) Nationwide initiative for the prevention of child sexual abuse by the Ministry of Family Affairs and the Federal Centre for Health Education.
- Theatre pedagogical workshop: "[My body belongs to me](#)" and other plays for school classes of different grades on the topic of sexual violence.
- "[#ANDYOU? Make yourself strong!](#) Against sexual violence among young people": The model project of the Federal Ministry of Youth implemented by Innocence in Danger e.V. contains a package of measures for the prevention of sexualised (digital) peer violence. It also includes workshops for the different target groups: Young people, parents and educational professionals
- [ByeDV - Beyond Digital Violence:](#) Capacity Building for Relevant Professionals Working with Children



and Young People Who Experienced Sexualised Violence Using Digital Media

- ["What to do against sexual abuse?"](#) Ben and Stella know what to do! is an educational and prevention concept to protect girls and boys with

impairments from sexualised violence. It is aimed at children and young people aged 8 - 18 years with cognitive impairments and/or developmental delays, as well as a possible additional physical and/or hearing impairment.

In summary, the legal and school policy framework against sexualised violence in Germany is well developed despite the high number of cases of child sexual abuse. Schools, teachers, educators and children are well sensitised and there are a large number of projects, initiatives and programmes nationwide that indirectly deal with consent.



## GREECE

In Greece there is no institutionalized way of introducing the concept of consent in formal education. The country's formal education does not include the concept of consent as a part of the educational process either in a compulsory or in an optional context. In fact, although it is linked as a concept to Children's Rights, it is precisely because it tends to be linked to issues of sexuality that it is another taboo subject. Given that sex education is not included in the official Greek education system at any level, the concept of consent is also excluded.

Even nowadays, issues related to body safety and self-determination as well as sex

education remain outside of school. Of course, this is also related to the fact that teachers in Greece are not trained in issues related to consent as part of their compulsory education. Many times they wish to talk to their students about life skills - such as consent - but, not knowing the appropriate way, they are discouraged.

Latest data from 'The Smile of the Child' confirm the need to shield children from all forms of violence, in every situation where something happens to them without their consent. According to the TSoC, 40,735 children were supported with prevention, response and treatment activities in the field



of violence during the last six months. There was a 174% increase –in the last six months- in the number of students, teachers and parents/guardians who participated in prevention interventions on Domestic Violence and Bullying, indicating the need for preventing violence. Overall, there has been a 34.73% increase in the number of reports involving violence against children from 2021 to 2022 to the National Hotline SOS 1056, while parents kept calling for advice related to issues of interpersonal relationships.

Often, parents and teachers, sharing the same insecurity about referring to such concepts, seek out experts to address children. The Smile of the Child, the most experienced organization in managing child protection issues in Greece, according to Focus Bari's research (2022), is often called upon and takes on this role. Specialized psychologists of the Organization, formulating educational interactive tools approved by the Ministry of

Education and the Institute of Educational Policy, carry out a series of actions at all educational levels.

Through experiential workshops, children aged 8-12 explore the safe boundaries of their bodies, approaching concepts such as personal space, self-determination of the body, respect for myself and those around me, and consent. Through play and role-play, children understand ways to say and accept denial, developing their social skills. Corresponding interventions at the level of prevention concerning sex education are also carried out with parents and teachers.

However, the necessity of creating this guide is reflected in the fact that there is as yet no official handbook for teachers. Our aim is to gather good practices and supporting exercises that teachers can use to introduce the concept of consent to primary school children.



 ITALY

According to a publication by the European Commission (Picken, 2020), there are multiple terms that can be used both on national and international levels to describe school-based education that covers sexual and reproductive health and life. When it comes to Italy, different terminology is used in various publications.

The term most used in the recent publications and resolutions by World Health Organization, UNESCO and the European Parliament is “sexuality education”, which can be linked with the more broadly defined areas of citizenship education, life skills education, and health education. Indeed, in the recent decades, sexuality education has been applied more frequently in the EU Member States not only as a means of educating students on the biological aspects of sexual and reproductive health, but also as a way of improving gender equality, human rights, and people’s well-being. At the same time, the implementation of sexuality education in the different countries remains highly varied, depending on the content, delivery mode and its purpose. In a case study (Fontana, 2018) revealing the

situation overview in Italy, the term “Relationship and Sex Education” (SRE) is used to refer to the result of sex education and relationship education, compiling both the biological aspects of reproduction and risk prevention, as well as the ethical, psychological and emotional aspects of sexuality. This term therefore links the general topics regarding sexuality together with emotions, consent, and mutual respect. At the same time, it is noted that in many countries the two dimensions are not well integrated within one another. The educational initiatives often tend to focus on just one of the two aspects, and Italy remains one of such cases.

While discussing the implementation of SRE initiatives in Italy, it is important to note that it is not set as mandatory in the school curriculum. On a national level, there exists the framework of school autonomy, which gives schools the freedom to make decisions about the curriculum implemented. (Eurydice. (n.d.). Based on this, schools can individually define and flexibly adapt their curriculum and teaching paths, and they can expand their educational program to better meet the needs



of the community's cultural, social, and economic context. (Fontana, 2018).

In accordance with the framework of the school autonomy, schools continue to be the primary institutional actor when it comes to implementing the relevant curriculum for young people between the ages of 8 and 19, as the Ministry of Education is not directly responsible for coordinating SRE. As a result of this, the implementation of SRE programs in Italy remains highly individual, and there is a display of uneven geographical distribution and standards regarding its implementation. The curriculum could differ from region to region and also from school to school in the same area. In some cases, educational institutions start discussing these topics from an early age, even at kindergarten - from the basis of human rights education to more difficult topics related to consent, the respect of one's personal space, freedom of speech, and finally the issues related to sexuality. In some other cases, instead, the curriculum does not include any of the topics above. Often, SRE programmes in Italy focus more on the

biological and risk-prevention elements rather than the psychological, societal or emotional aspects.

In 2018, UNESCO developed and promoted the now widely accepted definition of Comprehensive Sexuality Education (CSE), which refers to the curriculum-based process of learning about the cognitive, emotional, physical and social aspects of sexuality. (Chinelli et al., 2022) Even though it is not mandatory in the school curriculum in Italy, CSE has been shown to have a positive impact on youngsters as it reduces the risks they may encounter when having sexual intercourse. These risks include teenage pregnancy and abortion; Sexual Transmissible Diseases (STIs); sexual abuse; and homophobia. According to Italian teenagers, the fact that it is not mandatory in the school curriculum can lead to negative sexual experiences (Damilano, 2022). Similarly, as the information provided at schools is often limited, it leads teenagers to look for information online instead (Rosaria, 2018).



### Impact of COVID-19 Pandemic on Child Abuse

The COVID-19 pandemic made child abuse issues in Italy more severe, with a significant rise in cases reported by the Italian Ministero Dell'Interno (2022). In 2021, 6248 cases of crimes against minors were identified, among which 64% concerned girls. Besides, 1332 of the cases were regarding sexual violence against minors, among which 88% concerned girls. This was the first time that numbers were so high. More specifically between 2004 and 2021: mistreatment against minor family

members and cohabitants went up 233%; aggravated sexual assault went up 88%, and child pornography went up 419%. Overall, almost all types of abuses against minors went up with some exceptions such as child prostitution which decreased by 52% between 2004 and 2021. The latter could be due to the lockdown and individuals staying more at home, henceforth hindering the possibility of child prostitution.

**MINORI VITTIME DI REATI IN ITALIA**

Dati consolidati del Servizio Analisi Criminale della Direzione Centrale Polizia Criminale

	2004		2020		2021		Δ	
	vittime <18	%	vittime <18	%	vittime <18	%	2004 2021	2020 2021
Omicidio volontario consumato <sup>2</sup>	27	59%	14	43%	19	42%	-30%	-36%
Violazione degli obblighi di assistenza familiare	478	51%	561	50%	500	45%	-5%	-11%
Abuso dei mezzi di correzione o di disciplina	129	47%	257	45%	296	37%	129%	15%
Maltrattamenti contro familiari e conviventi	751	50%	2.377	53%	2.501	54%	233%	5%
Sottrazione di persone incapaci	84	49%	246	48%	268	51%	219%	9%
Abbandono di persone minori o incapaci	234	38%	469	43%	488	47%	109%	4%
Prostituzione minorile	89	82%	37	73%	43	67%	-52%	16%
Detenzione di materiale pornografico	13	77%	100	83%	66	82%	408%	-34%
Pornografia minorile	36	61%	248	74%	187	69%	419%	-25%
Violenza sessuale	740	81%	554	88%	714	87%	-4%	-29%
Atti sessuali con minorenne	364	79%	350	80%	412	83%	13%	18%
Corruzione di minorenne	131	77%	138	73%	136	76%	4%	-1%
Violenza sessuale aggravata	262	76%	438	89%	618	88%	136%	41%
<b>Totale</b>	<b>3.311</b>	<b>63%</b>	<b>5.789</b>	<b>65%</b>	<b>6.248</b>	<b>64%</b>	<b>89%</b>	<b>8%</b>

\* Dati operativi - fonte D.C.P.C.

Monitoraggio Dei Reati Commessi Sui Minori in Italia: Nel 2021 Più Di 6mila Casi, 2022



### **Initiatives and Campaigns to Address Consent**

Some organizations in Italy provide services and create campaigns to raise awareness about consent. For instance, in 2018, Amnesty International Italia created the campaign #IoLoChiedo (#IAsk in English). They wanted to shed light on the culture of consent among young women and men aged 16 to 24 years old. Their main demands were based on the Istanbul Convention that Italy does not fully respect, although the country signed it in 2012. Amnesty International Italia argued that Italy still considers that physical violence is necessary for a sexual act to be considered rape, whereas the Istanbul convention states that consent has to be given freely and has to be appreciated by taking the context and situation into account. The outcome of this campaign was mainly characterized, in 2020, by an educative manual for teachers, trainers,

educators and activists, particularly for the ones working with youngsters on violence and gender-based violence.

Articolo12, an organization that aims to respect, protect, and promote the rights of children and teenagers, tackle these issues of lack of sex education and others at school. Their main activities concern helping organizations and adults, children, as well as young people with educational material to ensure that children's interests are respected. They do so through participatory qualitative research. The organization indicated that the voices of children and teenagers were often not heard in these debates, while they should be the ones expressing whether they wish to have sex education classes at school, somewhere else, or not at all.







## SPAIN

With regard to formal education in Spain, it is contemplated by the law the effective need to foster notions of consent in the public education curricula. After the Children and Adolescent Conference that took place in 2021 a series of agreements were enacted. The Organic Law 8/2021 on the comprehensive protection of children and adolescents against violence<sup>2</sup> establishes prevention, denunciation and coordination of actors as basic pillars to eradicate this kind of abuse.

This strategy also makes reference to education, as it broadens the focus to include measures aimed at preventing the sexual exploitation of children and adolescents as a whole. The promotion of gender equality and coeducation are essential for the prevention of this problem. In this regard, the new Education Law (LOMLOE) introduces a new subject in primary and secondary education on civic and ethical values, which will pay special attention

to equality between women and men. Additionally, in Baccalaureate it will be part of the curricula to consolidate personal, affective, sexual and social maturity that will allow to foresee, detect and solve possible situations of violence.

Sexual exploitation is a serious violation of human rights that affects above all vulnerable communities that suffer structural discrimination based both on gender and age. According to the analysis of sentences from the years 2019-2021, it is estimated that in Spain around 10-20% of its population has suffered any kind of abuse during infancy.

44.7 % of the abuses produced go from ages 13 to 16, but the average age in which children start to suffer these abuses is at 11. The gender difference cannot be disregarded: 78.9 % of the cases of assault were of girls and adolescents.<sup>3</sup>Due to the intersection of gender and age, young girls are in the most vulnerable

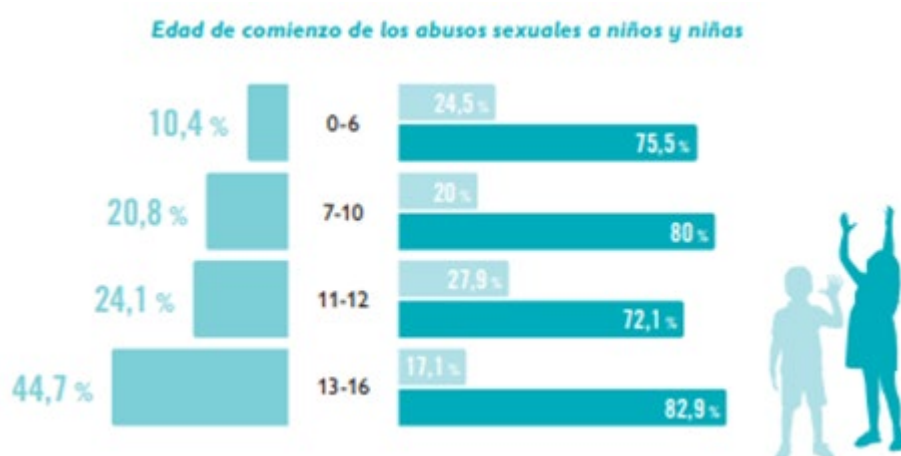
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<sup>2</sup> [https://www.mdsocialesa2030.gob.es/derechos-sociales/infancia-y-adolescencia/PDF/Conferencia\\_Sectorial/16062022\\_report\\_Certificacion\\_Acuerdo\\_05052022.pdf](https://www.mdsocialesa2030.gob.es/derechos-sociales/infancia-y-adolescencia/PDF/Conferencia_Sectorial/16062022_report_Certificacion_Acuerdo_05052022.pdf)

<sup>3</sup> [https://www.savethechildren.es/sites/default/files/2021/11/Los\\_abusos\\_sexuales\\_hacia\\_la\\_infancia\\_en\\_ESP.pdf](https://www.savethechildren.es/sites/default/files/2021/11/Los_abusos_sexuales_hacia_la_infancia_en_ESP.pdf)



position when it comes to sexual or physical assault.



The State provides many strategies to fight sexual violence on children. According to the Law 10/2022, the Spanish educational system will integrate contents based on coeducation and feminist pedagogy on sexual education and gender equality. The curricula of all educational stages will include formative contents on appropriate internet use.

Apart from education, prevention, and sensitization in the scholar system, the National Health Plans will include a section on prevention, detection and comprehensive intervention against sexual violence.

Institutional campaigns of prevention and information will be held to fight against ideologies that foster sexual and gender violence, sexual exploitation, and pornography consumption.

Prevention in the digital and communication areas will also promote freedom of expression and violence awareness. Advertising that promotes gender stereotypes for children will be unlawful.

Other private organizations that also fight against gender and child abuse in Spain are FAPMI<sup>4</sup> or ACASI<sup>5</sup>.

<sup>4</sup> <https://fapmi.es/>

<sup>5</sup> <http://www.acasi.org/>





## TURKEY

Although there have been projects based on awareness raising of adolescents in the formal education environment, especially at the national level, in recent years, these do not cover the whole country, and when the project period ends, continuity cannot be ensured due to the termination of the awareness training. During the training process of pre-school, primary and secondary school teachers, the subject of sexual education should be included in the curriculum. There is no coverage of the subject as a compulsory course in teacher training undergraduate programs. Teachers and teachers candidates in Turkey are not trained in issues related to consent as part of their compulsory education. Therefore, this issue needs to be supported by in-service training. The Ministry of National Education has prepared a guide for children exposed to sexual education, abuse, etc. in Turkey. There

are guides that theoretically describe what school administrators and teachers can do when faced with such situations. In addition, it is a legal obligation for the administrators to report these situations that constitute a crime. Although the information in the guide and the projects put forward by the Ministry to improve the process are considered beneficial, the number and scope of preventive studies should be increased.

It is known that the research is aimed at eliminating the problems rather than being preventive. For this reason, it is important for teachers at all levels to introduce the concept of consent to children and to know the activities that will support children to form their own self-perception in a healthy way.



## International Guidelines

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### Early learning



From the age when children begin to understand and perceive the presence of other physical persons around them, the process of training them in a number of skills begins. We teach children how to eat, how to talk, how to brush their teeth or wear their shoes. Each developmental stage is characterized by small conquests. The road to independence has many challenges and lessons for each child, as long as we are there as caregivers and provide stimulation. So why shouldn't the concept of consent be another important aspect of a child's independence? Why should we exclude the body and its safety from a child's education?

- **The sooner we start talking about consent to a child, the better results we will have.**
- **When a child asks for consent-related details, it is ready to receive an answer that is able to understand according to its age and ability to comprehend.**



- **Assist your child in realizing that they own their bodies and have the authority to make decisions about them.**
- **Allowing your youngster to choose whether or not to accept a hug or kiss from family members or friends, falls under this category.**
- **By observing other people's body language, you may teach your child to pay attention to and respect others' signs about their own boundaries. When someone sits too close to them, for instance, a person may take a few steps back to protect their space or they may move slightly closer.**
- **Practice with your child what they can say and do if they find themselves in an uncomfortable position.**
- **Encourage your child to speak up if something does not feel right.**
- **Encourage your youngster to solicit permission (e.g. ask first if you can give someone a hug).**
- **Your child should learn to heed "no" signs. For instance, if a youngster tells your child to stop roughhousing with them and they do so, they must obey that order.**
- **Conversely, say the same "no" to family members and friends. For instance, they should heed your child's request to stop being tickled if you tell them to.**
- **Inform your child about online safety and privacy. Educate children on the value of asking for consent before posting anything, such a photo or a video, that is about another person.**



## Boss of my own body



Unwanted touching is immoral and forbidden by the law. Early discussion of this topic, the proper naming of body parts, and teaching your child which body parts are "private" will help them comprehend what is appropriate and inappropriate behavior. When someone says "no" to them, they should always accept that person's decision. Insist that your youngster pay attention to their feelings when they are touched and those "uh-oh" sensations. Even if a touch feels pleasant, if the recipient experiences an "uh-oh" sensation, the touch is inappropriate.

- **What happens to your body is up to you to decide.**
- **Nobody has the right to touch you without your consent.**
- **It is not impolite to ask someone not to touch you.**
- **Consent entails consistently deciding to uphold others' boundaries.**
- **Observing someone's limits demonstrates your concern for them.**
- **You have every right to say 'no' to people you love.**



## Children' secrets



Children often have secrets and that's okay. It's perfectly normal to keep things to themselves or their friends to the exclusion of adults. We can't and don't need to know everything as their caregivers. The most important thing is to make them understand those criteria by which they should 'filter' their secrets to know if it is okay to have them or if they need to share them with an adult to keep themselves safe.

- **There is no secret that makes me ashamed, scared and unable to sleep at night. Anything that makes me feel uncomfortable, I need to share with an adult I trust.**



**“Yes” is “Yes” and “No” is “No”**



In all circumstances the child has every right to refuse. The child may refuse or consent regardless of whether the persons proposing something are persons familiar to it or not. Children can and have the right to say 'no' to their parents and to dear relatives or friends. A child who knows when and why he or she agrees or refuses to consent has boundaries, is free, independent and therefore safe.

- **“Yes” should be interpreted as “yes” and respected as well.**
- **“No” should be interpreted as “no” and respected as well.**
- **“I am not sure” means “no”**
- **“I need some time to think about it and decide” means “no”.**
- **“Whatever you want” is not an answer.**





## Experts by experience



It is important to familiarize children with the concept of consent in an experiential and positive way. The context becomes clearer when it is playful at ages 8-12, as the message comes through play, a good and functional relationship with the body and those experiences where things went well.

- **Let us open our hands in an imaginary circle around ourselves and try to think that this created space is our personal space.**
- **No one has the right to invade my personal space without my permission.**
- **I have no right to invade the personal space of those around me without their permission.**



## Consent and consciousness



Important parameters in the concept of consent are the conditions under which one is able to consent or to express one's refusal. Children can express and perceive refusal or consent in a number of different ways other than verbalization. Of course, a prerequisite for the possibility of consent or non-consent is that a child must be able to consciously perceive the circumstance he or she is being asked to approve or reject. Factors such as cognitive immaturity, confusion, substance abuse or a situation of blackmail influence the child's judgment and negate any notion of consent even if it has been given. Similarly, it is important to make it clear to children that they do not have the right to seek consent from a child with the above deficits if they are unable to understand and respond accordingly.

- **When someone has not understood what it is that I am asking their consent for, I cannot expect an answer either positive or negative.**
- **When someone is asleep or not in a state of alertness he cannot give me his consent.**
- **Even if I consented yesterday, it does not mean that I will consent today.**
- **When I am angry or frustrated I am not able to give my real consent. The same is true when I ask for consent from another person.**



## Ways to say “No”



From an early age we teach children to accept and agree to conditions often within their boundaries. The acquisition of boundaries is, after all, a safe educational framework for each child to develop both freedom and independence. What happens, however, in those cases where a child wants to refuse but this desire is contradicted by a fear of appearing rude? To begin with, it is important to disconnect denial from rudeness in each child. It is okay to refuse using ways that are functional and within the norms of social behavior and interaction. So, just as we would shield a child by teaching them to accept, it is equally important to teach them to refuse and to recognize and accept refusal from other children accordingly.

- **I can express my disagreement in many different ways.**
- **I can say no or yes in many ways even if I don't speak.**
- **Reluctance means lack of consent.**
- **If I don't answer or I don't get an answer it means no. I have not given or received approval.**
- **I can nod no or yes.**
- **If I am not sure if I have the other person's consent I can ask affirmatively.**
- **Taking a step back with my body means I am not consenting.**
- **Avoiding making eye contact might mean I am not consenting.**



## Consent phrases

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“Can I give you a hug? It is ok if you don’t feel like it.”

“Do you need a break from hugging? Is it still ok with you?”

“With which toy would you like to play today?”

“Do you want to hold hands when we walk?”

“Can I sit next to you?”

“Can I help you with dressing up?”

“I believe you”

“Thank you for letting me know”

“You do not deserve this”

“Let me see how I can help you”

“Do you need some time with yourself?”

“We will not do it, unless you say so.”

“It is ok if you do not feel like hugging grandma.”

“You have every right to refuse if you do not feel like doing it.”

“Did you ask your friend for permission?”

“Did your friend agree on this?”



## Seven steps to CONSENT

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In order to be able to integrate theory into the everyday practice of teachers and students, it is necessary to speak their language. It is important that all the theory is communicated to children in an interactive, experiential and playful way. This could be achieved through the creation of specific experiential tools that are organized in workshops. Each workshop would aim to approach in an attractive way for children those theoretical foundations which will form the basis for the development of the concept of consent in the everyday practice of each child.

After thorough study and consultation, the partnership concluded to develop the following seven (7) lesson plans:

1. Dealing with 'no'
2. Let's agree to disagree
3. Delivering the message
4. Mirroring respect
5. There is no 'must'
6. Me and my 'nos'
7. My space

The above suggested lesson plans will be developed by the Consortium, based on each partner's previous experience and expertise, according to a common layout that contains experiential activities to be conducted in the classroom. The final experiential learning plans, will be transferred to the web platform and will be tested on a later stage to primary school teachers at national level in all project countries (Croatia, Cyprus, Germany, Greece, Italy, Spain & Turkey).



## Conclusions

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This guide aims to examine and ultimately reinforce the importance of introducing and developing the concept of consent for every child of ages 8-12 years old. The goal is approached holistically through the empowerment and training of children's trusted people within the school community, the key socialization agency. Crucial to the methodology of the approach is Human Rights Education (HRE), which through its principles works in support of our goal of empowering students and teachers.

Through this guide we have the opportunity to focus on Human Rights Education (HRE) and the ways in which it can enhance the educational process through the principles that underpin it. Subsequently, it would have been impossible to begin to address the concept of consent without having defined its full content. Having defined the concept of consent -as it is also defined in the literature- we approach its social implications as a skill useful for life. After all, skills such as setting boundaries and consenting or not are enduring challenges for humans at every developmental stage.

Moreover, the current legal framework on the concept of consent in the partner countries of this guide is presented, as well as the legal guidelines that apply and frame the term whether it refers to consent to a sexual act or not. Another part of the guide refers to whether consent and its teaching is part of the basic training among teachers in the partner countries. In addition, the guide provides useful expressions on the concept of consent for teachers, parents and carers in general, highlighting the importance of 'right' words used.

However, this guide aiming to cultivate consent would not be considered complete if it did not include not only the theoretical background but also the practical part of it. This objective is fulfilled through the presentation of the seven lesson plans, which smoothly and sequentially introduce children to a series of concepts that contribute to the holistic nature of the concept of consent.

In conclusion, divergences and differences are observed in terms of the concept of consent both legally and at the level of teachers' studies among the partner countries. As a consequence, the necessity of having the guide as a useful tool in the hands of every teacher is reinforced.



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*Note: The online references were accessible by October 10, 2024. After this date, the project partners cannot guarantee the accessibility of the online resources.*





# Message Consent

<https://messageconsent.eu/>

