



T-ES(2017)14\_en

# LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

Report

**17<sup>th</sup> meeting** Strasbourg, 1-3 March 2017

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 17th meeting in Strasbourg on 1-3 March 2017. The agenda of the meeting, as adopted, appears in Appendix I. The list of participants appears in Appendix II.

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

2. Mr JANIZZI (Luxembourg), Chairperson of the Lanzarote Committee, opened the meeting by welcoming the interest in acceding to the Convention manifested by Tunisia.

3. Ms MORENO (Head of the new Children's Rights and Sports' Values Department) informed the Committee of a recent restructuring within the Secretariat of the Council of Europe, which resulted in the piecing together into one Department of the various Secretariats dealing with Children's Rights and the Sports' Values. The Committee welcomed the potential synergies in the respective areas of work.

# 2. MONITORING OF THE IMPLEMENTATION OF THE LANZAROTE CONVENTION

# 2.1 Urgent monitoring: special report

4. Mr JANIZZI recalled that during its 16th meeting in Lyon (23-25 November 2016), the Committee held a 1st reading of the draft special report on *"Protecting children affected by the refugee crisis from sexual abuse and exploitation"* and asked its Secretariat to revise the draft on the basis of the suggestions and comments made during that meeting and thereafter.

5. Following a second in-depth reading of the revised draft, the Committee adopted the special report and its Appendices. The executive summary of the special report is reproduced in Appendix III.

# 2.2 2nd monitoring round

# a. Draft Interpretative Opinion on "Applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of information and communication technologies (ICTs)" (document T-ES(2017)03\_en)

6. It was recalled that during its 16th meeting in Lyon (23-25 November 2016), the Committee decided "that an interpretative statement ("guidance note" or similar) should be prepared before the launching of the 2nd monitoring round and that a joint meeting of the Working Group on Trends in Child Sexual Exploitation and Abuse and of the Bureau should prepare such an interpretation (see decision 5).

7. In his capacity as Chairperson of the Working Group on Trends as well as of the Bureau, Mr JANIZZI informed the Committee that the above joint meeting took place on 1-2 February 2017. He pointed out that during this meeting Dr GREIJER (independent expert) presented various international law options to achieve a dynamic interpretation of the Convention. In the discussion that followed the presentation, it was agreed to prepare a draft "Interpretative Opinion".

8. Mr JANIZZI recalled that the decision on the denomination of the document as well as on its content was now in the remit of the Committee.

9. The Committee exchanged preliminary views on the draft Interpretative Opinion and decided to resume its work on this issue at its 18th meeting (10-12 May 2017). It was agreed that members, participants and observers of the Lanzarote Committee should send to the Secretariat (lanzarote.committee@coe.int) any additional comments and/or amendments to the draft Interpretative Opinion by 31 March 2017.

# b. Draft Thematic Questionnaire to launch the 2nd monitoring round (document T-ES(2017)04\_en)

10. It was recalled that during its 16th meeting in Lyon (23-25 November 2016), the Committee had also decided that the above mentioned joint meeting of its Working Group on Trends and of the Bureau should prepare a draft questionnaire to launch the Committee's 2nd ordinary thematic monitoring round (see <u>decision 5</u>). During this joint meeting, a draft questionnaire prepared by the Secretariat was discussed at length and the text as amended during the meeting was submitted to the Committee as a basis to agree on the content of the questionnaire as well as on the title of the monitoring round.

11. The Committee exchanged preliminary views on the draft Questionnaire and decided to resume its work on this issue at its 18th meeting (10-12 May 2017). It was also agreed that members, participants and observers of the Lanzarote Committee should send to the Secretariat (<u>lanzarote.committee@coe.int</u>) any additional comments and/or amendments to the draft Questionnaire by 31 March 2017.

# 2.3 1st monitoring round, 2nd part: observations on reporting, screening and disqualification

12. The Committee pursued its assessment work of the replies to the remaining questions ("Reporting suspicion of sexual abuse"; "Recruitment and screening"; "Denial of exercise of professional or voluntary activity) of its Thematic Questionnaire related to the 1st monitoring round on *"Protection of children against sexual abuse in the circle of trust"*, on the basis of working documents prepared by Rapporteurs and the Secretariat.

# Question 8: Reporting suspicion of sexual abuse

13. It was recalled the observations prepared by Rapporteur FORNER ROVIRA, Steering Committee for Human Rights (CDDH), on replies to this question (concerning Article 12 of the Convention) had already been presented during the Lanzarote Committee's 15th meeting (14-17 June 2016)<sup>1</sup>. During this meeting the Committee had agreed to pursue its examination of the specific situation in Belgium based on an information note to be circulated in advance. Ms DE CRAIM (Belgium) thus presented the information note highlighting in particular that in Belgium it is accepted that professionals working together in multidisciplinary teams share information, which amounts to "shared or joint professional secrecy". She also reiterated that the joint information of professionals assisting child victims may not be shared with the police and magistrates. The professional who knows that a child has been a victim of child abuse may report to the prosecutor but is not under any obligation to do so. She further explained that there are "confidentiality centres" specialised in cases of sexual abuse that may be notified instead. These centres are obliged to examine reports of child abuse at the request of any

<sup>&</sup>lt;sup>1</sup> See <u>Report of the 15th meeting of the Lanzarote Committee</u>, paras 13 and 14.

person or institution and must provide appropriate help. They may refer cases to the public prosecutor but are not obliged to do so.

14. The Committee was concerned that the above situation might not result in an effective protection of children in the specific cases of child sexual abuse in the circle of trust. This may, in particular, be the case in the family. It thus agreed that the implementation report should invite Belgium to submit evidence that child victims of sexual abuse within the circle of trust are effectively assisted and no longer victimised when the reporting of such cases and the preventive and protective measures related to them remain within the context of the "confidentiality centres".

# Question 3: Recruitment and screening

15. Mr JANIZZI thanked Ms ILCHUK (Ukraine), Rapporteur, for having prepared observations on the replies to Question 3 (Article 5§3 of the Convention) of the Thematic Questionnaire.

16. After a discussion on a few issues in the observations, the Lanzarote Committee endorsed the conclusions delivered by the Rapporteur. It in particular agreed to refer to the Dutch certificate for good conduct ("VOG") as a promising practice because the procedure to issue this certificated strikes an interesting balance between child protection and right to privacy.

17. Members of the Lanzarote Committee were called upon to verify the data concerning the situation in their country as reflected in the observations and, if appropriate, to send any corrections to the Secretariat (<u>lanzarote.committee@coe.int</u>).

# *Question 9b: Denial of exercise of professional or voluntary activity*

18. Mr JANIZZI thanked Ms MUSCAT (Malta), for presenting the observations prepared by the Rapporteur, Mr AZZOPARDI (Malta) and asked her to convey the Committee's thanks to him for having prepared observations on the replies to Question 9b (Article 27§3 of the Convention) of the Thematic Questionnaire.

19. After a discussion on a few issues in the observations, the Lanzarote Committee endorsed the conclusions of the Rapporteur. It in particular agreed that the part of the implementation report dedicated to this and the previous question (screening) should also take into account the <u>results of the Survey carried out by Missing children Europe, ECPAT and eNACSO</u> on the transposition of EU Directive 2011/93.

20. Members of the Lanzarote Committee were called upon to verify the data concerning the situation in their country as reflected in the observations and, if appropriate, to send any corrections to the Secretariat (<u>lanzarote.committee@coe.int</u>).

# 3. EXCHANGE OF INFORMATION, EXPERIENCES AND GOOD PRACTICES

### 3.1 Presentation by ECPAT International of the project ReACT

21. The Committee was informed by Ms DECLERCQ and Ms COUVREUR (ECPAT International) of the main conclusions of the report of the <u>ReACT</u> Project (REinforcing Assistance to Child victims of Trafficking) – Better support, better protection – Steps lawyers and guardians can take to better identify and protect trafficked children. The Committee agreed to refer to the tools developed within the context of this project in its <u>special report</u> on *"Protecting children*"

affected by the refugee crisis from sexual abuse and sexual exploitation".

# **3.2** Presentation of relevant initiatives of the Parliamentary Assembly and Congress of Regional and Local Authorities of the Council of Europe

22. Due to lack of time, the presentation of relevant initiatives by the Parliamentary Assembly and Congress of Regional and Local Authorities was postponed to the 18th meeting of the Lanzarote Committee (10-12 May 2017).

# 3.3 Participation of Lanzarote Committee in outside events

23. Due to lack of time, debriefings of participation of members of the Lanzarote Committee in outside events on the Committee's behalf had to be postponed to a forthcoming meeting.

# **3.4** Presentation of relevant activities by national authorities, international governmental and non-governmental organisations, experts, as well as services of the Council of Europe

24. Ms ATABEKOVA (Russian Federation) <u>presented the website</u> the Russian Federation authorities developed on the Lanzarote Convention. The Committee took note that the English version of such website is: <u>http://lanzarote.rudn.ru/en/</u>

25. Mr AIT AAZIZI (Morocco) <u>presented the programme for the protection of children on the</u> <u>Internet</u>, which is part of the Moroccan integrated public policy for the protection of children. The Committee looked forward to being kept informed of its implementation, in particular during the course of its examination of promising practices related to the protection of children against sexual exploitation and sexual abuse facilitated by the use of ICTs.

# 4. **PROCEDURAL MATTERS**

# 4.1 Elections: Chair, Vice-Chair and Bureau

26. The Committee re-elected by acclamation, for a second term of office, Mr JANIZZI (Luxembourg), as Chairperson of the Committee, Ms DE CRAIM (Belgium) and Ms BOLLINI (San Marino), as members of the Committee's Bureau.

27. The Committee also elected by acclamation, for a first term of office, Mr NIKOLAIDIS (Greece), as Vice-Chairperson of the Committee, and Mr POPOVIC (Serbia), as member of the Committee's Bureau.

28. The Committee thanked Ms VERZIVOLLI for having been Vice-Chairperson for 1 year and wished her success as Chairperson of the Council of Europe's Ad hoc Committee for the Rights of the Child (CAHENF).

# 4.2 Appointment of the Gender Equality Rapporteur

29. The Committee elected by acclamation Ms CASTELLO-BRANCO (Portugal) as Gender Equality Rapporteur and thanked Mr AZZOPARDI for having been the first member of the Committee to act as Gender Equality Rapporteur.

# **4.3** Enhancing visibility of the role and impact of civil society's representatives in the work of the Lanzarote Committee

30. Due to lack of time, the Committee had to postpone to a forthcoming meeting the discussion on enhancing the visibility of the role and impact of civil society's representatives in the work of the Lanzarote Committee.

# 4.4 Adoption of the list of decisions of the 17th meeting

31. The Lanzarote Committee adopted the list of decisions of the current meeting.

# 5. DATES OF THE NEXT MEETINGS

- 32. The Lanzarote Committee took note that the dates for its next meetings are:
  - 18th meeting: 10-12 May 2017, Strasbourg
  - 19th meeting: 25-27 October 2017, Lanzarote (venue to be confirmed)

# Appendix I

# Agenda

# 1. Opening of the meeting, adoption of the agenda and up-date on ratifications of the Lanzarote Convention

# 2. Monitoring of the implementation of the Lanzarote Convention

- 2.1 <u>Urgent monitoring round</u>: 2nd reading and adoption of the revised special report *"Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse"*
- 2.2 <u>2nd monitoring round</u>: based on suggestions by the Working Group on Trends in Child Sexual Exploitation and Abuse, exchange of views and decision on:
  - a. the draft Interpretative Opinion on "Applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of information and communication technologies (ICTs)";
  - b. the draft Thematic Questionnaire to launch the monitoring round on *"Criminal use of child self-generated sexual images and videos facilitated by information and communication technologies".*
- 2.3 <u>1st monitoring round, 2nd part</u>: exchange of views on the observations prepared by Rapporteurs on replies to Thematic Questionnaire:
  - a. Question 3 (*Recruitment and screening*), Ms Svitlana ILCHUK;
  - b. Question 9b (*Denial of exercise of professional or voluntary activity*), Mr Charlie AZZOPARDI / Ms Lorna MUSCAT;
  - c. Question 8 (*Reporting suspicion of sexual abuse*) (continued), Mr Joan FORNER ROVIRA.

# 3. Exchange of information, experiences and good practices

- 3.1 Presentation by ECPAT International of the report of the <u>ReACT</u> Project (*REinforcing Assistance to Child victims of Trafficking*) Better support, better protection Steps lawyers and guardians can take to better identify and protect trafficked children
- 3.2 Presentation of relevant initiatives of the Parliamentary Assembly and Congress of Regional and Local Authorities of the Council of Europe
- 3.3 Participation of the Lanzarote Committee in outside events
- 3.4 Presentation of relevant activities by national authorities, international governmental and non-governmental organisations, experts, as well as services of the Council of Europe

## 4. Procedural matters

- 4.1 Elections: Chair, Vice-Chair and Bureau
- 4.2 Appointment of the Gender Equality Rapporteur
- 4.3 Enhancing visibility of the role and impact of civil society's representatives in the work of the Lanzarote Committee
- 4.4 Adoption of the <u>list of decisions</u> of the meeting

# 5. Dates of the next meetings

- 18th meeting: 10-12 May 2017, Strasbourg
- 19th meeting: 25-27 October 2017, Lanzarote (venue to be confirmed)

# Appendix II

#### List of participants

#### 1. MEMBERS / MEMBRES

STATE PARTIES TO THE CONVENTION / ETATS PARTIES A LA CONVENTION

#### ALBANIA / ALBANIE

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

#### **ANDORRA / ANDORRE**

Mme Rebeca ARMENGOL ASENJO *Apologised / Excusée* Psychologue Unité spécialisée dans la protection de l'enfance Service responsable de l'enfance et de l'adolescence Ministère des Affaires sociales, de la Justice et de l'Intérieur

Mme Cristina CANALES CERVERA Travailleur social Unité spécialisée dans la protection de l'enfance Service responsable de l'enfance et de l'adolescence Ministère des Affaires sociales, de la Justice et de l'Intérieur

#### **AUSTRIA / AUTRICHE**

Ms Martina KLEIN *Apologised / Excusée* Legal Adviser Directorate General for Criminal Law Federal Ministry of Justice

#### **BELGIUM / BELGIQUE**

Ms Christel DE CRAIM Head of Service ad interim Service for Criminal Policy Ministry of Justice

#### BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Ms Tijana BOROVČANIN-MARIĆ High Expert Associate Sector for Human Rights Ministry for Human Rights and Refugees

#### **BULGARIA / BULGARIE**

Ms Petya DIMITROVA *Apologised / Excusée* State Expert State Policy for Children Directorate State Agency for Child Protection

#### **CROATIA / CROATIE**

Ms Ana VLAHOVIĆ STANIĆ *Apologised / Excusée* Head of Department Department for Substantive Criminal and Misdemeanour Regulations Directorate for Criminal Law and Probation Ministry of Justice

Ms Marlena JUKIĆ Higher Senior Adviser Sector for Criminal Law Directorate for Criminal Law and Probation Ministry of Justice

#### **CYPRUS / CHYPRE**

Ms Hara TAPANIDOU *Apologised / Excusée* Head of Section for Families and Children Social Welfare Services Ministry of Labour, Welfare & Social Insurance

#### CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

Ms Martina LIČKOVÁ International Cooperation Department Ministry of Justice

#### **DENMARK / DANEMARK**

Ms Malene DALGAARD Head of Section Criminal Law Division Ministry of Justice

#### **ESTONIA / ESTONIE**

Ms Brit TAMMISTE Adviser Analysis Division Criminal Policy Department Ministry of Justice

#### **FINLAND / FINLANDE**

Ms Satu SISTONEN Legal Officer Legal Service Unit for Human Rights Courts and Conventions Ministry for Foreign Affairs

#### FRANCE

M. Francis STOLIAROFF Adjoint au chef de la mission pour les négociations Direction des affaires criminelles et des grâces Ministère de la justice

### **GEORGIA / GÉORGIE**

Ms Maka PERADZE *Apologised / Excusée* Head of Project Management Division International Relations Department Ministry of Internal Affairs

#### **GERMANY / ALLEMAGNE**

Ms Garonne BEZJAK Staff Counsel Division II A 7 Criminal Law (Criminology, Prevention and Offences against sexual self-determination) Federal Ministry of Justice and Consumer Protection

#### **GREECE / GRÈCE**

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

Ms Maria Andriana KOSTOPOULOU Lawyer Ministry of Justice

#### **HUNGARY / HONGRIE**

Ms Zsuzsanna BALLA *Apologised / Excusée* Adoption Officer Department for Demographical and Child Affairs State Secretariat for Family and Youth Affairs Ministry of Human Capacities

Ms Csenge Diána TÓTH Legal Advisor Deputy State Secretariat for Criminal Law Codification Ministry of Justice

#### **ICELAND / ISLANDE**

Mr Bragi GUÐBRANDSSON General Director Government Agency for Child Protection

#### ITALY / ITALIE

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

#### LATVIA / LETTONIE

Ms Indra GRATKOVSKA Director Department of Criminal Law Ministry of Justice

#### LIECHTENSTEIN

Mr Martin HASLER Second Secretary Unit for Human Rights and International Humanitarian Law Office for Foreign Affairs

Ms Monika BÜCHEL *Apologised / Excusée* Judge Princely Court of Liechtenstein

Mme Lukrezia GASSNER Service de l'Enfance et de la Jeunesse Office des Affaires sociales

#### <u>LITHUANIA / LITUANIE</u>

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

#### **LUXEMBOURG**

M. Claude JANIZZI *Chairperson / Président* Conseiller de direction 1<sup>re</sup> classe Service des droits de l'enfant / Service des relations internationales Ministère de l'Education nationale, de l'Enfance et de la Jeunesse

#### MALTA / MALTE

Mr Andy ELLUL Advocate & Legal Consultant Ministry for Family and Social Solidarity

Ms Lorna MUSCAT Ministry for Family and Social Solidarity

#### <u>REPUBLIC OF MOLDOVA /</u> <u>REPUBLIQUE DE MOLDOVA</u>

Ms Cristina LESNIC Head of General Department for International Relations and European Integration Ministry of Internal Affairs

#### MONACO

Mme Justine AMBROSINI Apologised / Excusée Chef de Division Direction des Affaires Internationales Ministère d'Etat

Mme Corinne MAGAIL Chargée de mission Direction des Affaires Internationales Ministère d'Etat

#### **MONTENEGRO**

Ms Svetlana SOVILI Senior Adviser for Child Protection Ministry of Labour and Social Welfare

#### **NETHERLANDS / PAYS-BAS**

Ms Annemarie KOKS Policy Advisor Law Enforcement Department Ministry of Security and Justice

#### POLAND / POLOGNE

Mr Kuba SĘKOWSKI *Apologised / Excusé* Legal Counsel Chief Specialist European and International Criminal Law Unit Department of Legislation Ministry of Justice

#### PORTUGAL

Ms Maria José CASTELLO-BRANCO Legal Adviser Civil Justice Unit International Affairs Department 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 Evgeny SILYANOV Head of the Department for Children's Rights Protection State Policy Ministry of Education and Science

Ms Anastasia ATABEKOVA Expert, Professor People's Friendship University (RUDN University)

#### SAN MARINO / SAINT-MARIN

Mme Sylvie BOLLINI Premier Secrétaire (Diplomate) Direction des Affaires Juridiques Département des Affaires Etrangères

#### **SERBIA / SERBIE**

Mr Stevan POPOVIĆ Independent Adviser Ministry of Labour, Employment, Veterans and Social Issues

#### **SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE**

Mr Karel MOLIN *Apologised / Excusé* Director National Coordination Centre for Resolving the Issues of Violence against Children Ministry of Labour, Social Affairs and Family

Ms Eva TOMKOVÁ Senior counsellor Regional Education Division Ministry of Education, Science, Research and Sport

#### **SLOVENIA / SLOVÉNIE**

Mr Miha MOVRIN Undersecretary Department for International Cooperation and EU Law Ministry of Justice

#### **SPAIN / ESPAGNE**

Ms Silvia NEGRO ALOUSQUE Head of Department Department for Justice Affairs in the European Union and International Organizations Ministry of Justice

#### **SWEDEN / SUÈDE**

Mr Mihail STOICAN *Apologised / Excusé* Coordination on the Rights of the Child Division for Family and Social Services Ministry of Health and Social Affairs

#### **SWITZERLAND / SUISSE**

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

#### <u>"THE FORMER YUGOSLAV REPUBLIC OF</u> MACEDONIA" / « L'EX-REPUBLIQUE

YOUGOSLAVE DE MACEDOINE » Ms Elka TODOROVA Apologised / Excusée Ministry of Labour and Social Policy Mr Darko NUSHEV Chief Inspector Homicide and Sexual Offences Unit Crime Police Department Ministry of Interior

#### **TURKEY / TURQUIE**

Mr Tuğrul UZUN Rapporteur Judge Directorate General for International Law and Foreign Relations Ministry of Justice

Mr Yusuf GÜLAÇTI Rapporteur Judge Directorate General for International Law and Foreign Relations Ministry of Justice

Ms Sibel ERKAN Deputy Permanent Representative Permanent Representation of Turkey to the Council of Europe

# UKRAINE

Ms Svitlana ILCHUK Head of Division Legal Support and Monitoring of the Implementation of the UN Convention on Children's Rights Ministry of Social Policy

# 2. <u>PARTICIPANTS</u>

2.1 <u>COUNCIL OF EUROPE MEMBER</u> <u>STATES NOT PARTY TO THE</u> <u>CONVENTION / ETATS MEMBRES</u> <u>DU CONSEIL DE L'EUROPE NON</u> <u>PARTIES A LA CONVENTION</u>

### 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 Chief of Staff State Committee on Family, Women and Children Affairs

#### **IRELAND / IRLANDE**

No official nomination / Pas de nomination officielle

#### NORWAY / NORVÈGE

No official nomination / Pas de nomination officielle

#### **UNITED KINGDOM / ROYAUME-UNI**

No official nomination / Pas de nomination officielle

#### 2.2 <u>COUNCIL OF EUROPE OBSERVER</u> <u>STATES / ETATS OBSERVATEURS</u> AUPRES DU CONSEIL DE L'EUROPE

#### <u>HOLY SEE / SAINT-SIÈGE</u>

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

# UNITED STATES OF AMERICA / ÉTATS-UNIS

#### <u>D'AMÉRIQUE</u>

No official nomination / Pas de nomination officielle

#### **CANADA**

No official nomination / Pas de nomination officielle

#### JAPAN / JAPON

Ms Hoshie SHINOZAKI *Apologised / Excusée* Superintendent, Assistant Director Juvenile Division Community Safety Bureau National Police Agency of Japan

Ms Wakana FUJITA Researcher / Advisor Consulat Général du Japon Strasbourg

### MEXICO / Mexique

No official nomination / Pas de nomination officielle

Mme Lorena ALVARADO QUEZADA Adjointe à l'Observateur Permanent Mission Permanente du Mexique auprès du Conseil de l'Europe

> 2.3 <u>STATE HAVING REQUESTED</u> ACCESSION TO THE CONVENTION / ETAT AYANT DEMANDE D'ADHERER A LA CONVENTION

#### MOROCCO / MAROC

M. Mohamed AIT AAZIZI Directeur de la 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

> 2.4 <u>NEIGHBOURHOOD PARTNERSHIPS /</u> PARTENARIATS DE VOISINAGE

#### JORDAN / JORDANIE

Mr Mohammed MOGDADI Deputy Secretary General National Council for Family Affairs

#### **TUNISIA / TUNISIE**

Mme Nidhal HLAYEM *Apologised / Excusée* Chargée du service des études, rapports et législations Sous-direction des droits de l'enfant Ministère des Affaires de la Femme, de la Famille et de l'Enfance

> 2.5 <u>INTERNATIONAL</u> ORGANISATIONS / <u>ORGANISATIONS</u> INTERNATIONALES

# <u>COUNCIL OF THE BALTIC SEA STATES (CBSS) /</u> <u>CONSEIL DES ETATS DE LA MER BALTIQUE</u>

(CEMB) Ms Turid HEIBERG Apologised / Excusée Senior Adviser & Head of the Unit for Children at Risk (CAR)

#### ENOC (European Network of Ombudspersons for Children) / ENOC (Réseau Européen des Ombudsmans pour Enfants) Ms Leda KOURSOUMBA Apologised / Excusée Commissioner for the Protection of

Children's Rights Cyprus

EUROPEAN NETWORK OF NATIONAL HUMAN RIGHTS INSTITUTIONS (ENNHRI) / RESEAU EUROPEEN DES INSTITUTIONS NATIONALES DE PROMOTION ET DE PROTECTION DES DROITS DE L'HOMME

Ms Debbie KOHNER Apologised / Excusée Secretary General Permanent Secretariat

### **EUROPEAN UNION / UNION EUROPÉENNE**

Mr César ALONSO IRIARTE *Apologised / Excusé* Unit A.2: Fight against organised crime DG Home Affairs European Commission

# EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS (FRA) / AGENCE DES DROITS FONDAMENTAUX DE l'UNION EUROPEENNE (FRA)

Ms Astrid PODSIADLOWSKI *Apologised / Excusée* Head of Child Rights Sector Equality and Citizens Rights Department

Ms Georgia DIMITROPOULOU Apologised / Excusée Seconded National Expert Equality and Citizens Rights Department

#### EUROPOL

Ms Katarzyna STACIWA Strategic Analyst Focal Point Twins EC3 European Cybercrime Centre and fight against child sexual exploitation

### INTERNATIONAL ORGANISATION OF LA FRANCOPHONIE (IOF) / ORGANISATION INTERNATIONALE DE LA FRANCOPHONIE (OIF) Mme Delphine COUVEINHES-MATSUMOTO Apologised / Excusée Spécialiste de programme Direction « affaires politiques et gouvernance démocratique » (DAPG)

# INTERNATIONAL TELECOMMUNICATION UNION (ITU)

Ms Carla LICCIARDELLO Apologised / Excusée Corporate Strategy Division

### **INTERPOL**

Mr Michael MORAN *Apologised / Excusé* Assistant Director Vulnerable Communities Sub-Directorate

#### <u>UNICEF</u>

Ms Anne GRANDJEAN *Apologised / Excusée* Child Protection Specialist UNICEF Regional Office for Central and Eastern Europe and Commonwealth of Independent States (CEE/CIS)

#### WORLD HEALTH ORGANIZATION (WHO) / ORGANISATION MONDIALE DE LA SANTE (OMS)

Dr Dinesh SETHI Apologised / Excusé Programme Manager Violence and Injury Prevention Division of NonCommunicable Diseases and Promoting Health through the Life-Course WHO Regional office for Europe

> Apologised / Excusée 2.6 <u>COUNCIL OF EUROPE</u> <u>INSTITUTIONS AND BODIES /</u> <u>INSTITUTIONS ET ORGANES DU</u> <u>CONSEIL DE L'EUROPE</u>

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

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

Mr Johan van den HOUT *Apologised / Excusé* Thematic Spokesperson on Children / Rapporteur thématique sur les enfants

#### COUNCIL OF EUROPE COMMISSIONNER FOR HUMAN RIGHTS / COMMISSAIRE AUX DROITS DE L'HOMME

DU CONSEIL DE L'EUROPE Apologised / Excusé

COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS (GRETA) / CONVENTION DU CONSEIL DE L'EUROPE SUR LA LUTTE CONTRE LA TRAITE DES ÊTRES HUMAINS (GRETA) Ms Siobhán MULLALLY Chairperson ad interim / Présidente ad interim

GOVERNMENTAL COMMITTEE OF THE EUROPEAN SOCIAL CHARTER AND THE EUROPEAN CODE OF SOCIAL SECURITY (T-SG) / COMITÉ GOUVERNEMENTAL DE LA CHARTE SOCIALE EUROPÉENNE ET DU CODE EUROPÉEN DE SÉCURITÉ SOCIALE (T-SG) Ms Karolina KIRINCIC ANDRITSOU 2<sup>nd</sup> Vice-chair

General Secretariat for Social Security Directorate for Interstate Social Security, Division for Bilateral Conventions and Relations with International Organisations in the field of Social Security Ministry of Labour, Social Security and Social Solidarity Greece

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

Mr Joan FORNER ROVIRA Expert Member of the CDDH Government Agent to the ECtHR Deputy Permanent Representative Permanent Representation of Andorra to the Council of Europe

EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC) / COMITÉ EUROPÉEN POUR LES PROBLÈMES CRIMINELS (CDPC) Apologised / Excusé No official nomination / Pas de nomination officielle

#### EUROPEAN COMMITTEE ON LEGAL CO-OPERATION (CDCJ) / COMITÉ EUROPÉEN DE COOPÉRATION JURIDIQUE (CDCJ)

*Apologised / Excusé* No official nomination / Pas de nomination officielle

#### <u>CYBERCRIME CONVENTION COMMITTEE</u> (T-CY) / COMITÉ DE LA CONVENTION CYBERCRIMINALITÉ (T-CY)

Ms Cristina SCHULMAN Apologised / Excusée T-CY Vice-chair Legal Adviser Directorate International of Law and Judicial Cooperation Ministry of Justice Romania

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

*Apologised / Excusé* No official nomination / Pas de nomination officielle

#### <u>CONFERENCE OF INGOS OF THE COUNCIL</u> <u>OF EUROPE / CONFÉRENCE DES OING DU</u> <u>CONSEIL DE L'EUROPE</u>

Mme Anna RURKA *Apologised / Excusée* Présidente de la Conférence des OING

#### 3. OBSERVERS / OBSERVATEURS

#### NON-GOVERNMENTAL ORGANISATIONS / INSTITUTIONS NON-GOUVERNEMENTALES

#### **ECPAT INTERNATIONAL**

Ms Katlijn DECLERCQ Vice-Chair ECPAT International Board of Trustees

Ms Ariane COUVREUR ECPAT Belgium

# eNACSO (European NGO Alliance for Child

<u>Safety Online</u>) Ms Flaminia FRINCHI *Apologised / Excusée* Coordinator of eNACSO IV Project Save the Children Italy

#### "HOPE FOR CHILDREN" CRC Policy Center

Mr Joseph VARUGHESE Apologised / Excusé Director-General

Ms Kristina MARKU Children's Rights Coordinator

#### **INHOPE FOUNDATION (The International**

Association of Internet Hotlines) Ms Samantha WOOLFE Apologised / Excusée Projects Coordinator

#### **MISSING CHILDREN EUROPE**

Mr Francis HERBERT Legal Counsel 4. <u>COUNCIL OF EUROPE SECRETARIAT /</u> <u>SECRETARIAT DU CONSEIL DE</u> <u>L'EUROPE</u>

#### <u>Secretariat of the Parliamentary Assembly /</u> <u>Secrétariat de l'Assemblée parlementaire</u>

<u>Committee on Social Affairs, Health and</u> <u>Sustainable Development / Commission</u> <u>des questions sociales, de la santé et du</u> <u>développement durable</u> Ms Maren LAMBRECHT-FEIGL Secretary to the Committee on Social

Affairs, Health and Sustainable Development / Secrétaire de la commission des questions sociales, de la santé et du développement durable

Ms Jannick DEVAUX *Apologised / Excusée* Project Manager / Chargée de Projet

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* Ms Sedef CANKOCAK *Apologised / Excusée* Secretary of Committee / Secrétaire de 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

Office of the Special Representative of the Secretary General on migration and refugees / Bureau du représentant spécial du Secrétaire Général sur les migrations et les réfugiés

Mr Stephanos STAVROS Senior legal advisor, Head of Office / Conseiller juridique principal, Chef du bureau

> Directorate General of Democracy / Direction Générale de la Démocratie

Partial Agreement of the Council of Europe Development Bank (CEB) / Accord Partiel de la Banque de développement du Conseil de l'Europe (CEB)

Ms Giusi PAJARDI *Apologised / Excusée* Head of Secretariat / Chef de Secrétariat

Ms Christiane SCHIMECK *Apologised / Excusée* Projects Coordinator / Coordinatrice de projets

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

Children's Rights and Sport Values Department / Service des droits des enfants et des valeurs du sport

Ms Elda MORENO Head of Department / Chef de Service <u>Children's Rights Division / Division des</u> <u>droits des enfants</u> Ms Regína JENSDÓTTIR Head of Division / Chef de Division

Ms Gioia SCAPPUCCI Executive Secretary of the Lanzarote Committee / Secrétaire exécutive du Comité de Lanzarote

Mr Mikaël POUTIERS Secretary to the Lanzarote Committee / Secrétaire du Comité de Lanzarote

Ms Zsuzsanna RUTAI Policy Advisor / Conseillère en politiques

Ms Corinne CHRISTOPHEL Assistant / Assistante

Ms Isabelle JUNG Assistant / Assistante

Interpreters / Interprètes

Mr Grégoire DEVICTOR Mr Didier JUNGLING Ms Bettina LUDEWIG

# Appendix III

# Special Report Executive Summary:

Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse

1. This Special Report is the outcome of an urgent monitoring round launched by the Lanzarote Committee to focus on how Parties to the Lanzarote Convention are protecting children affected by the refugee crisis from sexual exploitation and sexual abuse. It covers the situation in the 41 States which were Parties to the Convention at the time the urgent submission for a report was called for by the Lanzarote Committee.

2. The Special Report draws on replies from the Parties to the Lanzarote Convention and other stakeholders to a focused questionnaire. This questionnaire sought to evince answers that would allow the mapping of the Parties' responses to the increased risks of sexual violence that confronts children affected by the refugee crisis. Information was sought on four broad topics: 1) Data; 2) Prevention; 3) Protection; and 4) Co-operation.

3. A number of the systemic challenges that have been brought into sharp focus by the increased numbers of people arriving in Europe looking for international protection are raised by the Report. These challenges can have particularly worrying consequences for children affected by the refugee crisis, exposing them to a risk of sexual exploitation and sexual abuse. They are particularly pertinent for both those children who arrive in Europe unaccompanied, and those who go missing after arrival, with their heightened vulnerability posing an increased risk of them falling victim to sexual violence. The Lanzarote Committee commends Parties who have put in place procedures to address such challenges.

4. The Special Report regrets that it remains the case that data collection is sporadic and non-comprehensive across Parties. It is probable that the number of instances of sexual exploitation and abuse is significantly underreported. There are no specific data collection mechanisms or focal points tasked with collecting data on child sexual exploitation and abuse within the context of the refugee crisis. Reasons explaining the difficulties in capturing such data cut across a number of sectors such as limited capacity, insufficient training, abuse not reported due to linguistic or trust issues, or practical difficulties in establishing the number of migrant children on the territory. It is clear that more accurate data would help all relevant actors and stakeholders frame, adjust, and evaluate policies in this field.

5. The uneven distribution across the continent of children affected by the refugee crisis is stark, with some Parties reporting very few or no such children on their territories, whereas other Parties are receiving thousands of such children. Therefore some Parties' child support services are bearing a disproportionately large burden, while others have not tested the implementation of their child protection approaches in this context.

6. Reception centres need to provide adequate protection for children, with prolonged stays in inappropriate conditions increasing a child's risk of exposure to sexual exploitation or sexual abuse. Parties have taken steps to improve the available facilities and lodging solutions for children, and work in this sphere must continue to ensure that children can be

helped and assisted in a non-traumatising environment. It is reiterated that unaccompanied children should be separated from adults in reception centres, and that robust complaint mechanisms to report abuse must be effective.

7. Parties have indicated that a number of children go missing from reception facilities. This is of concern, and steps to identify the children that are at particular risk of going missing and to develop specific protocols to support those children to avoid their disappearance are needed to confront this. A number of Parties are implementing methods to avoid that children go missing through increased co-operation between relevant authorities to record and trace disappearances. These efforts could be further fortified by transnational development of common strategies and procedures.

8. The Committee notes that numerous challenges need to be met to ensure effective preventive measures are taken to target the specific needs of children affected by the refugee crisis. Culture and language differences can pose problems for Parties when screening children for signs of sexual exploitation and abuse, and for transmitting relevant information and advice. Appropriate arrangements should be made to ensure that children receive information on their rights, on care facilities and on procedures available to them in a language they understand, that is culturally and gender appropriate. Equally, all personnel (professional or voluntary) that come into contact with children should be adequately trained, and screened in order to give the best possible protection to children affected by the refugee crisis.

9. Specific recommendations by the Lanzarote Committee on steps to improve or reinforce the protection of children affected by the refugee crisis against sexual exploitation and sexual abuse in the areas covered by this report are found in each chapter. All chapters also highlight a number of promising practices. Co-operation between all relevant stakeholders, including civil society, is essential to ensure that effective measures against child sexual abuse are enacted.