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16 September 2014

LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe
Convention on the protection of children against sexual
exploitation and sexual abuse (T-ES)

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List of decisions 9th meeting

Strasbourg, 9-11 September 2014

Prepared by the Secretariat of the Lanzarote Committee

The Committee of the Parties (hereinafter referred to as “the Lanzarote Committee” or “the Committee”) to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (hereinafter referred to as “the Lanzarote Convention” or “the Convention”) held its 9th meeting in Strasbourg on 9-11 September 2014.

During this meeting, the Lanzarote Committee:

1. Took note of the entry into force of the Convention in Andorra.
2. Took note of the forthcoming entry into force of the Convention in Latvia and the progress in the ratification process by Azerbaijan, the Czech Republic, Germany and Monaco.
3. Was informed that the request made by Belarus to the Committee of Ministers to accede to the Lanzarote Convention is on hold as it requires a unanimous consent of the Parties to the Convention.
4. Was informed of the difficulties encountered by France, Greece and Malta in collecting and submitting their replies to the questionnaires on time and welcomed the news that these replies would be submitted as soon as possible.
5. Agreed that the Secretariat will contact the remaining Parties required to reply to the questionnaires but which have not yet submitted their replies (The Netherlands, San Marino and “the former Yugoslav Republic of Macedonia”) to encourage them do so as soon as possible.
6. Exchanged views on case-law on protection of children against sexual violence with Mrs Ksenija TURKOVIC, judge at the European Court of Human Rights, and Mr Luis JIMENA QUESADA, President of the European Committee of Social Rights.
7. Exchanged views on Article 23 (“solicitation of children for sexual purposes” also known as “grooming”) of the Lanzarote Convention and entrusted the Secretariat to prepare a draft opinion on Article 23 for its 10th meeting (2-4 December 2014).
8. Exchanged views on selected replies to the Thematic Questionnaire on the basis of the observations prepared by the Rapporteurs on Question 10 (The criminal offence of sexual abuse – Article 18 of the Convention) (Ms Klein, Austria) and Question 11 (Corporate liability – Article 26 of the Convention) (Mr Planken, The Netherlands).
9. Asked the Secretariat to prepare the relevant parts of the implementation report dealing with these Articles of the Convention on the basis of the discussions held on the observations prepared by the Rapporteurs.
10. Recalled that relevant national case-law may be transmitted to the Committee to facilitate its monitoring work.
11. Recalled that the Committee will adopt two implementation reports on the 1st thematic monitoring round, each dealing with a specific sub-theme. The first report will focus on the effective enforcement of the applicable legislation and its judicial procedures; the second report will look at the effects of the measures and procedures

adopted for preventing sexual abuse of children in the circle of trust, as well as the protection of children.

12. Recognised that the monitoring procedure through questionnaires and state reports has its limitations and decided that it would consider in a forthcoming meeting, the possibility of organising visits in states parties.

13. Agreed to organise a capacity building activity at INTERPOL headquarters in 2015.

14. Took note of the recent activities of the Council of Europe's ONE in FIVE Campaign to stop sexual violence against children¹.

15. Held de-briefings on the:

- ICMEC (International Centre for Missing and Exploited Children) meeting on Transnational Child Sex Offenders, held in Brussels, Belgium, on 15 May 2014 and its possible follow-up;
- World Congress of Associations of Women and Sports, held in Helsinki, Finland, on 12-15 June 2014;
- Council of Europe Conventions Information Seminar, held in Jerusalem, Israel, on 7-8 July 2014;
- Regional Conference on sexual abuse against children, held in Reykjavik, Iceland, on 2 September 2014;

16. Was informed of the following:

- Progress in consideration of the organisation of a European Day on the Protection of children against Sexual Violence;
- Future work of the new European Committee for Social Cohesion, Human Dignity and Equality (CDDECS) and its subordinated body, the Committee of Experts on the Council of Europe Strategy for the Rights of the Child (2016-2019) (DECS-ENF);
- Work being carried out by Missing Children Europe, ECPAT and eNASCO on the transposition of EU Directive 2011/93/EU in EU Member States;
- The elaboration of a Handbook on Children's Rights in Europe (based on relevant case-law) prepared jointly by the Council of Europe and the EU Fundamental Rights Agency (FRA);
- Progress in the preparation of a child friendly version of the Lanzarote Convention.

17. Adopted its first activity report and entrusted the Secretariat to transmit it to the European Committee on Crimes Problems (CDPC) and the Committee of Ministers for information.

18. Appointed the following Rapporteurs for the up-coming work on the replies to the Thematic Questionnaire:

- Mr George NIKOLAIDIS (Greece) on question 1 (Data collection);

¹ Please visit the ONE in FIVE website for up-to-date information on the Campaign: http://www.coe.int/t/dg3/children/1in5/default_en.asp

- Mr Charlie AZZOPARDI (Malta) on question 9.a (Legal safeguards to protect and assist the victims);
- Ms Joanna PAABUMETS (Estonia) on question 13 (Best interest of the child in investigation and criminal proceedings);
- Ms Maria José CASTELLO-BRANCO (Portugal) on question 14 (Child friendly investigations and procedures).

19. Agreed that the Secretariat would prepare the observations on question 12 (Aggravating circumstances).

20. Appointed Ms Ina VERZIVOLLI (Albania) to represent the Lanzarote Committee to the Committee of Experts on the Council of Europe Strategy for the Rights of the Child (2016-2019) (DECS-ENF).

21. Asked the Secretariat to prepare revised Rules of Procedure for its 10th meeting (2-4 December 2014) on the basis of the discussions held in previous meetings.

22. Took note that the dates for its next meetings are:

- 2-4 December 2014
- 17-19 March 2015
- 15-19 June 2015 (to be confirmed)
- 13-15 October 2015

In accordance with Rule 10, paragraph 4 of the Rules of Procedure and as the Lanzarote Committee has not decided otherwise, this list of decisions shall be made public.

In accordance with Rule 10, paragraph 5 of the Rules of Procedure, a full meeting report shall be submitted to the members, participants and observers of the Lanzarote Committee at a later stage.