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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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Report

8th meeting

Strasbourg, 8-10 April 2014

Prepared by the Secretariat of the Lanzarote Committee

1. 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 8th meeting in Strasbourg on 8-10 April 2014. The agenda of the meeting, as adopted, appears in Appendix I. The list of participants appears in Appendix II.

1. Opening of the meeting and update on ratification of the Lanzarote Convention

2. Mr RUELE, outgoing Chairperson of the Lanzarote Committee, opened the meeting highlighting that it would primarily be dedicated to exchange views on horizontal issues to shape a general framework of reference within which the Committee’s monitoring work may set off as of the next meeting.

3. Ms RUOTANEN, Director of Human Dignity and Equality (DG II), welcomed the Committee drawing its attention to the fact that the Parliamentary Assembly was also meeting at the same time and that the Committee was warmly invited to take part in two side events organised by the Assembly, i.e.:

- Meeting of the network of Parliamentarians to stop sexual violence against children (8 April from 2pm to 3:30pm).
- Performance of “Wounded to death”, theatre show on violence against women (9 April from 2pm to 3:30pm).

4. The Committee then proceeded to its usual “*tour de table*”. It took note of the progress in the ratification process of the Lanzarote Convention by Monaco¹ and was informed that Belarus has asked the Committee of Ministers to accede to the Lanzarote Convention.

5. Ms AULA, representative of the Holy See informed the Committee about the establishment, on 22 March 2014, of the Pontifical Commission for the Protection of Minors aimed at combating paedophilia and preventing sexual abuse of children. She highlighted that the Commission consists of 4 women and 4 men of whom 3 are members of the clergy and 5 are non-clerical persons. The Commission, *inter alia*, shall also promote good practices and disseminate them within the Church. Ms AULA also underlined that, without questioning the principle of subsidiarity according to which cases of abuse should be dealt with by the local criminal justice, the Holy See has expanded opportunities to address some of these cases in its own courts. Instructions given to all bishops to exercise zero tolerance of abuse have, among other things, lead to systematic measures of suspension of potential offenders. In conclusion, Ms. AULA emphasised that the Holy See reaffirmed its determination to fight against the sexual abuse and exploitation of children.

6. The Committee welcomed these positive developments by the Holy See.

2. Monitoring of the implementation of the Lanzarote Convention

2.1 State of play regarding replies to the questionnaires

7. Mr POUTIERS, Co-Secretary to the Lanzarote Committee, pointed out that the Committee had set 31 January 2014 as the deadline for the replies to the general questionnaire and the thematic questionnaire. He then provided a rapid assessment of the situation as

¹ Information on new signatures/ratifications is regularly published in the news headlines of the Lanzarote Convention web page (www.coe.int/lanzarote). An up-to-date table of signatures/ratifications and list of declarations and reservations to the Lanzarote Convention is available on the Council of Europe’s Treaty Office web page (<http://conventions.coe.int>).

summarised in Appendix III. A total of 20 States Parties (out of the 26 which were required to reply to the questionnaires) replied. In addition, a further 8 member states of the Council of Europe which are not yet Parties to the Convention also answered the questionnaires. Lastly, 11 other stakeholders sent replies to one of the questionnaires. All of the replies received are available on the Committee's website.

8. The Committee then rapidly questioned the representatives of the states not yet having submitted replies to the questionnaires. It took note of the problems that Belgium, Bulgaria, France, Greece and Luxembourg had encountered in collecting the required data and submitting their replies in time and noted that these replies would be supplied as soon as possible. The Committee decided also to encourage the other States Parties who were supposed to have replied but had not done so yet and were not represented during the meeting (i.e. San Marino and "the former Yugoslav Republic of Macedonia") to send in their replies as soon as possible. Lastly, replying to a question by Ms RURKA, representative of the conference of INGOs, the Committee emphasised the importance it gives NGOs and other stakeholders' contributions to the monitoring process and agreed to clarify on its website that they could still submit their contributions.

2.2 Exchange of views on selected replies to the General Overview Questionnaire

9. Ms SCAPPUCCI, Secretary to the Lanzarote Committee, recalled that since its 2nd meeting (see §5 of the meeting report)², the Committee has considered that it should first acquire a general overview of the situation with regard to the protection of children against sexual exploitation and sexual abuse in terms of existing legislation, institutional framework and policies for the implementation of the Convention. The aim of this stocktaking exercise being that of having an overview of the situation that should serve as a basis for the thematic monitoring of the implementation of the Convention. During its 7th meeting, the Committee decided that the first transversal issues it should focus on to build this general overview were those covered by questions 1, 3, 5 and 6 of the General Overview Questionnaire. Thus the Secretariat was asked to compile the relevant replies to these questionnaires to allow it to exchange views on them during the 8th meeting.

10. The Committee welcomed the compilation of replies to questions 1, 3, 5 and 6 of the General Overview Questionnaire prepared by the Secretariat, and agreed that similar compilations should be prepared for all questions of the General Overview Questionnaire as well as for all replies to the Thematic Questionnaire. It considered the compilations as useful practical tools for anyone wishing to contribute to the fight against sexual exploitation and sexual abuse of children, and thus agreed to make them available online as soon as possible.

11. Ms SCAPPUCCI briefly explained that the Secretariat had also prepared working documents containing initial observations with respect to replies to questions 1 and 5a and b of the General Overview Questionnaires to facilitate the exchange of views. The Committee welcomed also these documents and agreed that they were useful tools for its analysis of the situation. It however considered that since they were the stepping stone for the Committee to conclude upon, they should not be published online but made available to all those convened to its meetings. The discussions stemming from the working documents as well the Committee's observations and eventual conclusions on them were to be reflected in this meeting report and thus are included below.

² The 2nd meeting report is online at:

http://www.coe.int/t/dghl/standardsetting/children/T_ES/T-ES_2012_004_report_2nd_mtg_07082012.pdf

On Question 1: Definition of a "child"

As to Question 1a) (the definition of a "child")

12. Ms SCAPPUCCI recalled that question 1a) asked whether the notion of a child in internal law corresponds to the definition of a child in Article 3, letter a) of the Convention, i.e. "any person under the age of 18 years", definition which mirrors the one of a child by the United Nations Convention on the Rights of the Child (UNCRC).

13. She pointed out that the replies submitted by States and other stakeholders revealed that this is indeed the case. In many countries, however, the notion of a "child" is framed differently depending on the contexts and may include the status of "minor", "juvenile", "young juvenile", "under-aged" person or other status depending on the minimum age set for the acquisition of legal capacity (e.g. to marry in exceptional circumstances) or the age of criminal responsibility.

14. The Committee was of the view that at this stage (stocktaking) there were no particular conclusions to be drawn with respect to the above mentioned different statuses. Instead, it agreed that during its monitoring process, when examining the impact of the above statuses on the protection of children against sexual exploitation and sexual abuse, it will pay particular attention to the respect of non-discrimination and the principle of the "best interest" of the child.

As to Question 1b) (presumption that a victim is a child)

15. Under this question, States were asked to indicate what legislative or other measures have been taken to ensure that when the age of a victim is uncertain and there are reasons to believe that the victim is a child, the protection and assistance provided for children are accorded to her or him in accordance with Article 11, para. 2 of the Convention.³

16. States' replies to this question point out that if there is uncertainty about their age and until its determination, victims are generally presumed to be children. The replies however did not always specify whether this presumption is based on legislative or other measures and whether the protection and assistance to be provided to children are actually fully accorded to them without any difficulties until their age is determined.

17. Some members of the Committee added that it should be borne in mind that concretely, the circumstance that the age of a victim may be unknown occurs when the victim has entered the territory of a State unlawfully. The replies to question 1b) therefore should be read within this context.

18. The Committee decided that during its monitoring it will pay particular attention to the effectiveness of the principle of presumption of minority until the age is determined.

As to Question 1c) (the age for sexual consent)

19. This question asked to specify the age for legal sexual activities as set out in internal law if it is below 18.

³ Article 11, par. 2 of the Lanzarote Convention: "Each Party shall take the necessary legislative or other measures to ensure that when the age of the victim is uncertain and there are reasons to believe that the victim is a child, the protection and assistance measures provided for children shall be accorded to him or her pending verification of his or her age."

20. Before indicating the different ages emerging from the replies to this question, the Secretariat recalled that the UNCRC Committee encourages States not to set unreasonably low ages for sexual consent. In this regard, it also warns against basing such an age on arbitrary criteria such as, for example, puberty.

21. Ms SCAPPUCCI also highlighted that Articles 19 (child prostitution), 20 (child pornography – not “sexting”) and 21 (participation of a child in pornographic performances) of the Lanzarote Convention do not contain a reference to the national minimum age for sexual consent. Thus, for criminal offences set out in these Articles, protection should be granted to all children until the age of 18, notwithstanding the national age of sexual consent, as pointed out in the Explanatory Report to the Lanzarote Convention (see *a contrario* para 46 of the Explanatory Report). In this respect it was also recalled that under Article 7§10 of the European Social Charter, the European Committee of Social Rights holds that States Parties must criminalise all acts of sexual exploitation of children under 18 years of age, irrespective of lower national ages of sexual consent. To comply with the European Social Charter, all children up to 18 years old should be granted special protection against prostitution, pornography and trafficking. Child victims of prostitution, pornography and trafficking should not be prosecuted for any act connected with this exploitation, irrespective of lower national ages of sexual consent.

22. The Secretariat then informed the Committee that from the replies received it emerged that the lowest national age for sexual consent was 13 in Spain. As announced by the Spanish authorities at the Lanzarote capacity building Conference in Madrid⁴ and confirmed by the Spanish replies to the questionnaire, increasing the age limit to 16 is being considered.

23. The Committee was also informed that, based on the replies received to question 1c), practically an equal number of countries have set the age for sexual consent at either 14 or 16 and many (but less) have set it at 15. Some of the replies (from Croatia, Italy, Montenegro, Serbia) reveal that where the national age for sexual consent is 14 or 15, there are specific criminal law provisions to ensure the protection of children from sexual abuse in the circle of trust. It was recalled that the effectiveness of these provisions will be assessed during the first monitoring round of the Lanzarote Convention (as of September 2014).

24. Some members of the Committee were of the view that the Committee might declare that a certain age is too low but it was agreed that it was premature to do so at this stage (stocktaking).

25. Meanwhile, the Committee exchanged views on the appropriateness of fixing a common European age for sexual consent but did not reach any conclusion in this respect either. It was in fact of the view that first it should examine why a specific age was chosen by a given country and what elements played a role in settling on this age and whether this age has been reconsidered over time.

On Question 3: Overview of the implementation

26. Ms SCAPPUCCI highlighted the very broad nature of this question which asked States to briefly indicate the main strands of their legislative framework and political commitments to implement the Convention. She recalled that the purpose of this question was indeed that of collecting information on the general framework of implementation of the Convention.

⁴ The speech (in Spanish only) is available at:
<http://www.coe.int/t/dghl/standardsetting/children/Madrid-%20Alberto%20Ruiz%20Gallardon%20SP.pdf>

27. The Committee noted that the overview emerging from the replies to this question should be borne in mind while conducting the thematic monitoring addressing and assessing specific issues.

28. The Committee also considered it might be interesting to know whether the ratification of the Lanzarote Convention prompted a comprehensive approach to ensure that all areas covered by the Convention were addressed together or whether the inclination had rather been that of tackling specific areas with focused amendments.

On Question 5: Specialised bodies/mechanisms

Question 5a) (independent institutions)

29. Mr POUTIERS recalled that question 5a) relates to Article 10, para. 2, letter (a) of the Convention⁵ and that under this question States were asked to indicate the independent institution(s) (national or local) in charge of promoting and protecting the rights of the child, to specify its/their responsibilities and indicate how resources are secured for it/them.

30. As to the context, Mr POUTIERS referred to General Comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child issued by the UNCRC Committee, and Article 12 of the European Convention on the Exercise of Children's Rights (CETS No. 160, of 25 January 1996, entered into force on 1 July 2000), according to which States have to put in place a national body for the promotion and the exercise of children's rights. In addition, he stressed that 43 ombudsmen for children of 35 Council of Europe member States are members of the European Network of Ombudsmen for Children (ENOC) and, as such, are independent since Article 4 of ENOC Statutes (Membership) specifies that full membership of ENOC is open to independent children's rights institutions.

31. Mr POUTIERS indicated that all the States Parties to the Lanzarote Convention have set up an institution in charge of promoting and protecting the rights of the child. Some have a specialised Ombudsman to promote and protect the rights of the child, others rather have a bureau dedicated to promoting and protecting the rights of the child within the general ombudsman's office and in a few States Parties the institution exists within a national parliament. A number of States Parties also referred to one or more institutions within public structures (mostly ministerial) in charge of promoting and protecting the rights of the child.

32. From the information gathered, it appears that most of the institutions in question are independent, except for those which come under public structures, such as ministerial structures. There is very little information however about the resources allocated to these institutions. Where information is provided, most of the time, it seems, the resources are too limited. It was underlined that a lack of sufficient resources makes it difficult for institutions to operate actively and may raise doubts about whether the situation in a particular country, as it appears from other sources of information, is in fact compliant with the Convention.

33. Lastly, Mr POUTIERS noted that replies received listed in some detail the responsibilities of these institutions. While the Lanzarote Convention does not indicate the responsibilities such institutions should have, he referred to the UN Committee on the Rights of the Child which has compiled a lengthy non-exhaustive list of the types of activities which institutions of this kind should carry out in relation to the implementation of children's rights in light of the general

⁵ Article 10, para. 2, letter (a) of the Lanzarote Convention:

"Each Party shall take the necessary legislative or other measures to set up or designate: a. independent competent national or local institutions for the promotion and protection of the rights of the child, ensuring that they are provided with specific resources and responsibilities;"

principles of the United Nations Convention (see General Comment No. 2 (2002) referred to above.

34. During the ensuing discussion, several Committee members pointed out that ombudspersons were not the only type of independent body in charge of promoting and protecting the rights of the child. Recognising that the Convention said very little about the criteria to apply to determine whether a body was independent or not, the Committee decided to hold an exchange of views at one of its forthcoming meetings with a representative of the European Network of Ombudspersons for Children (ENOC) to look into the criteria on which ENOC based itself when assessing how independent a specialised body was and what kind of role this type of body should be performing.

35. The Lanzarote Convention did not specify the type of task to be carried out by these bodies/mechanisms either. As a result, the Committee decided that the applicable UN standards such as General Comment No. 2 (2002) of the UN Committee on the Rights of the Child (The role of independent national human rights institutions in the promotion and protection of the rights of the child), or article 12 of the European Convention on the Exercise of Children's Rights (CETS No. 160) could serve as a reference to assess the tasks to be carried out by these bodies/mechanisms.

Question 5b) (mechanisms for data collection)

36. Mr POUTIERS, recalled that question 5b) relates to Article 10, para. 2, letter (b) of the Convention⁶ and that under this question, States were asked to indicate which legislative or other measures have been taken to set up or designate mechanisms for data collection or focal points, at the national or local levels and in collaboration with civil society, for the purpose of observing and evaluating the phenomenon of sexual exploitation and sexual abuse of children, with due respect for the requirements of personal data protection.

37. As to the context, M. POUTIERS recalled letter F (Data collection and analysis and development of indicators) of General Comment No. 5 (2003) General measures of implementation of the Convention on the Rights of the Child issued by the UN Committee on the Rights of the Child.

38. He then stressed the importance of having a comprehensive system for collecting data on all areas covered by the Lanzarote Convention for the effective planning, monitoring and evaluation of policies, programmes and projects for the protection of children against exploitation and abuse, in accordance with the requirements of the Lanzarote Convention.

39. Mr POUTIERS also indicated that replies to this question were generally very vague and unclear. In addition, there was barely any information on either the respect of the requirements of personal data protection or on work in collaboration with civil society. He considered that, on the basis of the sources of information available (States replies and UNCRC concluding observations), for most States, data collection remains an area for improvement. For instance, in many States there is no coordinated monitoring and data collection mechanism.

40. During the ensuing discussion, the Committee recognised the importance of collecting reliable data in order to frame national policies. It was noted that the data collected were

⁶ Article 10, para. 2, letter (b) of the Lanzarote Convention:

"Each Party shall take the necessary legislative or other measures to set up or designate: (...) b. mechanisms for data collection or focal points, at the national or local levels and in collaboration with civil society, for the purpose of observing and evaluating the phenomenon of sexual exploitation and sexual abuse of children, with due respect for the requirements of personal data protection."

statistical data not personal data. It was also pointed out that the replies from the states recognised implicitly that any personal data which could be collected by data gathering systems were protected.

41. The NGOs taking part in the meeting pointed out that they took a very active part in assessing the problem but it was not really their role to collect data.

42. The Committee recognised the difficulties that some states had in collecting reliable data. These data could come from a variety of people or bodies, at various points in an investigation or a procedure and relate to victims, alleged or convicted perpetrators or other interested parties.

43. The Committee decided to return to the question of data collection at a later stage in its monitoring work in order to identify the key indicators required to help states collect relevant data to fulfil their obligations with regard to the Convention.

Question 5c) (collection and storage of data relating to the identity and to the genetic profile (DNA) of convicted persons)

44. Mr POUTIERS said that question 5c) referred to Article 37§1 of the Convention⁷. He pointed out that this provision covered two distinct aspects: firstly, the identity of persons convicted of offences established in accordance with the Convention and, secondly, the genetic profile (DNA) of these persons. In a number of the replies, no clear distinction had been made between matters relating to the first and the second aspects.

45. He also reiterated that the Parties were required to indicate which national authority was responsible for collecting and storing data and pointed out that each Party had communicated to the Secretary General of the Council of Europe – by means of a declaration – the name and address of the national authority in question when it had signed the Convention or when depositing its instruments of ratification, acceptance, approval or accession.

46. During the ensuing discussion, the Committee pointed out that the identity of convicted persons appeared in their criminal records. When there were files relating to the genetic profile of convicted persons, those files – which were intended primarily for the law enforcement agencies – also contained data on the identity of the persons concerned.

47. The Committee noted that there could be a question as to the compatibility of storing such data with respect for the data subject's human rights. This related in particular to the right to update such data or for them to be wiped from the files after a given time limit.

48. The Committee decided to postpone its detailed consideration of this question so as to have more time to identify potential problems and good practices. It asked each of the States Parties to check that the national authority which was currently responsible for collecting and storing data on the identity and genetic profile of persons convicted for offences established in accordance with the Convention was still the one whose name had been passed on via the declaration to the Secretary General of the Council of Europe when it had signed the Convention or deposited the instruments of ratification, acceptance, approval or accession.

⁷ Article 37 para.1 of the Lanzarote Convention:

“For the purposes of prevention and prosecution of the offences established in accordance with this Convention, each Party shall take the necessary legislative or other measures to collect and store, in accordance with the relevant provisions on the protection of personal data and other appropriate rules and guarantees as prescribed by domestic law, data relating to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with this Convention.”

On Question 6: National or local coordination, cooperation and partnerships

49. Mr POUTIERS began by pointing out that question 6 was very wide-ranging. It referred to Articles 10§1, 10§3, 15§2 and 16 of the Lanzarote Convention⁸.

50. He said that the problem of protecting children and preventing and combating sexual exploitation and sexual abuse of children was particularly complex and therefore no body could deal with such matters alone. As a result it was essential for states to take charge of co-ordinating the work carried out in these areas and to encourage co-operation and partnerships between the various parties involved.

51. The States Parties' replies showed that the co-ordination between the various bodies responsible for protection from, prevention of and the fight against sexual exploitation and abuse of children took various forms such as the creation of committees in charge of such co-operation or, on a less formal basis, regularly holding meetings to which various speakers would be invited.

52. Forms of co-operation between the relevant state authorities, civil society and the private sector varied. The replies showed that this could consist, for example, of signing co-operation agreements or inviting representatives of civil society or the private sector to working group discussions at state level, particularly on draft legislation or other documents.

53. Lastly, it was clear from the replies that partnerships or other types of co-operation between the relevant authorities were encouraged, particularly with regard to the recipients of intervention programmes and measures for persons subject to criminal proceedings or convicted of offences.

54. During the ensuing discussion it was pointed out that the scope of question 6 was particularly broad and that it was difficult to reflect the diverse range of situations. In particular, child protection systems in Europe were extremely varied. Several parameters had an impact including the size of the country, its administrative structure, its administrative habits (whether or not it had a culture of co-operation) and the areas of activity concerned (for example, co-

⁸ Article 10 para.1 of the Lanzarote Convention:

"Each Party shall take the necessary measures to ensure the co-ordination on a national or local level between the different agencies in charge of the protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children, notably the education sector, the health sector, the social services and the law-enforcement and judicial authorities".

Article 10 para.3 of the Lanzarote Convention:

"Each Party shall encourage co-operation between the competent state authorities, civil society and the private sector, in order to better prevent and combat sexual exploitation and sexual abuse of children".

Article 15 para.2 of the Lanzarote Convention:

"Each Party shall ensure or promote, in accordance with its internal law, the development of partnerships or other forms of co-operation between the competent authorities, in particular health-care services and the social services, and the judicial authorities and other bodies responsible for following the persons referred to in Article 16, paragraphs 1 and 2".

Article 16 of the Lanzarote Convention:

"1. Each Party shall ensure, in accordance with its internal law, that persons subject to criminal proceedings for any of the offences established in accordance with this Convention may have access to the programmes or measures mentioned in Article 15, paragraph 1, under conditions which are neither detrimental nor contrary to the rights of the defence and to the requirements of a fair and impartial trial, and particularly with due respect for the rules governing the principle of the presumption of innocence.

2. Each Party shall ensure, in accordance with its internal law, that persons convicted of any of the offences established in accordance with this Convention may have access to the programmes or measures mentioned in Article 15, paragraph 1.

3. Each Party shall ensure, in accordance with its internal law, that intervention programmes or measures are developed or adapted to meet the developmental needs of children who sexually offend, including those who are below the age of criminal responsibility, with the aim of addressing their sexual behavioural problems".

operation with the courts was complicated by the need to respect the independence of the judiciary). The Committee noted the problems of co-ordination and co-operation which were reflected in the replies to the questionnaire while observing nonetheless that there were signs that the systems were coming closing together, probably as a result, at least partly, of the implementation of international treaties, the case-law of the European Court of Human Rights and the work being done at the Council of Europe.

55. The Committee decided to postpone its detailed consideration of this question so as to have more time to identify potential problems and good practices.

2.3 Future work of the Committee

Need to appoint Rapporteurs for monitoring work

56. The Secretariat recalled that during its last meeting (Madrid, 9 December 2013), the Committee agreed that its implementation reports (Rule 27) shall be prepared by Rapporteurs with the support of the Secretariat. It also considered it preferable to have more than one Rapporteur for a specific theme (question/set of questions) and invited members, participants and/or observers in the Committee, including representatives of NGOs, to volunteer to act as Rapporteurs. The Secretariat, however, did not receive any name of volunteers since the last meeting. After the Chair had warmly reiterated his invitation to volunteer to act as rapporteurs, two members of the Committee indicated their interests for two of the four questions to be dealt with by the Committee at its next meeting (see below, item 4. Elections). The Committee also noted that Ms CASTELLO-BRANCO (Portugal) offered to be a Rapporteur for one of the questions on the agenda of the Committee's meeting in December 2014.

Activity report to the Committee of Ministers

57. Ms SCAPPUCCI recalled that the Lanzarote Committee decided that the periodic reporting foreseen by its Rule 21 should be prepared by the Secretariat (short factual document of maximum 2 or 3 pages) and finalised by the Bureau/Committee depending on the calendar of meetings of the Committee. The submission of the report might be scheduled after the Committee's next meeting so as to include in it also some information on the beginning of the monitoring round.

58. The Secretariat also informed the Committee that the Chairperson of the European Committee on Crime Problems (CDPC) had asked the Lanzarote Committee to indicate when it may provide the CDPC with feedback on its work (see Article 41, par. 5 of the Lanzarote Convention and paragraph 9 of the Committee of Ministers decision of 10 April 2013 on the "Review of Council of Europe Conventions – Report by the Secretary General").

59. The Committee agreed that the Rule 21 activity report should also be addressed to the CDPC and instructed its Secretariat to inform the CDPC Secretariat that such a report should be ready in the autumn 2014.

Solicitation of children for sexual purposes (Grooming)

60. As several Committee members had talked of their difficulty in answering the part of question 16 of the general overview questionnaire on solicitation of children for sexual purposes ("grooming") (Article 23 of the Convention), the Committee agreed to exchange views on the transposition of this article into the law and practice of the States Parties at its next meeting (9-11 September 2014). For this purpose, it invited the States Parties to send the Secretariat (lanzarote.committee@coe.int) the text (in English or in French) of the provisions transposing

Article 23 of the Convention into their legal system. It also asked the Secretariat to collate the replies to the corresponding part of question 16 and to draw up a working document including comments on these replies.

Modification of the indicative time-table

61. Due to the above mentioned items to be added on the agenda of its 9th meeting (9-11 September 2014), the Committee modified its indicative time-table (see Appendix IV). Accordingly, compilations of replies to questions 10, 11 and 12 of the Thematic Questionnaire, as well as of replies on “grooming” (Solicitation of children for sexual purposes) to question 16 of the General Overview Questionnaire, will be made available by the Secretariat in due time before the 9th meeting.

3. Capacity building activities and exchange of information

3.1 Debriefing

a. Madrid Conference on “Preventing sexual abuse of Children” (10-11/12/2013)

62. The Committee took note of the report on the Madrid Conference by Ms NEGRO ALOUSQUE, Spain (set out in Appendix 5). It thanked the Spanish authorities again for their welcome and the outstanding organisation of the Conference. There had been much to draw on in the Conference for the Committee’s future activities, especially in the speakers’ statements, which were a particularly rich source of information. The Committee took note that the Conference documents (programme, speeches, presentations, speakers’ biographies, good practices) had been posted on the Committee website.⁹

b. Danilovgrad Regional Meeting on “The rights of the child - Improvement of the status of children to protect them from all forms of exploitation” (21-22/01/2014)

63. Ms VUKADINOVIĆ, Ambassador, Permanent Representative of Montenegro to the Council of Europe, indicated that the objective of the meeting was to exchange views and best practices in the protection of children’s rights, with a view to determine the goals and directions of future inter-parliamentary cooperation and the cooperation with national institutions for the protection of human rights and the rights of the child. The Joint Statement adopted after the meeting emphasized that one of the priority areas in the future should be the protection of children’s rights, especially the protection from child pornography and cyber-crime¹⁰.

64. She stressed that this regional meeting was attended by representatives of parliamentary working bodies responsible for human rights and the rights of the child from Croatia, Serbia, and Montenegro, as well as the representatives of the Ombudsmen for Children offices from Croatia, Serbia, Slovenia, Republic of Srpska, and Montenegro, and the representatives of Save the Children and international organizations based in Montenegro that are dealing with these issues (UNICEF, OSCE and the Delegation of the European Union to Montenegro).

65. The Chair thanked Ms VUKADINOVIĆ for her report. He emphasised how important meetings on the Lanzarote Convention between states which shared the same culture were.

⁹ See: http://www.coe.int/t/dghl/standardsetting/children/madridconference_EN.asp

¹⁰ See: <http://www.coe.int/t/dghl/standardsetting/children/ReportDanivlogradJanuary2014.pdf>

c. Dubrovnik Conference on “Growing with Children’s Rights” (27-28/03/2014)¹¹

66. Ms JENSDÓTTIR, Head of the Children’s Rights Division, said that the main aims of the conference were to assess the progress made over the first two years of the implementation of the Council of Europe Strategy for the Rights of the Child 2012-2015, to propose priority activities for the two remaining years and to identify issues which could be the focus of the Council of Europe’s work after 2015.

67. Ms JENSDÓTTIR said that there had been a round table session at the conference on sexual violence against children which the Vice-Chair of the Committee, Mr GUÐBRANDSSON, had taken part in. The participants had expressed support for the idea of extending the ONE in FIVE Campaign by one year and considering the possibility of setting up a European Day against sexual violence against children. The round table had also provided an opportunity to stress the need to pay special attention to children in vulnerable situations, particularly those placed in institutions, and the need to train people in contact with child victims (judges, police officers, etc.).

3.2 Update on the Council of Europe ONE in FIVE Campaign initiatives

68. Ms KYRIAKIDES of the Parliamentary Assembly of the Council of Europe informed the Lanzarote Committee that since its last meeting, the Network of Contact Parliamentarians to stop sexual violence against children had held, on 24 January 2014, a joint meeting with the Parliamentary Network "women free from violence". She highlighted that this meeting focused on sexual exploitation of girls. The network also held a meeting on 8 April on the theme "sexual violence against refugee children"¹². Ms KYRIAKIDES welcomed the fact that this meeting coincided with the Lanzarote one and thanked the members of the Lanzarote Committee for their participation in it. She stressed that the next meeting of the Network would be held in Nicosia, Cyprus, on 13 May and would focus on “reporting systems for child sexual abuse cases and child-friendly justice in child sexual abuse cases”. She also suggested that a joint meeting of the Network and the Lanzarote Committee might be organised on the occasion of a forthcoming session of the Parliamentary Assembly

69. Ms KYRIAKIDES also informed the Committee that the Chairperson of the Social Affairs Committee, Mr GHILETCHI, shall be presenting in May a draft recommendation which will ask, in particular, to prolong the ONE in FIVE Campaign for an extra year, until November 2015, and to set up a European Day to combat sexual violence against children.

70. Mr MARCHENKOV, Secretary of the Current Affairs Committee of the Congress of Local and Regional Authorities, underlined that the Congress welcomed PACE’s proposal to prolong the Campaign until November 2015. He indicated that in any event, due to the important role played by local and regional authorities in combatting sexual violence and abuse of children, efforts to promote the Congress’s Pact of Towns and Regions to Stop Sexual Violence against Children had to continue in 2015 and beyond.

71. In this respect, he also pointed out that the Congress’s Thematic Spokesperson on Children, Mr VAN DEN HOUT, had continued his round of visibility-raising trips to different countries to meet the political leaders of towns and regions to present the Campaign and the Pact. He referred to the visits organised in December 2013 to the UK and in January 2014 to Belgium. Their outcome was that the Deputy Mayor of Liverpool signed the Pact and political representatives of Derby, Lewisham, Manchester, Nottingham and Sandwell (UK) and of the

¹¹ See: http://www.coe.int/t/dg3/children/Dubrovnik/DubrovnikConference2014_en.asp

¹² It is recalled that the full list of the meetings, the themes discussed and the minutes of the Network’s meetings are available at: http://www.coe.int/t/dg3/children/1in5/PACE/Meetings_en.asp

three Belgian Communities committed to raising the issue of the signature of the Pact in the near future.

72. Three further visits are planned in 2014: in April to Austria where child protection is also a regional competence; in September to the Czech Republic, the only country having neither signed nor ratified the Lanzarote Convention, and in October to Germany, where the Berlin Parliament has voted to sign the Pact, the final endorsement is awaited from the Senate.

73. Finally, Mr MARCHENKOV also recalled that 32 towns, regions and organisations have already signed the Pact and the Pact toolkit has been translated into 22 languages, and will soon be available to download from the Congress's ONE in FIVE internet site.

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

a. Pro Safe Sport for Young Athletes (PPS) initiative of the Enlarged Partial Agreement on Sports (EPAS) of the Council of Europe, co-financed by the European Union

74. Mr TRINKER, from the Secretariat of the Enlarged Partial Agreement on Sport (EPAS) of the Council of Europe described the EPAS activity, Pro Safe Sport (PSS) for Young Athletes (http://www.coe.int/t/dg4/epas/default_EN.asp). Even though it had a broader scope than the theme dealt with by the Committee, this activity would address issues of sexual abuse and sexual harassment. Practical information and good practices would be compiled and incorporated into a toolkit to be produced in this context. Several workshops would also be held, particularly in Budapest from 5 to 7 May and in Glasgow from 21 to 23 July. The Committee was invited to think about how it might take part in these events.

75. The Committee thanked Mr TRINKER for the information he had provided. It emphasised the importance of combating sexual abuse of children in sport and decided to look into this issue in more detail in co-operation with the EPAS Secretariat as part of its future work during the first monitoring round on the circle of trust. Lastly, it invited the members to contact the Secretariat (lanzarote.committee@coe.int) to notify it whether they would be available to take part, on the Committee's behalf, in the workshops referred to by Mr TRINKER.

b. EPAS Budapest Conference on "Inclusion and Protection of Children in and through Sport" (7-8/10/2013) and Athens Seminar on "Gender based violence in Sport – Protection of minors" (20/03/2014)

76. Mr NIKOLAIDIS, Greece, informed the Committee of his participation on its behalf in two events which also focused on the theme of sexual violence and sports. He indicated that he had informed participants of the relevant Lanzarote standards and of the forthcoming monitoring work of the Committee.

77. More information on both events may respectively be found at:

- http://www.coe.int/t/dg4/epas/resources/Budapest-2013/Seminar-children-in-sport-default_EN.asp for the Budapest Conference;
- http://gr2014.eu/sites/default/files/seminar%20programme%20gender%20based%20violence%20en_1.pdf for the Athens Seminar.

c. Council of Europe Action Plan for Ukraine 2011-2014 "Strengthening and protecting children's rights in Ukraine"

78. Mr GUTSULYAK (Council of Europe project manager in Ukraine) informed the Lanzarote Committee that this project,¹³ which is financed by Norway, started its activities in August 2013 and will be implemented during two years. He further pointed out that the Lanzarote Convention became the cornerstone of the project activities, and that in this respect, the project aims at contributing to the effective implementation of the Lanzarote Convention in Ukraine. Indeed, many project activities directly correspond to provisions of the Lanzarote Convention, namely, inter alia:

- improving data collection on sexual abuse;
- establishment of child-helplines;
- training of social workers and police officers on child-friendly interviewing procedures.
- promoting the reporting of cases of suspected violence against children by teachers;
- promoting child participation in decision-making in the area of fighting sexual violence.

79. The Committee took note of this important project and welcomed the positive impact it should trigger.

d. Global Alliance against child sexual abuse online

80. Mr RUELE thanked Ms BAUER-BULST (European Commission, DG Home Affairs, Fight against Cybercrime Team) for her availability to intervene via Skype to up-date the Lanzarote Committee on the work of the Global Alliance against child sexual abuse online. He also underlined that the Committee looked forward to welcoming her and her colleagues from the Commission at its forthcoming meetings to facilitate the establishment of synergies between the Lanzarote Convention monitoring process and the Commission's analysis of the implementation of the EU's Child Sexual Abuse Directive.¹⁴

81. Ms BAUER-BULST highlighted that the Global Alliance against Child Sexual Abuse Online aims to unite efforts at the highest political level to combat more effectively online sexual crimes against children. She informed that more than 50 countries around the world¹⁵ committed to pursue concrete actions to enhance victims' protection, identify and prosecute offenders, raise awareness and reduce the availability of child pornography online and the re-victimization of children. The European Commission is currently chairing the Alliance. In the fall the chairmanship will be assumed by the United States.

82. Reports by participating countries of the actions already undertaken and the actions to be undertaken in the immediate future are available online at: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/global-alliance-against-child-abuse/index_en.htm

83. Replying to a question by ECPAT, Ms BAUER-BULST explained that the Global Alliance did not include representatives of NGOs so far as when established the main target was that of obtaining States' commitment at the highest level. She however indicated that the involvement and contribution of NGOs may be envisaged under the US Chairmanship of the Alliance. She also

¹³ More information about the Project and its latest developments may be found at:

<http://coe.kiev.ua/projects/cr.html>

¹⁴ The text of the Directive in English is available here:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0093&from=EN>

¹⁵ The Global Alliance gathers the 28 EU Member States, Albania, Armenia, Australia, Bosnia and Herzegovina, Cambodia, Canada, Georgia, Ghana, Israel, Japan, Kosovo, South Korea, Mexico, Moldova, Montenegro, New Zealand, Nigeria, Norway, Philippines, Serbia, Switzerland, Thailand, Turkey, Ukraine and United States. These include 26 States Parties to the Lanzarote Convention.

added that the scope of the Alliance might be extended to also cover cooperation with regard to the risks raised by travelling sex offenders.

84. Mr SADEH (Interpol, Crimes against Children Team) praised the Global Alliances' commitments and steps already taken.

85. He then informed the Lanzarote Committee of Interpol's work in the areas of victims' identification, preventing circulation and access to child sexual abuse material, cooperation with respect to transnational sex offenders and internet crimes against children. He briefly also outlined the tools developed, such as the International Child Sexual Exploitation image database (ICSE DB), the yellow, green and other notices and the "worst of" list of domains containing the websites that disseminate the most severe child abuse material worldwide.¹⁶

86. The Committee welcomed the information both by the representatives of the European Commission and of Interpol and considered that more time was necessary to further exchange views and good practices and to raise awareness with respect to one or more of the tools and initiatives outlined above.

4. Elections

4.1 Election of the Chairperson and Bureau of the Committee

87. The Committee elected by acclamation Mr GUDBRANDSSON, Iceland, as Chairperson of the Committee, Mr JANIZZI, Luxembourg as Vice-Chairperson of the Committee, and Ms VERZIVOLLI, Albania, and Mr NIKOLAIDIS, Greece, as members of the Committee's Bureau. The Committee thanked Mr RUELLE, France, for his excellent chairing of its work during the challenging time of defining the ways and means to carry out the Lanzarote Committee's functions until the launching of its 1st monitoring round.

4.2 Appointment of thematic Rapporteurs for the monitoring work

88. The Committee appointed the following Rapporteurs for the up-coming work on the replies to the thematic questionnaire:

- Ms KLEIN, Austria, on question 10 (criminal law offence of sexual abuse);
- Mr PLANKEN, The Netherlands, on question 11 (corporate liability).

89. In addition, the Committee invited candidate Rapporteurs on question 12 (aggravating circumstances) to express their interest to the Secretariat (lanzarote.committee@coe.int) as soon as possible.

4.3 Appointment of a Gender Equality Rapporteur

90. The Committee appointed Mr Charlie AZZOPARDI, Malta, as Gender Equality Rapporteur.

5. Other business

91. Further to the request made by the French authorities, the Committee decided, in view of its up-coming monitoring work, to reconsider Rule 2.1.3 of its Rules of Procedure to explicitly

¹⁶ More information is available under the different specific headings (Internet crimes, access blocking, travelling offenders, etc.) at: <http://www.interpol.int/Crime-areas/Crimes-against-children/Crimes-against-children>

allow for the reimbursement of the travel and subsistence expenses for a second representative of the State Party chairing the Committee.

Dates of the next meetings

92. The Committee took note that its next meetings will be held as follows:
- 9-11 September 2014;
 - 2-4 December 2014.

Appendix I

Agenda

1. Opening of the meeting, adoption of the agenda and up-date on ratifications of the Convention
2. Monitoring of the implementation of the Lanzarote Convention
 - 2.1 State of play regarding replies to the questionnaires
 - 2.2 Exchange of views on selected replies to the General Overview Questionnaire
 - Question 1: Definition of "child"
 - Question 3: Overview of the implementation
 - Question 5: Specialised bodies/mechanisms
 - Question 6: National or local coordination, cooperation and partnerships
 - 2.3 Future work of the Committee
3. Capacity building activities and exchange of information
 - 3.1 Debriefing
 - a. Madrid Conference on "Preventing sexual abuse of children" (10-11/12/2013)
 - b. Danilovgrad Regional Meeting on "The rights of the child - Improvement of the status of children to protect them from all forms of exploitation" (21-22/01/2014)
 - c. Dubrovnik Conference on "Growing with Children's Rights" (27-28/03/2014)
 - 3.2 Update on the ONE in FIVE Campaign initiatives
 - 3.3 Information sharing on other initiatives related to the fight against sexual violence
 - a. Pro Safe Sport for Young Athletes (PPS) initiative of the Enlarged Partial Agreement on Sports (EPAS) of the Council of Europe, co-financed by the European Union
 - b. EPAS Budapest Conference on "Inclusion and Protection of Children in and through Sport" (7-8/10/2013) and Athens Seminar on "Gender based violence in Sport – Protection of minors" (20/03/2014)
 - c. Council of Europe Action Plan for Ukraine 2011-2014 "Strengthening and protecting children's rights in Ukraine"
 - d. Global Alliance against child sexual abuse online

4. Elections
 - 4.1 Election of the Chairperson and Bureau of the Committee
 - 4.2 Appointment of thematic Rapporteurs for the monitoring work
 - 4.3 Appointment of a Gender Equality Rapporteur
5. Other business
6. Dates of the next meetings

Appendix II

List of participants

STATE PARTIES / ETATS PARTIES

ALBANIA / ALBANIE

Ms Ina VERZIVOLLI
Chairperson
State Agency on protection of Children's Rights
Ministry of Social Welfare and Youth

AUSTRIA / AUTRICHE

Ms Martina KLEIN
Public Prosecutor
Public Prosecution Service Vienna

BELGIUM / BELGIQUE

Ms Vicky DE SOUTER
Attachée Juriste
Direction générale de la Législation et des Droits
et Libertés Fondamentaux

BOSNIA AND HERZEGOVINA / BOSNIE- HERZEGOVINE

Ms Tijana BOROVIČANIN-MARIĆ
(*Apologised / Excusée*)
Ministry for Human Rights and Refugees

Ms Irena PENĆ
Senior Advisor
Ministry for Human Rights and Refugees

BULGARIA / BULGARIE

Ms Petya DIMITROVA
State Expert
State Policy for Children Directorate
State Agency for Child Protection

CROATIA / CROATIE

Ms Sanja NOLA
(*Apologised / Excusée*)
Assistant Minister
Directorate for Criminal Law
Ministry of Justice

Mr Hrvoje BOŽIĆ
Head of Department for Regulations of Criminal
Procedure Law
Juvenile Law and Execution of Criminal Sanctions
Criminal Law and Probation Directorate
Ministry of Justice

DENMARK / DANEMARK

Mr Ketilbjørn HERTZ
Legal Adviser, Deputy Head of the Criminal Law
Division
Ministry of Justice

FINLAND / FINLANDE

Mr Jaakko HALTTUNEN
Counsellor
Legal Service
Unit for Human Rights Courts and Conventions
Ministry for Foreign Affairs

FRANCE

M. Eric RUELLE
(*Chairperson / Président*)
Président
Tribunal de grande instance d'Auxerre

M. Francis STOLIAROFF
(*Apologised / Excusé*)
Adjoint à la chef de la mission pour les
négociations
Direction des affaires criminelles et des grâces
Ministère de la justice

GREECE / GRÈCE

Mr George NIKOLAIDIS
Director
Department of Mental Health and Social Welfare
Centre for the Study and Prevention of Child
Abuse and Neglect

ICELAND / ISLANDE

Mr Bragi GUÐBRANDSSON
General Director
Government Agency for Child Protection

ITALY / ITALIE

Mr Michele PALMA
(*Apologised / Excusé*)
Director General of the International Affairs and
Social Intervention Service
Department for Equal Opportunities
Presidency of the Council of Ministers

Ms Tiziana ZANNINI
Head of the Division for General and Social Affairs
Department for Equal Opportunities
Presidency of the Council of Ministers

LITHUANIA / LITUANIE

Ms Asta ŠIDLAUSKIENĖ
Expert
Child Division
Family and Communities Department
Ministry of Social Security and Labour

LUXEMBOURG

M. Claude JANIZZI
Conseiller de direction 1^{re} classe
Service des droits de l'enfant
Ministère de l'Éducation nationale, de l'Enfance et
de la Jeunesse

MALTA / MALTE

Mr Charlie AZZOPARDI
Systemic Psychotherapist, Couple & Family
Therapist
Institute of Family Therapy

**REPUBLIC OF MOLDOVA / REPUBLIQUE DE
MOLDOVA**

Ms Tatiana ȚURCAN
Head of the European Integration Policies
Development Unit
General Department for International Relations
and European Integration
Ministry of Internal Affairs

MONTENEGRO

Ms Svetlana SOVILJ
(Apologised / Excusée)
Senior Adviser for Child Protection
Ministry of Labour and Social Welfare

Ms Ana VUKADINOVIĆ
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
Permanent Representation of Montenegro to
the Council of Europe

NETHERLANDS / PAYS-BAS

Mr Erik PLANKEN
Policy Advisor
Law Enforcement Department
Ministry of Security and Justice

PORTUGAL

Ms Maria José CASTELLO-BRANCO
Legal Adviser
Directorate-General for Justice Policy
Ministry of Justice

ROMANIA / ROUMANIE

Ms Alina ION
Legal Adviser
Department for Drafting Legislation
Ministry of Justice

RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE

Mr Alexander FIRSAKOV
(Apologised / Excusé)
Expert
International Legal Department
Ministry of the Interior

Mr Alexey MURATOV
Deputy to the Permanent Representative
Permanent Representation of the Russian
Federation to the Council of Europe

SAN MARINO / SAINT-MARIN

Mme Maria Domenica MICHELOTTI
(Apologised / Excusée)
Département pour l'Égalité des Chances

SERBIA / SERBIE

Mr Stevan POPOVIĆ
Independent adviser
Ministry of Labour, Employment and Social
Policy

SLOVENIA / SLOVÉNIE

Mr Miha MOVRIN
(Apologised / Excusé)
Senior Advisor
Ministry of Justice

SPAIN / ESPAGNE

Ms Almudena DARIAS DE LAS HERAS
(Apologised / Excusée)
Deputy Secretary General
Justice Matters with EU and International
Organisations
Ministry of Justice

Ms Silvia NEGRO ALOUSQUE
Head of Service
Ministry of Justice

SWEDEN / SUÈDE

Mr Mihail STOICAN
(Apologised / Excusé)
Division for Criminal Law
Ministry of Justice

Ms Sara FINNIGAN
Deputy to the Permanent Representative
Permanent Representation of Sweden to the
Council of Europe

Ms Malin ERIKSSON
Intern
Permanent Representation of Sweden to the
Council of Europe

SWITZERLAND / SUISSE

Ms Anita MARFURT
Juriste Droit pénal international
Unité Droit pénal international
Office fédéral de la justice - OFJ
Département fédéral de justice et police - DFJP

**“THE FORMER YUGOSLAV REPUBLIC OF
MACEDONIA” / « L’EX-REPUBLIQUE
YUGOSLAVE DE MACEDOINE »**

**No nomination / Pas de nomination

TURKEY / TURQUIE

Mr Muhammed Zeki TEMEL
Rapporteur Judge
General Directorate of International Law
and External Relations
Ministry of Justice

UKRAINE

Ms Svitlana ILCHUK
(*Apologised / Excusée*)
Deputy Director
Department of Family and Children
Ministry of Social Policy

**OTHER MEMBER STATES OF THE COUNCIL OF
EUROPE / AUTRES ETATS MEMBRES DU CONSEIL
DE L’EUROPE**

ANDORRA / ANDORRE

Mme Rebeca ARMENGOL ASENJO
Psychologue
Département responsable de l’aide sociale à
l’enfance et à la famille
Ministère de la Santé et du Bien-être social

Mme Aurembiaix SEMIS FOIXENCH
Travailleur social
Département responsable de l’aide sociale à
l’enfance et à la famille
Ministère de la Santé et du Bien-être social

ARMENIA / ARMÉNIE

Ms Karine SOUDJIAN
(*Apologised / Excusée*)
Head of Human Rights and Humanitarian Issues
Division
International Organizations Department
Ministry of Foreign Affairs

AZERBAIJAN / AZERBAÏDJAN

Ms Jeyran RAHMATULLAYEVA
(*Apologised / Excusée*)
Head of the Department of the Regional
(Children & Family Support) Centres
State Committee on Family, Women and
Children Affairs

CYPRUS / CHYPRE

Ms Hara TAPANIDOU
(*Apologised / Excusée*)
Head of Department for Family and Child Affairs
Social Services
Ministry of Labour and Social Affairs

CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

**No nomination / Pas de nomination

ESTONIA / ESTONIE

Ms Ann LIND
(*Apologised / Excusée*)
Advisor
Department of Children and Families
Ministry of Social Affairs

GEORGIA / GÉORGIE

Ms Nino KEVKHISHVILI
(*Apologised / Excusée*)
Chief specialist
Administration Legal Department
Ministry of Internal Affairs

GERMANY / ALLEMAGNE

Mr Silvio MEILE
(*Apologised / Excusé*)
Public Prosecutor
Unit II A 2 - Penal Code (Special Section)
Federal Ministry of Justice and Consumer
Protection

HUNGARY / HONGRIE

**No nomination / Pas de nomination

IRELAND / IRLANDE

**No nomination / Pas de nomination

LATVIA / LETTONIE

**No nomination / Pas de nomination

LIECHTENSTEIN

Ms Marion MALIN
(*Apologised / Excusée*)
Diplomatic Officer, Second Secretary
Office for Foreign Affairs

MONACO

**No nomination / Pas de nomination

M. Gabriel REVEL
Troisième Secrétaire
Adjoint au Représentant Permanent
Représentation Permanente de Monaco auprès
du Conseil de l'Europe

NORWAY / NORVÈGE

**No nomination / Pas de nomination

Ms Ingrid THORSNES
Permanent Representation of Norway to the
Council of Europe

POLAND / POLOGNE

**No nomination / Pas de nomination

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

**No nomination / Pas de nomination

UNITED KINGDOM / ROYAUME-UNI

Mr Wayne JONES
(*Apologised / Excusé*)
Safeguarding Policy Advisor
Safeguarding and Public Protection Unit
Home Office

* * * * *

**OBSERVERS WITH THE COUNCIL OF EUROPE /
OBSERVATEURS AUPRES DU CONSEIL DE
L'EUROPE**

EUROPEAN UNION / UNION EUROPÉENNE

Ms Cathrin BAUER-BULST
Team Leader
Fight against Cybercrime
Unit A2 - Fight against organised crime and
relations with EMCDDA
DG Home Affairs
European Commission

HOLY SEE / SAINT-SIÈGE

Mme Alessandra AULA
Secrétaire Générale
Bureau international catholique de l'enfance
Genève, Suisse

Révérend Père Olivier POQUILLON

**UNITED STATES OF AMERICA / ÉTATS-UNIS
D'AMÉRIQUE**

**No nomination / Pas de nomination

CANADA

**No nomination / Pas de nomination

JAPAN / JAPON

**No nomination / Pas de nomination

MEXICO / MEXIQUE

**No nomination / Pas de nomination

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**STATE HAVING REQUESTED ACCESSION TO THE
CONVENTION / ETAT AYANT DEMANDE
D'ADHERER A LA CONVENTION**

MOROCCO / MAROC

M. Mohammed AIT AAZIZI
(*Apologised / Excusé*)
Directeur
Protection de la Famille, de l'Enfance et des
Personnes Agées
Ministère de la Solidarité, de la Femme, de la
Famille et du Développement Social

* * * * *

**INTERNATIONAL AND NON-GOVERNMENTAL
ORGANISATIONS / ORGANISATIONS
INTERNATIONALES ET NON-
GOUVERNEMENTALES**

EUROPOL

(*Apologised / Excusé*)

INTERPOL

Mr Uri SADEH
Coordinator, Strategic Development
Crimes against Children Team
Trafficking in Human Beings Sub-Directorate

UNICEF

Ms Martha SANTOS
(*Apologised / Excusée*)
Programme Manager, CEE/CIS Regional Office
United Nations Children's Fund (UNICEF)
Geneva

UNHCR

Mr Samuel BOUTRUCHE ZAREVAC
(*Apologised / Excusé*)
Legal Associate
UNHCR Representation to the European
Institutions in Strasbourg

ECPAT INTERNATIONAL

Ms Katlijn DECLERCQ
Western Europe Regional Representative
ECPAT Belgium

**TERRE DES HOMMES INTERNATIONAL
FEDERATION**

Ms Eylah KADJAR-HAMOUDA
(*Apologised / Excusée*)
Head of International Secretariat

Ms Federica GIANNOTTA
(*Apologised / Excusée*)
Advocacy and Rights of the Child
Terre des Hommes Italy

**eNACSO (European NGO Alliance for Child Safety
Online)**

Ms Barbara LILLIU
Advocacy Advisor

MISSING CHILDREN EUROPE

Mr Francis HERBERT
Legal Counsel

* * * * *

**COUNCIL OF EUROPE BODIES / ORGANES DU
CONSEIL DE L'EUROPE**

**PARLIAMENTARY ASSEMBLY OF THE COUNCIL
OF EUROPE / ASSEMBLÉE PARLEMENTAIRE DU
CONSEIL DE L'EUROPE**

Ms Stella KYRIAKIDES
General Rapporteur on Children, Committee on
Social Affairs, Health and Sustainable
Development
Member of the PACE and of the Network of
Contact Parliamentarians in combating sexual
violence against children

**CONGRESS OF LOCAL AND REGIONAL
AUTHORITIES OF THE COUNCIL OF EUROPE /
CONGRÈS DES POUVOIRS LOCAUX ET
RÉGIONAUX DU CONSEIL DE L'EUROPE**

(*Apologised / Excusé*)

**GOVERNMENTAL COMMITTEE OF THE
EUROPEAN SOCIAL CHARTER AND THE
EUROPEAN CODE OF SOCIAL SECURITY (T-SG) /
COMITE GOUVERNEMENTAL DE LA CHARTE
SOCIALE EUROPEENNE ET DU CODE EUROPEEN
DE SECURITE SOCIALE (T-SG)**

Mme Jacqueline MARECHAL
Chairperson / Présidente

**STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH) / COMITÉ DIRECTEUR POUR LES DROITS
DE L'HOMME (CDDH)**

M. Joan FORNER ROVIRA
(*Apologised / Excusé*)
Représentant Permanent Adjoint
Représentation Permanente d'Andorre auprès du
Conseil de l'Europe

**EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC) / COMITE EUROPEEN POUR LES
PROBLEMES CRIMINELS (CDPC)**

**No nomination / Pas de nomination

**EUROPEAN COMMITTEE ON LEGAL
COOPERATION (CDCJ) / COMITÉ EUROPÉEN DE
COOPÉRATION JURIDIQUE (CDCJ)**

Mr Francisco Javier FORCADA MIRANDA
(*Apologised / Excusé*)
Member

**ADVISORY COUNCIL ON YOUTH / CONSEIL
CONSULTATIF POUR LA JEUNESSE**

Ms Fanny CHARMÉY
National Youth Council of Switzerland (CSAJ)

**CONFERENCE OF INGOS OF THE COUNCIL OF
EUROPE / CONFERENCE DES OING DU CONSEIL
DE L'EUROPE**

Mme Anna RURKA
Chargée de mission enfance-famille
Membre du Bureau de la Conférence des OING

Ms Elizabeta KRKACHEVA
Eurocef

* * * * *

**SECRETARIAT OF THE COUNCIL OF EUROPE /
SECRETARIAT DU CONSEIL DE L'EUROPE**

**Secretariat of the Parliamentary Assembly /
Secrétariat de l'Assemblée parlementaire**

**Committee on Social Affairs, Health and
Sustainable Development / Commission des
questions sociales, de la santé et du
développement durable**

Ms Jannick DEVAUX
Project Manager / Chargée de Projet
Network to stop sexual violence against
children / Réseau contre la violence sexuelle à
l'égard des enfants

Secretariat of the Congress of Local and Regional Authorities / Secrétariat du Congrès des pouvoirs locaux et régionaux

Current Affairs Committee / Commission des questions d'actualité

Mr Dmitri MARCHENKOV
Secretary of the Committee / Secrétaire de la Commission

Ms Joanne HUNTING
(*Apologised / Excusée*)
Co-secretary of the Committee / Co-secrétaire de la Commission

Office of the Commissioner for Human Rights / Bureau du Commissaire aux droits de l'homme

Ms Françoise KEMPF
(*Apologised / Excusée*)
Adviser / Conseillère

Directorate General of Human Rights and Rule of Law / Direction Générale des droits de l'Homme et de l'Etat de droit

Human Rights Directorate / Direction des droits de l'Homme

Division III – Governmental Committee of the European Social Charter and of the European Code of social security – other governmental activities / Division III - Comité gouvernemental de la Charte sociale européenne et du Code européen de sécurité sociale – Autres activités gouvernementales

Mr Karl-Friedrich BOPP
Head of Division / Chef de Division

Directorate General of Democracy / Direction Générale de la Démocratie

Directorate of Human Dignity and Equality / Direction de la Dignité humaine et de l'Égalité

Ms Marja RUOTANEN
Director / Directrice

Equality and Human Dignity Department / Service de la dignité humaine et de l'égalité

Children's Rights Division / Division des droits des enfants

Ms Regína JENSDÓTTIR
Head of Division, Executive Secretary of the Lanzarote Committee / Chef de Division, Secrétaire exécutive du Comité de Lanzarote

Ms Gioia SCAPPUCCI
Secretary to the Lanzarote Committee / Secrétaire du Comité de Lanzarote

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Appendix III

State of play of the replies to the questionnaires

States parties to the Convention	Date of receipt of the replies	Planned date
Albania	31/01/14	
Austria	31/01/14	
Belgium		
Bosnia and Herzegovina	06/04/14	
Bulgaria		asap
Croatia	21/01/14	
Denmark	27/01/14	
Finland	10/03/14	
France		End of March
Greece		asap
Iceland	07/04/14	
Italy	06/02/14	
Lithuania	29/01/14	
Luxembourg		
Malta	10/02/14	
Republic of Moldova	03/02/14	
Montenegro	14/02/14	
Netherlands	24/03/14 (GOQ)	TQ asap
Portugal	03/02/14	
Romania	31/01/14	
San Marino		
Serbia	31/01/14	
Spain	25/03/14	
Sweden	21/02/14	
"The former Yugoslav Republic of Macedonia"		
Turkey	31/01/14	
Ukraine	05/03/14	

Other member States of the Council of Europe	Date of receipt of the replies
Armenia	29/01/14
Azerbaijan	06/02/14
Cyprus	14/03/14
Estonia	25/02/14
Georgia	24/03/14
Germany	31/01/14
Latvia	04/03/14
Monaco	14/02/14

All replies, as well as contributions from other stakeholders, are available at www.coe.int/lanzarote

Appendix IV

1ST MONITORING ROUND - INDICATIVE TIME-TABLE

*Subject to compliance with the deadline to reply to the questionnaires
(31 January 2014)¹⁷*

Committee meeting	Replies to questions on the agenda of the meeting
8-10 April 2014	Overview of the replies to the General Overview Questionnaire (GOQ) - at a minimum of questions: 1, 3, 5 and 6
1st sub-theme / 1st part of the implementation report	
9-11 September 2014	Preliminary assessment of replies to the following questions of the Thematic Questionnaire (TQ), including of the replies to the GOQ to contextualise such replies) <ul style="list-style-type: none"> – 10 (criminal law offence of sexual abuse) – 12 (aggravating circumstances) – 11 (corporate liability)
2-4 December 2014	Preliminary assessment of replies to the following questions of the Thematic Questionnaire (TQ), including of the replies to the GOQ to contextualise such replies) <ul style="list-style-type: none"> – 1 (data collection) – 13 (best interest of the child in investigation and criminal proceedings) – 14 (child friendly investigations and proceedings) – 9.a (legal safeguards to assist and protect the victim)
Spring 2015	Assessment of the draft implementation report on the 1 st sub-theme
Autumn 2015	Finalisation and adoption of the report on the 1 st sub-theme (= 1 st part of the implementation report)
2nd sub-theme / 2nd part of the implementation report	
End of 2015	Preliminary assessment of replies to the following questions of the Thematic Questionnaire (TQ), including of the replies to the GOQ to contextualise such replies) <ul style="list-style-type: none"> – 4 (awareness raising strategies) – 2 (children's education) – 7 (preventive and intervention programmes) – 6 (participation by children in the development and implementation of policies, programmes)
Spring 2016	Preliminary assessment of replies to the following questions of the Thematic Questionnaire (TQ), including of the replies to the GOQ to contextualise such replies) <ul style="list-style-type: none"> – 3 (recruitment and screening) – 5 (specialised training) – 8 (reporting) – 9.b (denial of exercise of the professional or voluntary activity)
Autumn 2016	Assessment of the draft report on the 2 nd sub-theme (= 2 nd part of implementation report)
End of 2016 / (beginning 2017)	Finalisation and adoption of the 1st monitoring implementation report (merging of the 2 parts of the report, including any update of part 1).

¹⁷ The pace at which the Committee will proceed will also depend on whether the replies received are comprehensive or whether further clarifications/information will be required. It shall also depend on whether there are candidates for the role of Rapporteurs to draft the various parts/subsections of the implementation report.

Appendix V

Report by Ms NEGRO ALOUSQUE, Spain, on the Madrid Conference on “Preventing sexual abuse of Children” (10-11/12/2013)

The Council of Europe in co-operation with the Spanish Government (in particular the Ministry of Justice and the Ministry of Health, Social Services and Equality) and with the support of Fundación “La Caixa”, held a conference on preventing sexual abuse of children within the framework of the Lanzarote Convention, preceded by a screening of “No tengas miedo” (Don’t be afraid) and a debate with the film’s director Montxo Armendáriz.

The conference was designed as a forum for bringing experts together and sharing Spanish and European good practices. It was well attended, thanks to the multidisciplinary approach adopted for the five plenary sessions and the “good practice circuit” which took place alongside the sessions. The participants included members of the Lanzarote Committee and representatives of the various areas involved in the fight against the sexual abuse of children: justice, health, education, child welfare and the police. The conclusions were enhanced by the informal nature of the “good practice circuit” and active public participation and highlighted, *inter alia*, the importance of networking and partnerships in meeting the challenge of prevention.

The Conference helped to disseminate the prevention measures implemented by the authorities, civil society, the private sector and families. The first subject discussed was policy and legal tools. Various initiatives were presented: the Spanish government’s strategic plans, Council of Europe guidelines on protecting children from violence, the Lanzarote Convention and the prevention of sexual abuse, the work of the Parliamentary Network to stop sexual violence against children and the Dutch campaign against child sex tourism.

The second subject addressed was raising public awareness of the problem of sexual abuse of children and involving children and adolescents in prevention. A number of measures were examined: the dissemination of the “ONE in FIVE Campaign” in Spain, prevention schemes in the UK that work with young survivors of sexual violence, the Belgian policy of promoting dialogue on sexuality as a way of preventing abuse, the implementation of the Code of Conduct developed by ECPAT and the Dunkelfeld primary prevention project in Germany.

The third theme was the role of persons working in contact with children in preventing sexual abuse. The speakers talked about the programme for families, children and educators run by the Spanish NGO “Espirales”, the challenges of sexuality education in schools from a UNESCO perspective, and the UK’s Underwear Rule Campaign.

The fourth theme was empowering children in preventing sexual abuse. Various initiatives were discussed: Spain’s ATURA’T programme which treats young people who sexually abuse, the programme designed to protect vulnerable groups run by La Caixa, the campaign on the dangers of cybercrime launched in Spanish schools, the primary prevention project run by the Vicky Bernadet Foundation to prevent sexual abuse of children with disabilities and the Icelandic campaign “Get a “Yes”” about the boundaries between sex and violence.

The last session focused on preventing reoffending through intervention programmes with perpetrators and potential perpetrators. The relationship between sexual thoughts and sexual offences had been the subject of a research project in the UK, and the findings were presented at the conference. The intervention programmes with young sexual offenders developed in Spain and the UK’s “safer recruitment policy” were also examined.