



Strasbourg, 23 October 2018

CAHENF(2018)LD2

Ad hoc Committee for the Rights of the Child (CAHENF)

List of decisions

5th meeting

Strasbourg, 16-18 October 2018

Council of Europe, Palais de l'Europe, Room 7

Prepared by the Children's Rights Division

Directorate of Anti-Discrimination

I. Introduction

The 5th plenary meeting of the CAHENF in Strasbourg from 16 to 18 October 2018 was chaired and opened by Ms Maria-Andriani Kostopoulou (Greece). The agenda and the list of participants are appended to the list of decisions.

II. Decisions

The CAHENF:

Agenda item 2: Adoption of the agenda and order of business

- adopted the draft agenda and order of business, as it appears in document CAHENF(2018)OJ2rev2;

Agenda item 3: Information by the Chair, Vice-Chair and Secretariat

- welcomed the update by the Chair and Vice-Chair of the CAHENF and the Secretariat;
- heard the update by the Chair on the reflections and outcome of the Meeting of Chairs of intergovernmental committees and the feedback on the evaluation of the CAHENF and other CoE committees by DIO;
- took note of the decision of the Committee of Ministers mainstreaming the area of the rights of persons with disability in CAHENF's Terms of reference;
- heard information provided by the Secretariat concerning the election process and on the review of working methods and proposals for appointment of rapporteur;

Agenda item 4: Implementation of the Council of Europe Strategy for the Rights of the Child (2016-2021)

- noted with great interest the state of progress, recent developments and challenges in member and observer states as well as the information provided by civil society representatives on the implementation of the priority areas covered by the Strategy;
- invited member states who have not yet sent their updates to do so within one week from the meeting;
- took note of the updated Action Plan for the CAHENF, as set in document CAHENF(2018)11, and requested the Secretariat to ensure that it is kept up to date on a regular basis;

Agenda item 5: CAHENF's ongoing work

5.1 Elaboration of guidelines

- took note of the report of the 4th meeting of the CAHENF-Safeguards, as it appears in document CAHENF-Safeguards(2018)PV2;
- discussed and unanimously approved the draft *Recommendation of the Committee of Ministers to Member States on guiding principles and guidelines for an effective guardianship for unaccompanied and separated children in migration*;
- instructed the Secretariat to proceed with the finalization of the draft text (including any last editorial corrections) and communicate the text to the Committee of Ministers for consideration and adoption;
- requested the Secretariat, in co-operation with the consultant, to elaborate further the draft explanatory memorandum to the draft recommendation, and submit it for discussion to the CAHENF-Safeguards, before circulating it for a last rounds of comments to all members;

- decided to entrust the Secretariat and the CAHENF Bureau to finalise the draft explanatory memorandum in the light of comments and submit it for adoption through an online procedure;
- agreed to provide further instructions and comments on the outstanding questions and revised text of the draft guidelines on age assessment by 9 November 2018;

5.2 Review of Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minor: progress and workplan

- took note of the update by the Secretariat of the state of progress of the review of the implementation of Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors and the budgetary constraints for completing this review in 2018;
- invited member states to contribute to the survey and agreed to extend the deadline for submissions of responses to 31 October 2018;

5.3 Implementation of standards on the protection of children from violence in Member states: update on CAHENF-VAC's work and workplan

- took note of the information contained in the report of the 2nd meeting of the CAHENF-VAC held on 18-19 September 2018;
- heard an update on the work carried out by the CAHENF-VAC and took note of the updated roadmap and timelines, as well as expected contributions from member states, as they appear in documents CAHENF-VAC(2018)PV2 and CAHENF-VAC(2018)05rev;
- took note of the state of progress of the survey to be led in October/November 2018 on the responses by member States to violence against children, for which the deadline for reply will be 23 November 2018;

5.4 Implementation of existing standards and tools

Children's rights in the digital environment

- heard an update on the work undertaken regarding Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment and the elaboration of an Implementation Guide by the secretariat in collaboration with a group of consultants;
- agreed to provide further orientations through written contributions by 5 November 2018, and to seek out volunteers to act as reviewers of the upcoming draft Implementation Guide in 2019;

Child Participation Assessment Tool (CPAT)

- heard with great interest the oral update provided by the Secretariat and Bulgaria on past events and the upcoming work on the implementation of the Child Participation Assessment Tool (CPAT);

5.5 Support in strengthening child friendly services, in particular access, social and health services

- heard with great interest the presentations by Dr Martin Weber, Programme Manager for Child and Adolescent Health at the WHO Regional Office for Europe, Ms Polina Atanasova, Coordinator for the European Network of Ombudspersons for Children (ENOC) and Mr Paul Gilligan, Clinical Psychologist and Chief Executive of St. Patrick's Mental Health Services and Adjunct Assistant Professor in Trinity College Dublin, and exchanged views on several issues in the area of the rights of the child and mental health;
- instructed the Bureau to report back to the Committee with suggestions for further action, taking into account the identified needs and the CAHENF's mandate;

Agenda item 6: CAHENF opinions for the Committee of Ministers

- invited the Secretariat to provide further updates on the response by the Committee of Ministers to PACE Recommendation (2137)2018 on “International obligations of Council of Europe member states: to protect life at sea”;
- instructed the Bureau to prepare draft opinions as may be requested by the Committee of Ministers for their approval through electronic communication or at the next plenaries.

Agenda item 7: CAHENF priorities and work plan in 2018-2019

7.1 Preparation of the Mid-term evaluation of the Strategy for the Rights of the Child: process and High-Level Conference (June 2019)

- noted the information provided by the Secretariat on the organisation of the mid-term evaluation of the Strategy and endorsed the concept note (CAHENF(2018)09rev);
- noted the state of play regarding the preparation of the High-Level Conference and invited the Secretariat to communicate as soon as possible the dates and venue of the event and to prepare the concept note and programme of the High-Level Conference in co-operation with the Bureau of the CAHENF;
- agreed to provide replies to the draft questionnaire for the mid-term evaluation process as soon as possible and no later than 7 January 2019;
- noted also the information provided on the child participation process to be launched in October 2018 in the framework of the mid-term evaluation of the Strategy and the call and encouragement of the Secretariat to involve children in the evaluation of the Strategy and in the High-Level Conference itself, with the support of Eurochild
- agreed to communicate as soon as possible to the Secretariat the name of the Minister(s) to be invited to the High-Level Conference;

7.2 Draft work plan for 2018- 2019

- welcomed the format proposed for the CAHENF’s work plan (CAHENF(2018)12) and endorsed the text as modified;

7.3 Participation of CAHENF representatives in other events (2018-2019)

- took note of the information provided by the Chair on participation in other events and confirmed its representatives to other events as set out in document CAHENF(2018)3 REV2;

Agenda item 8: Relevant Council of Europe actions and activities and possible future contributions or follow-up by the CAHENF

8.1 Council of Europe Action Plan on protecting migrant and refugee children (2017-2019)

- held an exchange with Ambassador Tomas Bocek, Special Representative of the Secretary General on Migration and Refugees following his oral update on the mid-term evaluation of the implementation of the Action Plan on migrant and refugee children and took note of his invitation to focus on identifying good practices on how to ensure that the principle of the best interest of the child is upheld in the context of age assessment processes;
- took note of upcoming events organised by the Children’s Rights Division to follow-up on the

country fact-finding visits of the Special Representative of the Secretary General on Migration and Refugees (Strasbourg, 4-5 December 2018) and the call to implement age assessment consultation workshops with unaccompanied and separated children to support the CAHENF's work;

8.2 Council of Europe Counter-Terrorism Strategy (2018-2022)

- took note that the planned event in the framework of the Council of Europe Counter-Terrorism Strategy (2018-2022) is now scheduled in 2020 and decided to resume discussion on its possible contribution at the next meeting(s);

Agenda item 9: Election of the Chair and Vice-Chair

- re-elected Ms Maria-Andriani Kostopoulou (Greece) as Chairperson and Ms Satu Sistonen (Finland) as Vice-chairperson for a new mandate of one year from 2018-2019;

Agenda item 10: Working methods and contributions through Rapporteurs for specific tasks

- appointed the following thematic Rapporteurs to contribute to the work of the CAHENF on:
1) Implementation of Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment/ Mr Radim Hueber (Czech Republic);
2) Review of the Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors: Ms Alma Tandili (Albania);
3) Gender equality: Ms Ruzica Boskic (Slovenia) jointly with Mr Kyrilo Dombrovskiy (Ukraine);
- decided to invite delegations in October to put forward expressions of interest from members wishing to act as Rapporteurs for a) Responses to violence against children as reported in the progress report on the Strategy, b) Online "clearinghouse" / exchange platform on responses to violence against children, c) Disability and to entrust the Bureau through the Secretariat with the confirmation of nominations;

Agenda item 11: Role of the Gender Equality Rapporteur

- heard the report presented by the Gender Equality Rapporteur following his participation in the training on gender equality mainstreaming organised by the Council of Europe on 15 October 2018;
- adopted the mandate of the GER as set out in document CAHENF(2018)13;

Agenda item 12: Implementation of relevant work at European and international level

- heard with great interest the address by Ms Maud de Boer-Buquicchio, UN Special Rapporteur on the Sale and Sexual Exploitation of Children and took note of the relevant updates on the implementation of the Sustainable Development Goals from a children's rights-based perspective and the possible role of the Council of Europe and the CAHENF in this context;

Agenda item 13: Co-operation activities and projects in the field of child rights

- noted relevant updates from the Secretariat on co-operation projects in the field of child rights and upcoming relevant events;

Agenda item 14: Date and place of next meetings

- decided to hold a one-day meeting on the margins of the High-level Event in June 2019 (exact date to be confirmed) and its 7th meeting on 9-10 October 2019;

Agenda item 16: Adoption of the list of decisions and close of the meeting

- adopted the list of decisions.

APPENDIX I

AGENDA

1. Opening of the meeting at 9.30	
2. Adoption of the agenda and order of business	CAHENF(2018)OJ2rev2 CAHENF(2018)OJA2rev2
3. Information by the Chair, Vice-Chair, and Secretariat	
3.1. Meeting of Chairs of Intergovernmental Committees (20 September 2018) and evaluation of the CAHENF	
3.2. Information on elections	CAHENF(2018)07
3.3. Information on proposals for appointments of rapporteurs	
4. Implementation of the Council of Europe Strategy for the Rights of the Child (2016-2021)	
4.1. Exchange with member states on recent developments and challenges with respect to children's rights and the implementation of the Strategy	CAHENF(2018)08
4.2. Action plan for the implementation of the Strategy	CAHENF(2018)11
5. CAHENF's ongoing work	
5.1. Elaboration of guidelines	CAHENF-Safeguards(2018)PV2 CAHENF-Safeguards(2017)3rev6
- Draft guidelines on guardianship	CAHENF-Safeguards(2017)7rev6A CAHENF-Safeguards(2018)10
- Draft explanatory memorandum or guidance for the implementation of the guidelines	CAHENF(2018)05
- Draft guidelines on age assessment : discussion of key outstanding issues	CAHENF-Safeguards(2018)2rev3 CAHENF-Safeguards(2018)9
5.2. Review of Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minor: progress and workplan	
5.3. Implementation of standards on the protection of children from violence in Member states : update on CAHENF-VAC's work and workplan	CAHENF-VAC(2018)PV2 CAHENF-VAC(2018)05rev
5.4. Implementation of existing standards and tools	
- Children's rights in the digital environment	CAHENF(2018)INF2
- Child participation assessment tool	

5.5. Support in strengthening child friendly services, in particular access, social and health services - Thematic exchange: Children's rights, mental health and child-friendly healthcare	CAHENF(2018)INF3 CAHENF(2018)14 ENOC comparative report on Child and Adolescent Mental Health in Europe ENOC Position Statement on Child Mental Health in Europe
6. CAHENF opinions for the Committee of Ministers	CAHENF(2018)06 CM/Del/Dec(2018)1321/3.1c PACE Recommendation 2137(2018)
7. CAHENF's priorities and workplan in 2019	
7.1. Preparation of the Mid-term evaluation of the Strategy for the Rights of the Child: process and High-Level Conference (Paris, June 2019)	CAHENF(2018)09 CAHENF(2018)10
7.2. Draft workplan for 2019	CAHENF(2018)12
7.3. Participation of CAHENF representatives in other events (2018-2019)	CAHENF(2018)03rev2
8. Relevant Council of Europe actions and activities and possible future contributions or follow-up by the CAHENF	
8.1. Council of Europe Action plan on protecting migrant and refugee children (2017-2019)	SG/Inf(2018)28
8.2. Council of Europe Counter-Terrorism Strategy (2018-2022)	CM(2018)86-addfinal
9. Elections: Chair and Vice-Chair	CAHENF(2018)07
10. Working methods and contributions through Rapporteurs for specific tasks	
11. Role of the Gender Equality rapporteur(s)	CAHENF(2018)13
12. Information on relevant work at European and international level	
13. Co-operation activities and projects in the field of child rights	
14. Date and place of the next meetings	
15. Any other business	
16. Adoption of the list of decisions and close of the meeting at 18.00 pm	

APPENDIX II

LIST OF PARTICIPANTS

MEMBERS / MEMBRES

ALBANIA/ALBANIE

Ms Alma Tandili
Director
State Agency for the Protection of Children's Rights

ANDORRA/ANDORRE

Mr Jordi Olive Cadena
Head of the Department of Children and Adolescents
Ministry of Social Affairs, Justice and Interior

ARMENIA/ARMÉNIE

Mr Eduard Israyelyan
Head of the Child Rights Protection Unit of the RA Human Rights Defender's Office

AUSTRIA/AUTRICHE

Mr Ewald Filler
Ombudsman for Children and Youth
Federal Ministry of Family and Youth
Vienna

AZERBAIJAN/AZERBAÏDJAN

Ms Jeyran Arif Rahmatullayeva
Head of Staff
State Committee on Family, Women and Children Affairs of Azerbaijan Republic (SCFWCA)

BELGIUM/BELGIQUE

Ms Anne Swaluë
Chargée de recherche
Observatoire de l'Enfance, de la Jeunesse et de l'Aide à la Jeunesse
Ministère de la Fédération Wallonie-Bruxelles

Apologised / excusée

Ms Christel de Craim
Attaché
Service for criminal policy-juvenile affairs
Federal Government - Ministry of Justice

Mr Joost van Haelst
Policy Advisor Children's Rights
Division for Youth - Department for Culture, Youth and Media
Flemish Government

BOSNIA AND HERZEGOVINA/ BOSNIE ET HERZÉGOVINE

Mr Elmedin Muratbegović
Associate Professor, Faculty of Criminal Justice, Criminology and Security Studies
University of Sarajevo

BULGARIA/BULGARIE

Ms Eleonora Lilova
President of the State Agency for Child Protection

Ms Milena Dyankova
Chief of International Protection, Cooperation and Coordination Department
State Agency for Child Protection

CROATIA/CROATIE

Ms Margareta Mađerić
State Secretary
Ministry of Demography, Family, Youth and Social Policy

Apologised / excusée

Ms Tatjana Katkić Stanić
Head of Sector for Policy Coordination and Enhancement of Social Welfare Centres Professional Work
Ministry for Demography, Family, Youth and Social Policy

Apologised / excusée

CYPRUS/CHYPRE

Ms Leda Koursoumba
Commissioner for the Protection of Children's Rights

CZECH REPUBLIC/RÉPUBLIQUE TCHÈQUE

Mr Radim Hueber
Secretariat of the Government Council for Human Rights
Department of Human Rights and Protection of Minorities

DENMARK/DANEMARK

Ms Anne Martha Malmgren-Hansen
Head of Section
Legal and International
Ministry for Children and Social Affairs

Ms Karina Viskum Lisbjerg
Head of Section in the office on asylum and visa
Foreigner and Integration Ministry

ESTONIA/ESTONIE

Ms Elise Nikonov
Chief Specialist
Department of Children and Families
Ministry of Social Affairs

FINLAND/FINLANDE

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

FRANCE

Mr Alexis Rinckenbach
Chef du Bureau des affaires européennes et internationales
Direction Générale de la Cohésion sociale
Ministère des solidarités et de la santé

GEORGIA/GÉORGIE

Ms Mindia Davitadze
Deputy Director of Human Rights Protection Department
Ministry of Internal Affairs of Georgia

GERMANY/ALLEMAGNE

GREECE/GRÈCE

Ms Maria-Andriani Kostopoulou (*Chair / Présidente*)
Attorney at Law
Supreme Court of Greece

Ms Panagiota Margaroni
Ministry of Labour, Social Security and Social Solidarity

HUNGARY/HONGRIE

Mr Árpád Mészáros J.D.
Deputy State Secretary for International and European Union Affairs
Ministry of Human Capacities
Department for EU Affairs and International Organisations

Apologised / excusé

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Permanent Representation of Hungary to the Council of Europe

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Apologised / excusée

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Presidency of the Council of Ministers

Ms Alessandra Bernardon
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Ms Ester Di Napoli
Ufficio Autorità Garante per l'Infanzia e l'Adolescenza
Italian independent Authority for children and adolescents

LATVIA/LETONIE

LIECHTENSTEIN

LITHUANIA/LITUANIE

Ms Laura Purinè
Senior Adviser of the Targeted Assistance and Protection
Ministry of Social Security and Labour

LUXEMBOURG

M. Claude Janizzi
Maître en psychologie
Conseiller de direction première classe
Ministère de l'Education nationale, de l'Enfance et de la Jeunesse, Service des droits de l'enfant /
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MALTA/MALTE

Ms Carmen Buttigieg
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Mr Matthew Vella
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Mr Corneliu Tarus
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Ms Corinne Magail
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NETHERLANDS/PAYS-BAS

Ms Jolande Calkoen-Nauta
Juvenile Judge
District court of Zeeland West-Brabant

NORWAY/NORVEGE

Ms Solvor Backlund
Norwegian Directorate for Children, Youth and Family Affairs

Apologised / excusée

POLAND/POLOGNE

Ms Klara Wigier
Chief Specialist
Ministry of Family, Labour and Social Policy

Apologised / excusée

Ms Katarzyna Napiórkowska
Head of Family Support, Foster Care and Adoption Unit
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Ministry of Family, Labour and Social Policy

Apologised / excusé

PORTUGAL

Ms Odete Severino
Vice-President
National Commission for the Promotion of the Rights and Protection of Children and Young People

ROMANIA/ROUMANIE

Ms Gabriela Coman
President of the National Authority for the Protection of
the Rights of the Child and Adoption

RUSSIAN FEDERATION/FEDERATION DE RUSSIE

Ms Olga Opanasenko
Expert
Ministry of Foreign Affairs

SAN MARINO/SAINT-MARIN

Ms Sylvie Bollini
First Secretary
Department of Foreign Affairs

Apologised / excusé

SERBIA/SERBIE

Ms Ivana Banković
Senior Advisor
Ministry of Labour, Employment, Veteran and Social Affairs
Department for International Relations, European Integration and Project Management

SLOVAK REPUBLIC/REPUBLIQUE SLOVAQUE

Ms Janka Divincova
Director of Joint Secretariat of Committees
Ministry of Labour, Social Affairs and Family

Apologised / excusée

SLOVENIA/SLOVENIE

Mr Andrej Del Fabro
Director General
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Ms Johanna Aurell Viklund
Expert on children and migration
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Mr Kyrylo Dombrovskiy
Deputy Director of the Department for Protection of Children's
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UNITED KINGDOM/ROYAUME-UNI

PARTICIPANTS

Parliamentary Assembly of the Council of Europe (PACE) / Assemblée Parlementaire du Conseil de l'Europe (APCE)

Apologised (represented by the PACE Secretariat)
Excusé (représenté par le Secretariat de l'APCE)

Committees or other bodies of the Council of Europe engaged in related work / Comités ou autres organes du Conseil de l'Europe engagés dans des travaux similaires

Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee) / Comité des Parties à la Convention du Conseil de l'Europe sur la protection des enfants contre l'exploitation et les abus sexuels (Comité de Lanzarote)

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EUROPEAN UNION / UNION EUROPEENE

Ms Valeria Setti
EC Coordinator for the rights of the child
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Directorate-General Justice
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Apologised / excusée

OTHER INTERNATIONAL ORGANISATIONS / AUTRES ORGANISATIONS INTERNATIONALES

United Nations Special Rapporteur on the sale and sexual exploitation of children / Rapporteuse spéciale des Nations Unies sur la vente et l'exploitation sexuelle des enfants

Ms Maud de Boer-Buquicchio, Special Rapporteur / Rapporteuse spéciale

United Nations High Commissioner for Refugees (UNHCR) / Haut-Commissariat des Nations Unies pour les Réfugiés (HCR)

Ms Delphine Leneutre
Legal Associate / Associée juridique
Representation of the UNHCR to the European Institutions in Strasbourg / Représentation de l'UNHCR auprès des Institutions européennes à Strasbourg

United Nations Children's Fund (UNICEF) / Fonds des Nations Unies pour l'enfance (Unicef)

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United States of America/Etats Unis d'Amérique

Countries concerned with the Council of Europe policy towards neighbourhood regions / Pays concernés par la politique du Conseil de l'Europe à l'égard des régions voisines

JORDAN / JORDANIE

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Mr Mohamed Khalil Diouri
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TUNISIA/TUNISIE

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Secrétaire exécutive du Comité ad hoc pour les droits de l'enfant

Ms Livia STOICA BECHT
Secretary to the Ad hoc Committee for the Rights of the Child / Secrétaire du Comité ad hoc pour les
droits de l'enfant
Programme Officer / Responsable de programme

Ms Maren LAMBRECHT
Co-Secretary to the Ad hoc Committee for the Rights of the Child / Co-secrétaire du Comité ad hoc pour
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Programme Officer / Responsable de programme

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Children's Rights Division / Division des droits des enfants

Ms Gioia SCAPPUCCI
Secretary to the Committee of the Parties to the Council of Europe Convention on the Protection of
Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee) / Secrétaire du Comité
des Parties de la Convention sur la Protection des enfants contre l'exploitation et les abus sexuels
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