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18 October 2016

LANZAROTE COMMITTEE

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

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Report

15th meeting
Strasbourg, 14-17 June 2016

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 15th meeting in Strasbourg on 14-17 June 2016. 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 forthcoming entry into force of the Convention in the Slovak Republic (1st July 2016) and the Czech Republic (1st September 2016). With these additional ratifications the Lanzarote Convention counts 41 State Parties.

3. The Committee took note of progress in the ratification process¹ of the Lanzarote Convention in Estonia and that Belarus has manifested its renewed interest in acceding to the Lanzarote Convention.

2. MONITORING OF THE IMPLEMENTATION OF THE LANZAROTE CONVENTION

4. The Committee took note of the information provided by some monitored Parties on the follow-up to the Lanzarote Committee’s 1st implementation report. In this context, the Committee:

- invited monitored Parties which have not yet filled in the table (Document T-ES(2016)07) to do so in due time before the 16th meeting (lanzarote.committee@coe.int);
- invited those monitored Parties which have already filled in the table to send any additional information to lanzarote.committee@coe.int;
- recalled that a *tour de table* on the follow-up given to the 1st implementation report’s recommendations will be held at its 16th meeting.

2.1 *Preliminary assessment of replies to questions 2 and 5 to 8 of the Thematic Questionnaire with a view to include observations on such replies in the Lanzarote Committee’s 2nd implementation report*

5. The Committee pursued its assessment work of the replies to the remaining questions related to its 1st monitoring round (questions 2 “Education for children”, 5 “Specialised training”, 6 “Participation of children, the private sector, the media and civil society”, 7 “Preventive and intervention programmes” and 8 “Reporting suspicion of sexual abuse” of the Thematic Questionnaire), on the basis of working documents prepared by the Rapporteurs and the Secretariat.

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>).

Question 2: "Education for children"

6. Mr JANIZZI thanked Mr POPOVIĆ (Serbia), Rapporteur, for having prepared observations on the replies to Question 2 "Education for children" (Article 6 of the Convention) of the Thematic Questionnaire.

7. After a discussion with several members of the Committee on a few issues in the observations, the Lanzarote Committee endorsed the conclusions delivered by the Rapporteur. Members of the Lanzarote Committee were then called upon to verify the data concerning the situation in their country (in the body of the observations and in the appendix) and, if appropriate, to send any corrections to the Secretariat (lanzarote.committee@coe.int).

Question 5: "Specialised training"

8. Mr JANIZZI thanked Ms CASTELLO-BRANCO (Portugal), Rapporteur, for having prepared observations on the replies to Question 5 "Specialised training" (Article 34(1) of the Convention) of the Thematic Questionnaire.

9. Several members of the Committee gave additional information on the specialised trainings which exist in their countries. Members of the Lanzarote Committee were called to send updated information to the Secretariat (lanzarote.committee@coe.int). Further to this discussion, the Lanzarote Committee endorsed the conclusions delivered by the Rapporteur.

Question 6: "Participation of children, the private sector, the media and civil society"

10. The Lanzarote Committee took note that no additional information on Participation of children, the private sector, the media and civil society (Question 6 of the Thematic Questionnaire; Article 9 of the Convention) had been sent to Rapporteur Ms DIMITROVA, Bulgaria.

Question 7: "Preventive and intervention programmes"

11. Ms DE CRAIM (Belgium), Rapporteur on Question 7 "Preventive and intervention programmes" (Article 7 of the Convention) of the Thematic Questionnaire, recalled that, at its previous meeting (see §7 of the list of decisions), the Lanzarote Committee decided that the scope of Question 7 should not be limited to its current wording but should be extended to also cover intervention programmes or measures towards persons subject to criminal proceedings or persons convicted of any of the offences established in accordance with this Convention. As a consequence, she addressed additional questions in this respect to Parties. She regretted that she had not been in a position to prepare observations on this specific aspect given the insufficient number of replies received to the additional questions.

12. The Lanzarote Committee urged those Parties concerned to send the requested additional information by 15th September 2016 to the Secretariat (lanzarote.committee@coe.int) and postponed its examination of the observations on Question 7 to its next meeting.

Question 8: "Reporting suspicion of sexual abuse"

13. Mr JANIZZI thanked Mr FORNER ROVIRA (Steering Committee for Human Rights - CDDH), Rapporteur, for having prepared observations on the replies to Question 8 "Reporting suspicion of sexual abuse" (Article 12 of the Convention) of the Thematic Questionnaire.

14. The Lanzarote Committee held a detailed discussion on the situation in Belgium where it may be decided, on a case by case basis and with a regular review of the situation, that the perpetrator stays home if this is considered to be the best solution for the child. Considering that this specific situation needed to be examined in further detail, the Lanzarote Committee decided that it would revert to it on the basis of an information note on the Belgium legal and practical situation in this regard which it asked Belgium to circulate in due time before its 16th meeting.

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15. Finally, the Secretariat was asked to prepare the relevant parts of the implementation report on the basis of the discussions held on the observations examined during the present and previous meetings of the Committee.

2.2 Protecting children affected by the refugee crisis from sexual abuse and exploitation: exchange of views on the Bureau's suggestion to address a focused questionnaire to all Parties

16. The Chair recalled that, at its last meeting, the Committee agreed to respond to the Secretary General's proposals for [priority action to protect children affected by the refugee crisis](#) by mandating its Bureau to decide on its behalf on the need to make urgent requests for information, on the basis of Rule 28 of its [Rules of Procedure](#) (Special reports and urgent situations), in the light of the [outcome of the fact-finding mission](#) by the Secretary General's Special Representative on Migration and Refugees to Greece and "The former Yugoslav Republic of Macedonia". As soon as this report was available (26 April 2016), the Bureau examined it and exchanged views on possible ways forward. It agreed that, given the extent of the refugee crisis as well as the documented risk that refugee children fall victims of sexual abuse and exploitation, it was necessary to collect focused information from all Parties to the Lanzarote Convention to identify ways forward.

17. The Bureau therefore asked the Secretariat to prepare a focused questionnaire to be addressed to all Parties within a reasonably tight deadline to allow the Committee to examine the replies to it as a matter of urgency. In accordance with Rule 28, the examination of such replies would be the basis for the Committee's findings and recommendations on the urgent situation addressed. In the Bureau's view the Committee should identify major challenges and needs; highlight existing promising practices, which may be shared and identify any scope for developing targeted cooperation projects.

18. The Lanzarote Committee endorsed the Bureau's suggestions. It discussed, amended and adopted, a focused questionnaire on the protection of children affected by the refugee crisis from sexual exploitation and sexual abuse (see Appendix III), which it asked the Secretariat to address to all Parties and relevant stakeholders. It was agreed that all replies and relevant information should be sent to the Secretariat (lanzarote.committee@coe.int) by 15th September 2016. The Lanzarote Committee asked the Secretariat to prepare draft observations on these replies in view of the possible adoption of an implementation report based on them at its next meeting.

2.3 *Exchange of views to identify and agree on the 2nd monitoring round theme*

19. It was firstly underlined that the 2nd monitoring round will concern 41 (or more) Parties (whilst the 1st one concerned only 26 Parties). It was then recalled that the Lanzarote Committee would prefer that the outcome of the 2nd monitoring round be available in a shorter lapse of time compared to that of the 1st monitoring round. It was therefore highlighted that the next monitoring theme should be as focused as possible to enable a quicker comparison of the different situations and to facilitate the identification of good practices, shortcomings and challenges.

20. The Lanzarote Committee held an in-depth exchange of views on possible theme for its 2nd monitoring round on the basis of suggestions made by members, participants, observers and the Secretariat. Following such an exchange as well as a meeting of the Bureau which reduced the number of suggested themes to three, the following theme was agreed upon: "The dangerous effects of the child's interaction through information and communication technologies (ICT)".

21. The Lanzarote Committee asked its Working Group on Trends in Child Sexual Exploitation and Abuse to suggest possible issues to be included in the questionnaire for the 2nd monitoring round (on the basis of Document T-ES-WG(2016)02Rev2).

3. EXCHANGE OF INFORMATION, EXPERIENCES AND GOOD PRACTICES

3.1 *Web addresses self-evidently advertising criminal offences against children: presentation by Mr CARR (independent expert) to enable discussion in view of the possible adoption of a declaration condemning this practice*

22. The Lanzarote Committee heard a presentation by Mr CARR (independent expert) on the issue of web addresses self-evidently advertising or promoting child sexual abuse material or images or any other offences established in accordance with the Lanzarote Convention. He explained in particular that whether such addresses hosted illegal content or not was a separate issue. The mere existence of web addresses such as those identified in the [Internet Watch Foundation Annual Report 2015](#) (p. 18) was a separate and serious issue in itself.

23. In the discussion that followed, the Lanzarote Committee recalled that, according to Article 8§2 of the Lanzarote Convention, Parties should "take the necessary legislative or other measures to prevent or prohibit the dissemination of materials advertising the offences established in accordance with this Convention". In particular, it was stressed that Parties should be urged to take the necessary measures to identify and remove any such web addresses and to ensure that no new such addresses are registered.

24. The Lanzarote Committee adopted a Declaration along these lines (see Appendix IV).

3.2 Presentation of the results of the reflection carried out by the Working Group on Trends in Child Sexual Abuse and Exploitation and discussion in view of deciding on possible steps forward

25. Mr POUTIERS (Secretary to the Lanzarote Committee) recalled first that the Working Group was set up as a result of the 11th meeting of the Lanzarote Committee, after a discussion of the need for the Committee to address issues linked to the use of new technologies and their impact on sexual abuse and exploitation (i.e. trends such as “sexting”, “sextortion”, live streaming of sexual abuse, etc.). He then presented the results of the reflection carried out by the Working Group on Trends in Child Sexual Exploitation and Abuse during its three meetings. In particular, he highlighted the various trends identified by the Working Group, i.e.: sexual coercion and extortion; commercial child sexual exploitation (payment and the phenomenon of teenagers’ pimps, so called “lover boys”); peer-to-peer sexual violence; self-generated sexual images and material (SGIM) of children initiated by themselves; live online (distant) child sexual abuse and exploitation; sex chatting / sexting; bad hosting; anonymity and encryption of data / use of dark net; virtual reality; phenomenon of the taking of pictures and/or videos of naked children when done for the purposes of sexual gratification; audio and written materials; compensation for victims; data retention; extraterritoriality and discrepancies due to different legal age for sexual activities. The Working Group suggested three possible types of actions (adoption of opinions to complement the Lanzarote Convention; organisation of awareness-raising activities; conduct research / commission studies before deciding on possible actions) on most of the above mentioned trends.

26. The Lanzarote Committee thanked the members of the Working Group for the impressive work carried out. Some Parties highlighted that some suggestions to complement the Lanzarote Convention going beyond its current scope could, at the end, request the adoption of an additional protocol. It was underlined that that some Parties may already have put in place some of the awareness-raising activities suggested by the Working Group. It was agreed that in such cases, information on such activities could usefully be shared with other Parties. As to the suggestions concerning research/studies, it was decided that, before beginning any new research, participants in the Lanzarote Committee meetings should transmit to the Secretariat (lanzarote.committee@coe.int) any relevant recent research on any of the trends identified by its Working Group on Trends in Child Sexual Exploitation and Abuse.

27. Some members of the Lanzarote Committee stressed that the Convention referred explicitly to the use of information and communication technologies (ICT) in only two of its provisions (child pornography – Article 20§1.f) and solicitation of children for sexual purposes – Article 23). They considered that, given today’s widespread use of ICT in all circumstances, all offences set forth in the Convention should be interpreted as being possible offline as online even if the Convention does not expressly say so. To solve such ambiguity, the Committee could adopt an opinion to clarify such an interpretation. In the view of those supporting that option, the opinion would facilitate the work on the 2nd monitoring round since it refers to ICT. Others members of the Lanzarote Committee however considered that there was no need for such an opinion and the Lanzarote Committee finally decided that no opinion would be prepared before the results of the 2nd monitoring round.

28. Finally, the Lanzarote Committee decided that its Working Group would hold a fourth meeting to suggest specific actions in the light of discussions held during the current meeting, in particular on the trends for which the Working Group had not had the chance to suggest actions (see Document T-ES-WG(2016)02Rev2, Appendix 2, section 4) (it is recalled that the Working Group is also entrusted with the task to suggest possible issues to be included in the questionnaire for the 2nd monitoring round on “The dangerous effects of the child’s interaction through information and communication technologies (ICT)” – see § 21 above).

3.3 *Presentation of relevant activities by international governmental and non-governmental organizations, experts, as well as services of the Council of Europe*

3.3.1 *Programmes to protect children against sexual violence online: presentation of the work of the Cybercrime Programme Office of the Council of Europe (C-PROC) by Mr SEGER (Head of the [Cybercrime](#) Division of the Council of Europe)*

29. Mr SEGER (Head of the Cybercrime Division of the Council of Europe) presented in detail the [Budapest Convention on Cybercrime](#), the work of the Cybercrime Convention Committee (T-CY), the [Cybercrime Programme Office of the Council of Europe](#) (C-PROC) and its programmes to protect against violence online.

30. With respect to the Budapest Convention, he underlined, in particular, that, if a law enforcement agent has electronic evidence of any type of crime, the Cybercrime Convention applies even if the crime in question is not specifically mentioned in the Convention. He also explained that the Cybercrime Convention Committee adopts guidance notes which illustrate the common understanding of the Parties' interpretation of the Convention. Given legal, policy and technological developments which were not necessarily known when the Convention was drafted, guidance notes are aimed at facilitating the effective use and implementation of the Convention on Cybercrime.

31. The Chair thanked Mr SEGER for his presentation and underlined that cooperation between the Lanzarote Committee and the Cybercrime Convention Committee should be reinforced, in particular during the 2nd monitoring round because of its specific focus on information and communication technologies.

3.3.2 *Council of Europe Internet Governance Strategy 2016-2019: overview by Mr HIBBARD (Council of Europe Internet Governance Coordinator)*

32. Mr HIBBARD, Council of Europe Internet Governance Coordinator, gave an overview of the [Council of Europe Internet Governance Strategy 2016-2019](#). He stressed, in particular, that the overall aim of the Internet Governance Strategy 2016-2019 is to ensure that public policy for the Internet is people-centred in order to build democracy online, and to ensure respect and protection for human rights online. In particular, the Strategy is defined by a series of key actions and activities which seek to protect the freedom, privacy and security of Internet users and to empower and engage them as stakeholders in Internet governance dialogue.

33. The Chair thanked Mr HIBBARD for his presentation and stressed that the Internet Governance Strategy has links with the Committee's work, in particular the theme of the next monitoring round.

3.3.3 *Offenders on the move: sexual exploitation of children in travel and tourism:* presentation of the results of ECPAT's Global and European Study on this issue by Ms DETTMEIJER-VERMEULEN (Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children)

34. Ms DETTMEIJER-VERMEULEN, Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children, presented the results of ECPAT's [Global and European Study on offenders on the move: sexual exploitation of children in travel and tourism](#). She stressed, in particular, that the study is the result of a two-year collaboration of 67 partners from the private sector, academia, civil society, law enforcement agencies, UN and human rights entities. The study includes a global report, 9 regional reports, 15 country studies, 42 expert papers, a youth version and an animation. The Study reveals, in particular, that with the increase in global travel comes greater risk for children. There is no typical offender: they are tourists, business travellers, migrant & transient workers, expats or civil society volunteers. Travelling child sex offenders are usually from the region or country where the offense takes place. The internet and mobile technology have fuelled the increase in sexual exploitation of children in travel and tourism by creating new pathways for exploitation and reinforcing anonymity of offenders. Most child sex offenders did not plan the crime, they commit because there is an opportunity and they feel they can get away with it. No child is immune and victims are not only poor. Some are more vulnerable than others, such as the marginalized including minorities, street children, and LGBTI; Services for victims remain inadequate. Enforcement and prosecution of offenders is hindered by a lack of coordination and information sharing between authorities; and there are alarmingly low conviction rates for the sexual exploitation of children, which means the majority of offenders evade justice.

35. The Chair thanked Mr DETTMEIJER-VERMEULEN for her presentation and invited members of the Lanzarote Committee to take into account the results of this study in their future work.

3.3.4 *ECPAT Global Survivors Forum:* presentation by ECPAT

36. Ms DECLERCQ, Vice-Chair of ECPAT International Board of Trustees, presented the ECPAT project to hold a Global Survivors Forum on the occasion of the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse (18 November 2016), hosted by the Council of Europe. The Forum will be largely virtual, with a small number of survivors participating in-person at the Council of Europe in Strasbourg. Ms DECLERCQ invited members of the Lanzarote Committee to support the organisation of national consultations on this occasion for survivors to have a wider audience where they can make their recommendations. Anyone interested in actively contributing to the Forum's success was invited to contact the secretariat (lanzarote.committee@coe.int).

3.3.5 *Responding to institutional failure to protect children from sexual abuse:* presentation of the experience of the UK Independent Inquiry into Child Sexual Abuse ([IICSA](#)) by Mr FRANK and Ms SHARPLING (Panel members on IICSA)

37. Mr FRANK and Ms SHARPLING (Panel members on the UK Independent Inquiry into Child Sexual Abuse - IICSA) presented the experience of IICSA in responding to institutional failure to protect children from sexual abuse. The Inquiry was established in March 2015 in order to investigate whether public bodies and other non-state institutions have taken seriously their

duty of care to protect children from sexual abuse in England and Wales. IICSA will demand accountability for past institutional failings. It will also support victims and survivors to share their experience of sexual abuse. Finally, it will make practical recommendations to ensure that children are given the care and protection they need. A report is due by the end of 2018. Annual reports will be issued meanwhile.

38. Mr FRANK stressed the many common issues shared with the Lanzarote Committee, in particular, child victims, rights of the child in the digital environment, child friendly justice, child in custodial institutions and child participation. IICSA is very interested in sharing its experience and learning from the practice in States Parties to the Lanzarote Convention.

39. The Chair thanked Mr FRANK and Ms SHARPLING for their very informative presentation and hoped that future cooperation between the Lanzarote Committee and IICSA will be possible.

3.3.6 *Reaching the heights for the rights of the child: debriefing of the High level Conference (Sofia, 5-6 April 2016) by Ms JENSDÓTTIR (Head of the Children's Rights Division and Council of Europe Children's Rights Coordinator)*

40. Ms JENSDÓTTIR (Council of Europe Children's Rights Coordinator) presented the main outcomes of the [High level Conference](#), "Reaching the Heights for the Rights of the Child" (Sofia, Bulgaria, on 5-6 April 2016), organised within the framework of the Bulgarian Chairmanship of the Committee of Ministers, which launched the [Council of Europe Strategy for the Rights of the Child \(2016-2021\)](#).

41. She stressed in particular the in-depth exchanges on the five priority areas identified in the Strategy (equal opportunities for all children; participation of all children; a life free from violence for all children; child-friendly justice for all children; rights of the child in the digital environment).

42. The Conference provided a platform for representatives of member States and other stakeholders to find new ways to co-operate in implementing the Strategy over the years to come. The Conference gathered more than 300 participants, including the President of the Republic of Bulgaria and the President of Malta. A total of 17 Ministers and Deputy Ministers as well as high-level representatives of other international organisations expressed their commitments to the rights of the child. In addition, 10 young delegates, aged between 14 and 17 years old actively participated in the entire conference alongside the adult participants.

43. Ms JENSDÓTTIR also introduced the newly created Ad hoc Committee for the Rights of the Child ([CAHENF](#)) which was set up to guide the intergovernmental work in the area of the rights of the child, in particular to oversee the implementation of the Council of Europe Strategy for the Rights of the Child 2016-2021. She stressed that the Lanzarote Committee is called to appoint one representative to the CAHENF (see below, item 4.1) and that its first meeting will be held in Strasbourg on 28-29 September 2016.

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

44. The Lanzarote Committee took note that no new initiatives were underway since its last meeting in the Parliamentary Assembly and Congress of Regional and Local Authorities of the Council of Europe.

3.5 *Debriefings of participation of the Lanzarote Committee in outside events*

3.5.1 Participation of the Lanzarote Committee Chairperson in seminars on the Lanzarote Convention in Morocco (23 April 2016) and Tunisia (12 May 2016) in the context of the Council of Europe Neighbourhood partnership with South Mediterranean countries

45. The Chair gave a brief overview of his participation in these two seminars. He stressed, in particular, that Morocco is well advanced in the process towards accession to the Lanzarote Convention. It seems that the road towards accession will be a bit longer as concerns Tunisia but important efforts are being made to align legislation and practice on the Convention's requirements.

3.5.2 Participation of the Lanzarote Committee Chairperson in the ["Sexuality and international human rights law" Symposium](#) (Angers, 26-27 May 2016)

46. The Chair explained that his participation in this symposium consisted in presenting the Lanzarote Convention and the work carried out by the Committee.

4. PROCEDURAL MATTERS

4.1 *Appointment of a representative to the Ad hoc Committee for the Rights of the Child (CAHENF)*

47. The Lanzarote Committee appointed its Chair, Mr JANIZZI (Luxembourg), as its representative to the Ad hoc Committee for the Rights of the Child (CAHENF) which will hold its 1st meeting on 28-29 September 2016.

5. OTHER BUSINESS

48. Mrs SCAPPUCCI (Executive Secretary to the Lanzarote Committee) informed the Committee of the publication of the [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#) aimed at offering guidance on how to navigate the complex lexicon of terms commonly used relating to sexual exploitation and sexual abuse of children. She recalled that the Guidelines were developed under the guidance of a global Interagency Working Group, led by ECPAT and composed of 18 members, including the Special Representative to the UN Secretary General on Violence against Children, the UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the Council of Europe Secretariat. She also highlighted that this initiative had been [presented](#) to the Committee in March 2015 during its 11th meeting in The Hague.

49. Mrs SCAPPUCCI also reminded the Lanzarote Committee that any Party interested in being involved in the pilot project on "Involving children in initiatives to guarantee effective follow-up to the monitoring findings of the Lanzarote Committee" ([presented by Ms Helen Veitch](#) during the Committee's 14th meeting – item 3.2) could still manifest its interest to lanzarote.committee@coe.int.

50. Ms SHINOZAKI (Japan) explained to the Lanzarote Committee that the Japanese governmental services dealing with child sexual abuse and exploitation have been reorganised and that the National Police Agency has been asked to coordinate a multi-stakeholder protection of children against sexual violence. She stressed that a new strategy was under preparation and was expected to be adopted by the end of March 2017. She explained that Japan's participation in the meeting was meant to learn from promising experiences in Europe of multi-stakeholder / coordinated approaches in this area. The Chair highlighted that the sharing of good practices was precisely one of the most important tasks of the Lanzarote Committee and invited Japan to contact Committee members in this respect.

6. DATES OF THE NEXT MEETINGS AND ADOPTION OF THE LIST OF DECISIONS OF THE CURRENT MEETING

51. The Lanzarote Committee took note that its 16th meeting (23-25 November 2016) will be held in Lyon, France, and will be preceded (22 November 2016) by a capacity building activity on INTERPOL's work against child sexual exploitation and abuse.

52. It also took note that the dates for its next meetings are:

- 17th meeting: 1-3 March 2017, Strasbourg
- 18th meeting: 10-12 May 2017, Strasbourg
- 19th meeting: 23-25 October 2017, Lanzarote (to be confirmed)

53. Finally, the Lanzarote Committee adopted the list of decisions of the current meeting.

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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 Preliminary assessment of replies to questions 2 and 5 to 8 of the Thematic Questionnaire with a view to include observations on such replies in the Lanzarote Committee's 2nd implementation report
 - 2.2 Protecting children affected by the refugee crisis from sexual abuse and exploitation: exchange of views on the Bureau's suggestion to address a focused questionnaire to all Parties
 - 2.3 Exchange of views to identify and agree on the 2nd monitoring round theme
3. Exchange of information, experiences and good practices
 - 3.1 Web addresses self-evidently advertising criminal offences against children: presentation by Mr CARR (independent expert) to enable discussion in view of the possible adoption of a declaration condemning this practice
 - 3.2 Presentation of the results of the reflection carried out by the Working Group on Trends in Child Sexual Abuse and Exploitation and discussion in view of deciding on possible steps forward
 - 3.3 Presentation of relevant activities by international governmental and non-governmental organizations, experts, as well as services of the Council of Europe
 - 3.3.1 *Programmes to protect children against sexual violence online*: presentation of the work of the Cybercrime Programme Office of the Council of Europe (C-PROC) by Mr SEGER (Head of the Cybercrime Division of the Council of Europe)
 - 3.3.2 *Council of Europe Internet Governance Strategy 2016-2019*: overview by Mr HIBBARD (Council of Europe Internet Governance Coordinator)
 - 3.3.3 *Offenders on the move: sexual exploitation of children in travel and tourism*: presentation of the results of ECPAT's Global and European Study on this issue by Ms DETTMEIJER-VERMEULEN (Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children)

- 3.3.4 *ECPAT Global Survivors Forum*: presentation by ECPAT
- 3.3.5 *Responding to institutional failure to protect children from sexual abuse*: presentation of the experience of the UK Independent Inquiry into Child Sexual Abuse (IICSA) by Mr FRANK and Ms SHARPLING (Panel members on IICSA)
- 3.3.6 *Reaching the heights for the rights of the child*: debriefing of the High level Conference (Sofia, 5-6 April 2016) by Ms JENSDÓTTIR (Head of the Children's Rights Division and Council of Europe Children's Rights Coordinator)
- 3.4 Presentation of relevant initiatives of the Parliamentary assembly and Congress of Regional and Local Authorities of the Council of Europe
- 3.5 Debriefings on participation of the Lanzarote Committee in outside events:
 - Participation of the Lanzarote Committee Chairperson in seminars on the Lanzarote Convention in Morocco (23 April 2016) and Tunisia (12 May 2016) in the context of the Council of Europe Neighbourhood partnership with South Mediterranean countries
 - Participation of the Lanzarote Committee Chairperson in the "Sexuality and international human rights law" Symposium (Angers, 26-27 May 2016)
- 4. Procedural matters
- 4.1 Appointment of a representative to the Ad hoc Committee for the Rights of the Child (CAHENF)
- 5. Other business
- 6. Dates of the next meetings and adoption of the list of decisions of the current meeting

Appendix II

List of participants

1. MEMBERS / MEMBRES

STATE PARTIES TO THE CONVENTION / ETATS PARTIES À 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

Département responsable de l'aide sociale à
l'enfance et à la famille

Ministère de la Santé et du Bien-être social

Mme Cristina CANALES CERVERA

Travailleur social

Département responsable de l'aide sociale à
l'enfance et à la famille

Ministère de la Santé et du Bien-être social

AUSTRIA / AUTRICHE

Ms Martina KLEIN

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 BOROVIČANIN-MARIĆ

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

Head of the Department

Department for substantive and misdemeanour
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

DENMARK / DANEMARK

Ms Malene DALGAARD

Head of Section

Criminal Law Division

Ministry of Justice

FINLAND / FINLANDE

Ms Satu SISTONEN

Apologised / Excusée

Legal Officer

Legal Service

Unit for Human Rights Courts and Conventions

Ministry for Foreign Affairs

Ms Krista OINONEN

Legal Counsellor, Deputy Director

Unit for Human Rights Courts and Conventions

Legal Service

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

Head of Project Management Division

International Relations Department

Ministry of Internal Affairs

GERMANY / ALLEMAGNE

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

GREECE / GRÈCE

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Appendix III

Focused questionnaire on the protection of children affected by the refugee crisis from sexual exploitation and sexual abuse

(Adopted by the Lanzarote Committee on 17 June 2016)

(Replies are due by 15 September 2016)

Introduction

1. In March 2016 the Council of Europe's Secretary General called for a series of [priority actions to protect children affected by the refugee crisis](#).² In this context, the Lanzarote Committee mandated its Bureau to decide on the need to make urgent requests for information on the basis of [Rule 28 \(Special reports and urgent situations\)](#) of its Rules of Procedure.

2. In light of the high number of migrant and asylum-seeking children who have arrived and continue to arrive in Europe and being aware that many may be or become victims of sexual exploitation and sexual abuse, the Bureau suggested that all Parties to the Lanzarote Convention be asked to reply to a few focused questions (see below) to map the ways in which the risks of sexual exploitation and sexual abuse of children arising in the context of the refugees crisis are being dealt with.

3. During its 15th meeting (14-17 June 2016), the Lanzarote Committee endorsed its Bureau's suggestion. It also agreed that in view of the urgency of the situation, Parties to the Lanzarote Convention are asked to submit their replies to the focused questionnaire to the Secretariat of the Lanzarote Committee (lanzarote.committee@coe.int) no later than 15 September 2016.

4. The Lanzarote Committee will then assess the replies received as a matter of urgency and issue a report on the situation examined as soon as possible. This report will highlight major challenges and promising practices to tackle them. Where appropriate it will put forward recommendations as to specific steps that might be warranted to effectively protect children affected by the refugee crisis from sexual exploitation and sexual abuse and suggest priority areas for targeted cooperation to fully guarantee the human dignity and physical and psychological integrity of these children.

Preliminary remarks

5. The questions below should be answered bearing in mind that according to Article 3 of the Lanzarote Convention:

- a) "child" shall mean any person under the age of 18 years;
- b) "sexual exploitation and sexual abuse of children" shall include the behaviour as referred to in Articles 18 to 23 of the Convention;³
- c) "victim" shall mean any child subject to sexual exploitation or sexual abuse.

² See document SG/Inf(2016)9 final of 4 March 2016.

³ These are the substantive criminal law provisions in Chapter VI of the Lanzarote Convention which cover sexual abuse (Article 18), offences concerning child prostitution (Article 19), child pornography (Article 20), participation of a child in pornographic performances (Article 21), corruption of children (Article 22) and solicitation of children for sexual purposes (Article 23).

6. It is also worth highlighting, in the specific context of the refugee crisis, that Article 11 of the Lanzarote Convention provides that when the age of a victim of sexual exploitation and sexual abuse is uncertain and there are reasons to believe he/she 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.

7. Finally, Parties are asked to answer the questions from a gender equality perspective, i.e. specifying, where relevant, whether and how measures take into account gender-specific requirements.

FOCUSED QUESTIONS

DATA (Lanzarote Convention, Chapter III)

- 1) How many migrant and asylum-seeking children (accompanied and unaccompanied)⁴ are in your country as a result of the refugee crisis?
 - a) Please provide estimates, if exact data is not available, for the period between 1 July 2015 and 30 June 2016,⁵ and specify how many of these children are victims or presumed victims of sexual exploitation and sexual abuse;
 - b) Describe how the victims of sexual exploitation and sexual abuse were identified or describe the challenges faced to identify them. Specify whether a distinction is made between victims of sexual exploitation/abuse prior to the entry on your territory (Group 1) and after entry (Group 2) and provide data/estimates of the two groups of victims. Please also explain how the age is determined in case of doubt;
 - c) Indicate also how the data collected is used to offer a coordinated response between the different agencies in charge of the protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children;
 - d) Identify the institution(s) responsible for the collection of above data.

PREVENTION (Lanzarote Convention, Chapter II)

- 2) What are the specific measures taken to prevent that children affected by the refugee crisis fall victims of sexual exploitation and sexual abuse?
 - a) Highlight in particular the measures (e.g. awareness raising material, specialised training, screening of professionals, etc.) which have proven to be effective;
 - b) Underline any lessons learnt from specific challenges (e.g. in raising awareness on sexual violence amidst other urgent priorities, etc.) that had to be faced to improve prevention.

PROTECTION (Lanzarote Convention, Chapter IV)

- 3) Has a coordinated child protection approach been put in place to cater for the specific needs of migrant and asylum-seeking children victims of sexual exploitation and/or sexual abuse?
 - a) Describe the measures taken to address the situation and cater for the children's specific needs (multiple traumas, language/cultural differences, etc.), including with respect to guardianship/placement;
 - b) Indicate also what measures have been taken to protect the children concerned from further exploitation/abuse and to assist the victims in seeking redress (please highlight any differences between Groups 1 and 2 of children as outlined above);

⁴ Please provide the definition of accompanied/unaccompanied children in your country and, if available, provide separate figures for accompanied and unaccompanied children. If such data is not available, please provide data on migrant and asylum-seeking children.

⁵ If figures for this period are not available, please provide the most recent annual data.

- c) Underline any lessons learnt from specific challenges (in reporting suspicion of sexual exploitation and abuse, in tailoring assistance to the victims, etc.) that had to be faced to improve protection.

COOPERATION (Lanzarote Convention, Chapter IX)

- 4) Provide examples of successful cooperation with other Parties to the Lanzarote Convention for the purpose of:
 - a) Preventing and combating sexual exploitation and sexual abuse of children affected by the refugee crisis;
 - b) Protecting and providing assistance to victims;
 - c) Investigations or proceedings concerning the offences established in accordance with the Lanzarote Convention.

ANY OTHER ADDITIONAL INFORMATION

- 5) Please provide any other additional information which may be useful to identify areas for targeted cooperation aimed at ensuring that children affected by the refugee crisis are effectively protected from sexual exploitation and sexual abuse and in guaranteeing their human dignity and physical and psychological integrity.

Appendix IV

Declaration on web addresses advertising or promoting child sexual abuse material or images or any other offences established in accordance with the Lanzarote Convention

(Adopted by the Lanzarote Committee on 16 June 2016)

1. *Concerned by the registering of web addresses which self-evidently advertise or promote criminal offences against children and recalling that, on 3 June 2015, the Committee of the Ministers of the Council of Europe adopted a [Declaration on the Internet Corporation for Assigned Names and Numbers \(ICANN\), human rights and the rule of law](#), encouraging its member States, through their Governmental Advisory Committee (GAC) membership to ensure that ICANN assumes responsibility for respecting internationally-recognised human rights law and standards;*
2. *Recalling that in accordance with Article 8§2 of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), Parties should “take the necessary legislative or other measures to prevent or prohibit the dissemination of materials advertising the offences established in accordance with this Convention”;*
3. *Affirming the importance for web addresses or names not to self-evidently advertise or promote child sexual abuse material or images or any of the offenses established in accordance with the Lanzarote Convention;*

The Lanzarote Committee:

Urges its Parties to ensure that Article 8§2 of the Lanzarote Convention is effectively implemented by calling on competent authorities and bodies, at a national and/or international level, to:

- a. take the necessary measures to identify any web addresses which self-evidently advertise or promote child sexual abuse material or images or any other offences established in accordance with the Lanzarote Convention;
- b. take the necessary measures to remove any such web addresses and to ensure that no new such addresses are registered.