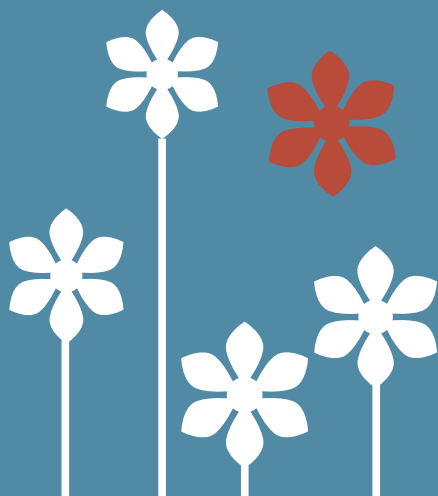




# LANZAROTE COMMITTEE

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



Adopted by the Lanzarote  
Committee on  
11 September 2014

## **1st activity report of the Lanzarote Committee**

(covering the period  
20 September 2011 – 11 September 2014)

COUNCIL OF EUROPE



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■ Article 39 of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the “Lanzarote Convention”) provides for the creation of a Committee of the Parties to the Convention (the “Lanzarote Committee”).

■ This activity report covers the period from the 1st meeting of the Lanzarote Committee (20 and 21 September 2011) up to its 9th meeting (9-11 September 2014) (see Appendix I – List of meetings of the Lanzarote Committee).

## Composition and functioning of the Lanzarote Committee

■ The Committee comprises members (the Parties to the Lanzarote Convention), participants (in particular Council of Europe member states and observer states which are not yet parties to the Convention, the European Union, the United Nations and other intergovernmental organisations, together with the Council of Europe institutions and bodies) and observers (particularly representatives of civil society) (see Rule 2 – Composition – of the Committee’s Rules of Procedure adopted by the Committee at its second meeting on 29 and 30 March 2012).

■ After chairing the Committee since its creation, Mr Eric Ruelle (France) handed over its Chairmanship to Mr Bragi Guðbrandsson (Iceland) following the elections held at the 8th meeting (8-10 April 2014). The composition of the Bureau of the Lanzarote Committee is shown in Appendix II to this activity report.

## Functions of the Lanzarote Committee

■ The functions of the Lanzarote Committee are determined by Article 41 of the Convention. They amount to two principal tasks: monitoring the implementation of the Convention by the States Parties, and operating as an observatory on protection of children against sexual exploitation and sexual abuse (through the collection, analysis and exchange of information, experience and good practice).

## I – The monitoring function

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■ The Lanzarote Committee decided that it was necessary to start the monitoring of the Lanzarote Convention by taking stock of the existing legislation on protection of children and on the measures and the institutional framework established at the national, regional and local levels in respect of sexual exploitation and sexual abuse affecting children. For that purpose it devised a General overview questionnaire to collect information which would provide it with a general framework.

■ The Committee moreover decided as early as its first meeting (20-21 September 2011) that the monitoring of the implementation of the Convention would be carried out according to a thematic approach. It also decided that the theme of the monitoring in the first round would focus on “sexual abuse of children in the circle of trust” since available data indicate that most sexual abuse inflicted on children in the Council of Europe member states is “committed within the family framework, by persons close to the child or by those in the child’s social environment” (see explanatory report to the Lanzarote Convention, paragraphs 48 and 123-125).

■ To initiate this first monitoring round, the Lanzarote Committee produced a second questionnaire, a “thematic questionnaire”, in order to gather exact information on the Parties’ ways of implementing the Lanzarote Convention in situations of sexual abuse of children in the circle of trust.

■ The first monitoring round concerns the 26 States Parties<sup>1</sup> which had ratified the Convention at the time the monitoring round was launched. These 26 States Parties were to answer the two questionnaires by 31 January 2014. At the date of adoption of this activity report, all but three have replied (“the former Yugoslav Republic of Macedonia”, France and San Marino) (see survey of replies to the questionnaires reproduced in Appendix III). The replies received are published on the Committee’s website.

■ States which have signed but not ratified the Lanzarote Convention were encouraged to answer the General Overview questionnaire. Their replies do not provide input for the monitoring process as such, but give the Lanzarote Committee a wider and more comprehensive perspective of the general situation.

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1. Namely Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Denmark, Spain, “the former Yugoslav Republic of Macedonia”, Finland, France, Greece, Iceland, Italy, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Portugal, the Republic of Moldova, Romania, San Marino, Serbia, Turkey and Ukraine.

■ The representatives of civil society and other stakeholders endeavouring to prevent and combat sexual exploitation and sexual abuse of children were also invited to answer both questionnaires within the same deadlines. Their replies are also on line.

■ All Parties undergo monitoring at the same time (decision taken at the Committee's 5th meeting, 15-16 May 2013) and not a country-specific evaluation. The aim is to create a momentum around a specific aspect of the monitoring theme in all States Parties at the same time, which in turn fosters exchange of good practices and detection of inadequacies or difficulties. It also enables the Committee to provide a comparative overview of the situation in the States Parties. The Committee will adopt two implementation reports on the 1st thematic monitoring round, each dealing with a specific sub-theme. The first will concern the effective enforcement of the applicable legislation as well as judicial procedures, the second the effects of the measures and procedures adopted for preventing sexual abuse of children in the circle of trust, and the protection of children. The provisional timetable of the first monitoring round is reproduced in Appendix IV.

## **II – The observatory function**

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■ The Lanzarote Committee is also tasked to facilitate collection, analysis and exchange of information, experience and good practices among states to improve their capacity to prevent and combat sexual exploitation and sexual abuse of children. Accordingly, the Committee can organise capacity-building activities, information exchanges or hearings on specific issues raised by the implementation of the Convention.

■ In this context, the Lanzarote Committee has held the following capacity-building activities:

1. *Study visit concerning the Icelandic “Children’s House – Barnahus” model (Reykjavik, Iceland, 31 May – 1 June 2012)*

■ Several members of the Lanzarote Committee made a 2 day study visit to Iceland on multidisciplinary, child-friendly responses to sexual abuse and sexual exploitation of children, for an exchange of views and practices with professionals working with children. They visited the Children’s House (Barnahus), an interdisciplinary and multiagency approach which makes the best interest of the child the core of investigative procedures, thereby avoiding any secondary victimisation of the child. During their visit they met, among others, a court judge, prosecutors, members of the police force and child protection services, and medical professionals.

2. *Conference on the role of international co-operation in tackling sexual violence against children (Rome, Italy, 29-30 November 2012)*

■ The Conference, organised jointly by the Council of Europe and the Italian authorities, had the aim of promoting the Lanzarote Convention, and holding a discussion and exchange on the concrete potential of its Article 38 on international co-operation. The Conference provided a forum for pooling and presenting good practices worldwide in the field of preventing and combating sexual exploitation and sexual abuse of children.

3. *Conference on preventing sexual abuse of children (Madrid, Spain, 10-11 December 2013)*

■ The Conference, organised jointly by the Council of Europe and the Spanish authorities, was an occasion to examine in more detail the specific aspect of preventing sexual abuse of children (Chapter II of the Lanzarote Convention) and to share good practices in this field, particularly between representatives of European states and of civil society.

■ Information on these three activities is available on line.

■ In addition, representatives of the Lanzarote Committee have participated in various national or international round tables or events organised on the initiative of states with all stakeholders concerned, in order to facilitate exchange of views and experience on the implementation of the Convention (see Appendix V). Moreover, several representatives of other international governmental and non-governmental organisations and experts, as well as representatives of services of the Council of Europe presented their activities which are relevant to the work of the Committee (see Appendix VI).

# Appendix I

## List of meetings of the Lanzarote Committee

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- ▶ 1st meeting:           Strasbourg, 20-21 September 2011
- ▶ 2nd meeting:           Strasbourg, 29-30 March 2012
- ▶ 3rd meeting:           Strasbourg, 15-16 October 2012
- ▶ 4th meeting:           Strasbourg, 21-22 March 2013
- ▶ 5th meeting:           Strasbourg, 15-16 May 2013
- ▶ 6th meeting:           Strasbourg, 14-15 October 2013
- ▶ 7th meeting:           Madrid, 9 December 2013
- ▶ 8th meeting:           Strasbourg, 8-10 April 2014
- ▶ 9th meeting:           Strasbourg, 9-11 September 2014



# Appendix II

## Composition of the Bureau of the Lanzarote Committee

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### **Since 10 April 2014**

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- ▶ Chair: Mr Bragi GUÐBRANDSSON, Iceland
- ▶ Vice-chair: Mr Claude JANIZZI, Luxembourg
- ▶ Members: Ms Ina VERZIVOLLI, Albania  
Mr George NIKOLAIDIS, Greece

### **From 22 March 2013 to 10 April 2014**

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- ▶ Chair: Mr Eric RUELLE, France
- ▶ Vice-chair: Mr Bragi GUÐBRANDSSON, Iceland
- ▶ Members: Ms Lorna MUSCAT, Malta  
Mr Claude JANIZZI, Luxembourg

### **From 20 September 2011 to 22 March 2013**

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- ▶ Chair: Mr Eric RUELLE, France

# Appendix III

## State of play of the replies to the questionnaires

| States parties to the Convention | Date of receipt of the replies to the GOQ | Date of receipt of the replies to the TQ |
|----------------------------------|-------------------------------------------|------------------------------------------|
| Albania                          | 31/01/14                                  | 31/01/14                                 |
| Andorra                          | Deadline to reply: 31/03/15               | No obligation to respond                 |
| Austria                          | 31/01/14                                  | 31/01/14                                 |
| Belgium                          | 03/06/14                                  | 03/06/14                                 |
| Bosnia and Herzegovina           | 06/04/14                                  | 06/04/14                                 |
| Bulgaria                         | 22/08/14                                  | 22/08/14                                 |
| Croatia                          | 21/01/14                                  | 21/01/14                                 |
| Denmark                          | 27/01/14                                  | 27/01/14                                 |
| Finland                          | 10/03/14                                  | 10/03/14                                 |
| France                           |                                           |                                          |
| Greece                           | 11/09/14                                  | 11/09/14                                 |
| Iceland                          | 07/04/14                                  | 07/04/14                                 |
| Italy                            | 06/02/14                                  | 06/02/14                                 |
| Lithuania                        | 29/01/14                                  | 29/01/14                                 |
| Luxembourg                       | 31/07/14                                  | 31/07/14                                 |
| Malta                            | 10/02/14                                  | 10/02/14                                 |
| Republic of Moldova              | 03/02/14                                  | 03/02/14                                 |
| Montenegro                       | 14/02/14                                  | 14/02/14                                 |
| Netherlands                      | 24/03/14                                  |                                          |
| Portugal                         | 03/02/14                                  | 03/02/14                                 |
| Romania                          | 31/01/14                                  | 31/01/14                                 |
| Russian Federation               | 28/08/14                                  | No obligation to respond                 |
| San Marino                       |                                           |                                          |

| States parties to the Convention            | Date of receipt of the replies to the GOQ | Date of receipt of the replies to the TQ |
|---------------------------------------------|-------------------------------------------|------------------------------------------|
| Serbia                                      | 31/01/14                                  | 31/01/14                                 |
| Slovenia                                    | Deadline to reply: 31/08/14               | No obligation to respond                 |
| Spain                                       | 25/03/14                                  | 25/03/14                                 |
| Sweden                                      | 21/02/14                                  | No obligation to respond                 |
| Switzerland                                 | Deadline to reply: 28/02/15               | No obligation to respond                 |
| “The former Yugoslav Republic of Macedonia” |                                           |                                          |
| Turkey                                      | 31/01/14                                  | 31/01/14                                 |
| Ukraine                                     | 05/03/14                                  | 05/03/14                                 |

| Other member States of the Council of Europe | Date of receipt of the replies to the GOQ |
|----------------------------------------------|-------------------------------------------|
| 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                                  |

# Appendix IV

## Indicative time-table of the 1st monitoring round

| 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                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>1st sub-theme / 1st part of the implementation report</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 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"> <li>– 10 (criminal law offence of sexual abuse)</li> <li>– 11 (corporate liability)</li> </ul>                                                                                                                                                                                                       |
| 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"> <li>– 1 (data collection)</li> <li>– 9.a (legal safeguards to assist and protect the victim)</li> <li>– 12 (aggravating circumstances)</li> <li>– 13 (best interest of the child in investigation and criminal proceedings)</li> <li>– 14 (child friendly investigations and proceedings)</li> </ul> |
| Spring 2015                                                  | Assessment of the draft implementation report on the 1st sub-theme                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Autumn 2015                                                  | Finalisation and adoption of the report on the 1st sub-theme                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| <b>2nd sub-theme / 2nd part of the implementation report</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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"> <li>– 2 (children’s education)</li> <li>– 4 (awareness raising strategies)</li> <li>– 6 (participation by children in the development and implementation of policies, programmes)</li> <li>– 7 (preventive and intervention programmes)</li> </ul> |
| 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"> <li>– 3 (recruitment and screening)</li> <li>– 5 (specialised training)</li> <li>– 8 (reporting)</li> <li>– 9.b (denial of exercise of the professional or voluntary activity)</li> </ul>                                                          |
| Autumn 2016                                                  | Assessment of the draft report on the 2nd sub-theme                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>End of 2016 /<br/>Beginning 2017</b>                      | <b>Finalisation and adoption of the report on the 2nd sub-theme</b>                                                                                                                                                                                                                                                                                                                                                                                      |

# Appendix V – Participation of the Lanzarote Committee in outside events

## 2012

|            |                                                                                                                                                                                             |                                                       |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| 24 January | ▶ 6th Meeting of the PACE Network of Contact Parliamentarians to stop sexual violence against children on “The means to redress and eliminate sexual violence against children”, Strasbourg | ▶ Mr Eric RUELLE,<br>Chair of the Lanzarote Committee |
| 6-8 June   | ▶ Octopus Conference, (Cooperation against Cybercrime) Strasbourg                                                                                                                           | ▶ Mr Eric RUELLE,<br>Chair of the Lanzarote Committee |

## 2013

|                 |                                                                                                                                        |                                                                   |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 20 March        | ▶ European Law Students Association (ELSA) for Children - Panel Discussion at the European Parliament, Brussels                        | ▶ Mr Eric RUELLE,<br>Chair of the Lanzarote Committee             |
| 11 April        | ▶ Conference on “The global fight against online child sexual abuse” (Conference organized by the Internet Watch Foundation), Brussels | ▶ Mr Eric RUELLE,<br>Chair of the Lanzarote Committee             |
| 15-18 September | ▶ 13th ISPCAN European Regional Conference on “Child Abuse & Neglect”, Dublin                                                          | ▶ Mr Bragi GUÐBRANDSSON,<br>Vice-Chair of the Lanzarote Committee |

|             |                                                                                                                                                                                                                        |                                                              |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| 1 October   | ▶ 15th Meeting of the PACE Network of Contact Parliamentarians to stop sexual violence against children on “Monitoring the fight against sexual violence against children at European and national levels”, Strasbourg | ▶ Mr Eric RUELLE, Chair of the Lanzarote Committee           |
| 7-8 October | ▶ Conference “Inclusion and Protection of children in and through Sport”, Budapest                                                                                                                                     | ▶ Mr George NIKOLAIDIS, Member of the Lanzarote Committee    |
| 8-9 October | ▶ Regional Conference on “Combatting Trafficking in Human Beings in South Eastern Europe: for a better protection of children”, Chisinau                                                                               | ▶ Ms Tatiana ȚURCAN, Member of the Lanzarote Committee       |
| 7 December  | ▶ Octopus Conference (Cooperation against Cybercrime) Strasbourg                                                                                                                                                       | ▶ Ms Gioia SCAPPUCCI, Secretariat of the Lanzarote Committee |

## 2014

|               |                                                                                                                                                     |                                                                |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 21-22 January | ▶ Regional Meeting on “The rights of the child - Improvement of the status of children to protect them from all forms of exploitation”, Danilovgrad | ▶ Ms Svetlana SOVILJ, Member of the Lanzarote Committee        |
| 20 March      | ▶ Seminar on “Gender based violence in Sport – Protection of minors”, Athens                                                                        | ▶ Mr George NIKOLAIDIS, Member of the Lanzarote Committee      |
| 27-28 March   | ▶ Conference on “Growing with Children’s Rights”, Dubrovnik                                                                                         | ▶ Mr Bragi GUÐBRANDSSON, Vice-Chair of the Lanzarote Committee |

|             |                                                                                                                                                                                                                      |                                                                         |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 13 May      | ▶ 18th Meeting of the PACE Network of Contact Parliamentarians to stop sexual violence against children on “Towards optimum conditions for reporting and successfully prosecuting child sexual abuse cases”, Nicosia | ▶ Mr George NIKOLAIDIS, Member of the Bureau of the Lanzarote Committee |
| 15 May      | ▶ ICMEC Conference on “Transnational Child Sex Offenders, Brussels                                                                                                                                                   | ▶ Ms Gioia SCAPPUCCI, Secretariat of the Lanzarote Committee            |
| 12-15 June  | ▶ IWG World Conference on Women and Sport “Lead the change – Be the change”, Helsinki                                                                                                                                | ▶ Mr George NIKOLAIDIS, Member of the Bureau of the Lanzarote Committee |
| 7-8 July    | ▶ Council of Europe Conventions Information Seminar, Jerusalem                                                                                                                                                       | ▶ Ms Ina VERZIVOLLI, Member of the Bureau of the Lanzarote Committee    |
| 2 September | ▶ Regional Conference on sexual abuse against children, Reykjavik                                                                                                                                                    | ▶ Mr Bragi GUÐBRANDSSON, Chair of the Lanzarote Committee               |



# Appendix VI

## Presentation of relevant activities by international governmental and non-governmental organizations, experts, as well as services of the Council of Europe in meetings of the Lanzarote Committee

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### 2012

#### 2nd meeting (29-30 March)

- ▶ Mr Alexander SEGER, Secretary of the Cybercrime Convention Committee (T-CY)
- ▶ Ms Petya NESTOROVA, Executive Secretary of GRETA

#### 3rd meeting (15-16 October)

- ▶ Ms Ksenija TURKOVIC, Professor, Faculty of Law, University of Zagreb
- ▶ Mr Robert SPANO, Professor and Dean, Faculty of Law, University of Iceland

### 2013

#### 4th meeting (21-22 March)

- ▶ Mr Francis HERBERT, Secretary General of Missing Children Europe

### 8th meeting (8-10 April)

- ▶ Ms Cathrin BAUER-BULST, European Commission, Global Alliance against child sexual abuse online
- ▶ Mr Uri SADEH, INTERPOL
- ▶ Mr Michael TRINKER, Enlarged Partial Agreement on Sport (EPAS) of the Council of Europe
- ▶ Mr Igor GUTSULYAK, Council of Europe Project 2011-2014 “Strengthening and protecting children’s rights in Ukraine”

### 9th meeting (9-11 September)

- ▶ Ms Ksenija TURKOVIC, Judge at the European Court of Human Rights
- ▶ Mr Luis JIMENA QUESADA, President of the European Committee of Social Rights



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