



T-ES(2014)OJ2 Annotated_en

29 August 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)

.....

Draft Annotated Agenda

9th meeting

Strasbourg, 9-11 September 2014

Opening of the meeting: 9.30

Closing of the meeting: 18.00

Venue: Agora building, Room G01

DRAFT ANNOTATED AGENDA AND ORDER OF BUSINESS

TUESDAY 9 SEPTEMBER (MORNING)

1. OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND UP-DATE ON RATIFICATIONS OF THE CONVENTION

The Chairperson of the Lanzarote Committee will open the meeting. His opening remarks will be followed by a “tour de table” on progress by States in ratifying the Lanzarote Convention. He will also inform about any request for accession by non-Council of Europe Member States.

2. MONITORING OF THE IMPLEMENTATION OF THE LANZAROTE CONVENTION

2.1 Replies to the thematic questionnaire

- *Up-date by the Secretariat on replies received*

The Secretariat will provide a brief up-date of the situation.

- *Explanations provided by State Parties not having replied yet*

The 4 States Parties still not having submitted their replies (i.e. France, Greece, Malta and San Marino) will be invited to notify the Committee about the difficulties encountered.

2.2 This item will be dealt with on 10/09 afternoon – see below

2.3 Exchange of views on Article 23 (solicitation of children for sexual purposes) of the Lanzarote Convention

- *Replies to Question 16 of the General Overview questionnaire as regards Article 23.*

Presentation and remarks by John Carr on the implementation of Article 23 (“grooming”) based on the replies to question 16 GOQ and on other sources.

The Lanzarote Committee is invited to present any good practice in implementing Article 23 and to exchange views in particular on the difficulties encountered in implementing the provision.

- *Adoption of an opinion on Article 23 of the Convention*

Based on the exchange above, the Committee might wish to prepare/adopt an opinion on the implementation of Article 23 of the Lanzarote Convention.¹

¹ In this event, a text will be prepared and examined during the course of the meeting and finalised the last day (11/09).

2.4 Sexual abuse of children in the circle of trust: analysis of replies to the thematic questionnaire

- **Question 11: “Corporate liability”²**

Mr Planken (Netherlands), Rapporteur for this question will present document T-ES(2014)17.

The Committee is invited to respond to the issues the document raises, to discuss its suggestions and agree on the way forward.

- **Question 10: “The criminal offence of sexual abuse”³**

Ms Klein (Austria), Rapporteur for this question will present document T-ES(2014)19.

The Committee is invited to respond to the issues the document raises, to discuss its suggestions and agree on the way forward.

- **Question 12: “Aggravating circumstances”**

Since no Rapporteur came forward to prepare observations on the replies to this question, the analysis of these replies has been postponed. Any volunteer Rapporteur for this Question is warmly asked to contact the Secretariat before/during the meeting.

Under item 2.4 the Lanzarote Committee embarks on its monitoring work. It will dwell on this during the afternoon of 9 September, part of the morning and maybe also afternoon of 10 September and return to it on Thursday 11 September to possibly agree on a draft text that will feed into the implementation report for the 1st monitoring round (see Rule 27 of the Committee’s Rules of Procedure).

It is recalled that the Lanzarote Committee will be preparing parts of the implementation report in the course of its up-coming meetings in accordance with its monitoring calendar (see Appendix IV to the draft 1st activity report, document T-ES(2014)18)⁴.

All members, participants and observers are invited to intervene in the discussions and provide to provide further information with a view to cover the 26 Parties included in the monitoring round (i.e. Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Denmark, Finland, France, Greece, Iceland, Italy, Lithuania, Luxemburg, Malta, Republic of Moldova, Montenegro, Netherlands, Portugal, Romania, San Marino, Serbia, Spain, “The former Yugoslav Republic of Macedonia”, Turkey and Ukraine).

² The analysis of the observations on the replies to the questions on the agenda of this meeting will start with this question as Mr Planken may not attend the meeting but has agreed to present document T-ES(2014)17 by video conference at 2 pm on 09/09.

³ Depending on discussions on the previous items (grooming and corporate liability) Ms Klein’s presentation might be at the end of the afternoon of 09/09 or at the beginning of the morning on 10/09.

⁴ The draft activity report is online at:

[http://www.coe.int/t/dghl/standardsetting/children/T-ES\(2014\)18_en_DraftActivityReport.pdf](http://www.coe.int/t/dghl/standardsetting/children/T-ES(2014)18_en_DraftActivityReport.pdf).

The documents containing observations on the replies are not on line as they are work in progress as agreed by the Committee during its last meeting. They will be online as soon as the Committee agrees on a text which may also take into account information from those States which have not replied to the questions yet (or have not provided sufficient information).

WEDNESDAY 10 SEPTEMBER (MORNING)

2.4 item continued: Analysis of replies to the thematic questionnaire

at 11 am

3. CAPACITY BUILDING ACTIVITIES AND EXCHANGE OF INFORMATION

3.1 Presentation of possible forthcoming capacity building activities

The Secretariat will inform the Committee of a possible capacity building activity at INTERPOL headquarters in 2015.

3.2 Update on the ONE in FIVE Campaign initiatives

The representatives of the Council of Europe Parliamentary Assembly and Congress of Local and Regional Authorities as well as the Secretariat will inform the Lanzarote Committee about recent ONE in FIVE Campaign initiatives.

3.3 Information sharing on other initiatives related to the fight against sexual violence against children

Information will be shared, *inter alia*, on:

- ICMEC meeting on Transnational Child Sex Offenders, held in Brussels, Belgium on 15 May 2014 and its possible follow-up
- Council of Europe Conventions Information Seminar, Israel, Jerusalem, 7-8 July 2014
- Progress in consideration of the organisation of a European Day on the Protection of children against Sexual Violence
- The future work of the new European Committee for Social Cohesion, Human Dignity and Equality (CDDECS)

All Lanzarote Committee members, participants and observers are invited to share information on any other relevant initiative related to the fight against sexual violence against children.

WEDNESDAY 10 SEPTEMBER (AFTERNOON)

2.2 Exchange of views on case-law on protection of children against sexual violence

Mrs Ksenija Turkovic, judge at the European Court of Human Rights and Mr Luis Jimena Quesada, President of the European Committee of Social Rights will briefly present the relevant recent case-law.

Their presentations will be followed by questions/answers on the case-law that is of relevance to the Lanzarote Committee's 1st monitoring round in particular.

4. OTHER BUSINESS

4.1 Examination of the Committee's draft 1st activity report

The Committee is called upon to adopt its 1st draft activity report (document T-ES(2014)18).

It is recalled that in its previous meetings the Committee decided that such a report should be a short factual document. Once adopted, the report will be transmitted to the European Committee on Crime Problems (CDPC) and the Committee of Ministers for information.⁵

To ensure the required visibility to the Committee's work so far, it is suggested to enquire whether the Lanzarote Committee's Chairperson may be invited to present the activity report to the Committee of Ministers.

4.2. Any other business

The Committee should appoint Rapporteurs for its forthcoming monitoring work. It is recalled that Ms Castello-Branco (Portugal) has indicated her availability to act as Rapporteur for question 14 (Child friendly investigations and procedures).

For the December 2014 meeting, Rapporteurs are required also for questions:

- 12 (Aggravating circumstances)
- 13 (Best interest of the child in investigation and criminal proceedings)
- 9.a (Legal safeguards to protect and assist the victims).

It is recalled that members, participants and/or observers in the Committee, including representatives of NGOs, may volunteer to act as Rapporteurs.⁶

The Committee may also wish to return to the issue of reconsidering Rule 2.1.3 of its Rules of Procedure to explicitly allow for the reimbursement of the travel and subsistence expenses for a second representative of the State Party chairing the Committee.⁷

THURSDAY 11 SEPTEMBER

On the last meeting day the Committee will be called upon to agree on the following:

- The part of the draft implementation report concerning the criminal offence of sexual abuse
- The part of the draft implementation report concerning corporate liability
- An opinion on Article 23 of the Lanzarote Convention (if the exchange of views on grooming leads to such an output)
- The list of decisions of the meeting

5. Dates of the next meetings

- 2-4 December 2014
- 17-19 March 2015 (to be confirmed)
- 16-18 June 2015
- 13-15 October 2015

⁵ See §§ 57-59 of the 8th meeting report ([document T-ES\(2014\)10](#)).

⁶ See § 56 of the 8th meeting report ([document T-ES\(2014\)10](#)).

⁷ See § 91 of the 8th meeting report ([document T-ES\(2014\)10](#)).