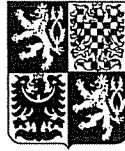


THE PARLIAMENT OF THE CZECH REPUBLIC

SENATE



7th term

255th RESOLUTION

OF THE SENATE

delivered on the 9th meeting held on 22nd July 2009

on Proposal for a Council Framework Decision on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA

(Senate Press no. M 042/07)

The Senate

I. Regards

the fight against child abuse as a crucial area of cooperation between the member countries of the EU with regard to the extreme social gravity of this phenomenon and with regard to the vulnerability of victims of this criminal activity;

II. 1. States

that the harmonization of criminal law, when justifiable just as in this case, should be based to a greater extent on the common traditions and the current state of legal orders of the Member States;

2. Does not however agree

with the harmonization of criminal penalties in the way proposed by the European Commission in the framework decision, mainly because this does not take into consideration the different levels of social gravity of particular types of conduct and does not sanction it with adequate criminal sanctions;

3. Recommends

that forms of exchange of information on convictions between Member States be established, with the aim of providing tools for a possibility to disqualify certain offenders from exercising certain professions, or if appropriate to declare them incompetent with regard to exercise of certain professions and that a system of monitoring of related information be created, also including potential offenders;

4. Does not agree

with automatic recognition of decisions on disqualification from certain activities in all Member States and with overall general decriminalization of victims;

III.

1. Requests

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with further information on the proceeding of negotiations;

2. Authorises

the President of the Senate to forward this resolution to the European Commission.

Přemysl Sobotka
sign manual
President of the Senate

Rostislav Slavotínek
sign manual
Senate Verifier