



## INFORMATION NOTE

### The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

#### Background information

The [Council of Europe Convention for the protection of children against sexual exploitation and sexual abuse](#) (CETS N°201) was adopted and opened for signature on 25 October 2007 in Lanzarote, Spain. For this reason, it is also known as “**the Lanzarote Convention**”.

The Lanzarote Convention entered into force on 1 July 2010. To date, it has been signed by all 47 Council of Europe member states and ratified by all except two (Armenia and Ireland).

Any non-member State of the Council of Europe may request accession to the Lanzarote Convention. So far, the Committee of Ministers of the Council of Europe agreed to accept such a request by the Kingdom of Morocco and by Tunisia. Tunisia deposited its instrument of accession, Morocco has not yet done so.

The State Parties to the Lanzarote Convention are therefore: Albania, Andorra, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxemburg, Malta, Republic of Moldova, Monaco, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Tunisia, Turkey and Ukraine.

#### Aims of the Lanzarote Convention

The Lanzarote Convention is the most ambitious and comprehensive international (potentially universal) legal instrument on the protection of children against sexual exploitation and sexual abuse. Its drafters took as a starting point the relevant United Nations and Council of Europe standards, extending them to cover all possible kinds of sexual offences against children (including sexual abuse of a child, exploitation of children through prostitution, grooming and corruption of children through exposure to sexual content and activities and offences related to child abuse material). The Convention covers sexual abuse within the child’s family or “circle of trust” as well as acts carried out for commercial or profit-making purposes. It sets forth that States in Europe and beyond shall establish specific legislation to criminalise such behaviour and take measures with an emphasis on keeping the best interest of children at the forefront, to prevent sexual violence but also to protect child victims and prosecute perpetrators. It also promotes international cooperation to achieve the same objectives.

#### Prevention

*Inter alia*, the Lanzarote Convention establishes that:

- children should be made aware of the risks of sexual exploitation and sexual abuse and should be empowered to protect themselves;
- persons working in contact with children should be screened and trained;
- intervention programmes or measures for sexual offenders (whether convicted or potential) should be regularly monitored.

#### Protection

*Inter alia*, the Lanzarote Convention establishes that:

- the reporting of suspicion of sexual exploitation or sexual abuse be encouraged;
- telephone and Internet help lines be set-up;

- programmes to support victims and their families be established;
- therapeutic assistance and emergency psychological care be provided;
- child-friendly judicial proceedings for protecting the victim's safety, privacy, identity and image be put in place (e.g. the number of interviews with child victims has to be limited, the interview has to be carried out in a reassuring place, with professionals trained for the purpose).

### Prosecution

The Lanzarote Convention sets forth the following **criminal offences**:

- Article 18: "sexual abuse";
- Article 19: "child prostitution";
- Articles 20: "child pornography";
- Article 21: "participation of a child in pornographic performances";
- Article 22: "corruption of children";
- Article 23: "solicitation of children for sexual purposes" (also known as "online grooming").

The Lanzarote Convention requests countries to extend their statute of limitation on sexual offences against children so that proceedings may be initiated after the victim has reached the adult legal age. It also establishes **common criteria** to ensure that an **effective, proportionate and dissuasive punitive system** is put in place in all countries and foresees the possibility of prosecuting a citizen for a crime even when committed abroad ("extraterritoriality principle"). For example, prosecution can be brought against sexual offenders when they return to their home country.

### Promotion of national and international co-operation

Cooperation is essential to achieve the effective implementation of the Lanzarote Convention. To understand the potential of national and international cooperation, it is sufficient to refer to the following:

- With regard to exploitation of children in/for prostitution, the Lanzarote Convention establishes links between demand and supply of children by requiring criminal sanctions for both the "recruiters" and the "users";
- With regard to child abuse material, the production, offering, distribution, possession and online viewing of such material are all to be criminalised according to the Convention;
- Grooming has been included in the Lanzarote Convention, reflecting the increasingly worrying phenomenon of children being sexually harmed when meeting up with adults initially encountered in cyberspace, specifically in Internet chat rooms or on game sites.

Cooperation helps countries identify and analyse problems, find and apply common solutions, share data and expertise, combat impunity and improve prevention and protection measures. It is therefore essential that both European and non-European countries become parties to the Lanzarote Convention.

### **Monitoring the implementation of the Lanzarote Convention**

The "**Lanzarote Committee**" (i.e. the Committee of the Parties to the Convention) is the body established to monitor whether Parties effectively implement the Lanzarote Convention. The monitoring procedure is divided by rounds, each round concerning a theme.

All Parties are monitored at the same time. The aim is to create a momentum around a specific aspect of the monitoring theme in all Parties at the same time, which in turn fosters exchange of promising practices and encourages the detection of inadequacies or difficulties. It also enables the Committee to provide a comparative overview of the situation in the Parties.

As available data shows that the majority of sexual abuse against children is “committed within the family framework, by persons close to the child or by those in the child’s social environment” (see Lanzarote Convention Explanatory Report, paras. 48 and 123-125), the Lanzarote Committee decided that the [first monitoring round](#) would focus on the **“Protection of children against sexual abuse in the circle of trust”**.

To set this first monitoring round in motion, the Lanzarote Committee prepared a [“Thematic Questionnaire”](#) to collect specific information on how Parties implement the Convention with respect to the situation of sexual abuse of children in the circle of trust. In addition it also prepared a [“General Overview Questionnaire”](#) to collect information on the general framework. All replies to both questionnaires can be found online. They are categorised by [State](#), [other stakeholders](#) as well as [by question](#).<sup>1</sup>

The Committee adopted its [first implementation report](#) in December 2015. This report concerns the applicable legislation as well as judicial procedures as regards sexual abuse of children in the circle of trust. The [second report](#), within the same monitoring round, assesses the strategies to prevent sexual abuse of children in the circle of trust, and to protect child victims. It was adopted in January 2018.

Furthermore, in light of the high number of migrant and asylum-seeking children who arrived and continue to arrive in Europe and being aware that many may be or become victims of sexual exploitation and sexual abuse, the Committee decided in June 2016 to carry out an [urgent monitoring round](#) 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. The [report](#) of this monitoring round was adopted in March 2017. The Lanzarote Committee adopted in June 2019 its [evaluation of the follow-up given by Parties to the 5 “urge” recommendations of the Special Report](#). The Committee will adopt its evaluation of the follow-up given by the Parties to the 10 other recommendations that “consider” that correspond to situations that must be fully brought into conformity with the Convention Lanzarote during 2020.

Also in the context of the refugee crisis, the Lanzarote Committee decided on another [urgent monitoring round](#) after it was invited by the Hungarian authorities to visit the transit zones of Röszke and Tompa where children aged 14 to 18 years old are held. The visit took place in July 2017. The Lanzarote Committee adopted in January 2018 a series of [recommendations](#) to the Hungarian authorities on the basis of a [report](#) prepared by the members of its delegation who visited the transit zones. In June 2019, the Lanzarote Committee adopted its [assessment of the follow-up given by the Hungarian authorities to the recommendations addressed to them following its visit](#).

Building on its reflection work on trends in child sexual exploitation and abuse, the Committee decided to dedicate its [second monitoring round](#) to the following theme: **“The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)”**. The [questionnaire](#) for this monitoring round was adopted in June 2017. It seeks information specifically on the challenges that have to be met to ensure the protection of children against the criminal exploitation of child self-generated sexual content (in particular sexually explicit images and videos). [Replies by 42 Parties](#) to the Convention and [those by other stakeholders](#) are published online. The implementation report is expected for the second half of 2020.

In addition to its activities carried out within the context of its monitoring rounds, the Lanzarote Committee has adopted:

- on 17 June 2015 an [opinion on Article 23](#) of the Lanzarote Convention - Solicitation of children for sexual purposes through information and communication technologies (Grooming). While not amending the text of Article 23 of the Convention, this opinion provides Parties with a framework to enable them to also protect children from abuse committed exclusively online, where no physical meeting with the abuser has taken place;

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<sup>1</sup>The same is true for the questionnaires addressed to Parties in the context of the ensuing [monitoring rounds](#).

- on 16 June 2016 a [declaration condemning web addresses advertising or promoting child sexual abuse material or images or any other offences established in accordance with the Lanzarote Convention](#). Parties thus have to take the necessary measures to identify and remove such web addresses and to ensure that no new such addresses are registered;
- on 12 May 2017 an [interpretative opinion on the applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of information and communication technologies \(ICTs\)](#);
- on 28 June 2018, a [declaration on protecting migrant and refugee children against sexual exploitation and sexual abuse](#);
- on 6 June 2019, an [opinion on child sexually suggestive or explicit images and/or videos generated, shared and received by children](#). In this opinion, the Lanzarote Committee considers, in particular, that "sexting" between children (producing, receiving or sharing sexually suggestive or self-explanatory images and / or videos by means of mobile technology applications) does not amount to "child pornography" behaviour where it is solely for private use. Children who have to behave in such a way should not be subject to criminal prosecution;
- on 18 October 2019, a [declaration on protecting children in out-of-home care from sexual exploitation and sexual abuse](#).

### Exchanging good practices on the implementation of the Convention

The Lanzarote Committee is also mandated to facilitate the collection, analysis and exchange of information, experience and good practice between states to improve their capacity to prevent and combat sexual exploitation and sexual abuse of children. In this regard, in addition to regular exchanges of information during meetings, the Committee may organise *inter alia*, capacity building activities, sharing of information initiatives, hearings on specific challenges raised by the implementation of the Convention.

The Lanzarote Committee has held the following [capacity-building activities](#):

1. Study visit of the *Barnahus* (Children's House) model, which was held in Reykjavik (Iceland) on 31 May-1 June 2012;
2. Good practices conference on the role of international cooperation in tackling sexual violence against children, which was held in Rome (Italy) on 29-30 November 2012;
3. Good practices conference on prevention of sexual abuse of children, which was held in Madrid (Spain) on 10-11 December 2013;
4. Study visit of Europol's work in the field of protection of children against sexual exploitation and sexual abuse, which was held in The Hague (The Netherlands) on 16 March 2015;
5. Study visit of Interpol's work in the field of protection of children against sexual exploitation and sexual abuse, which was held in Lyon (France) on 22 November 2016;
6. Conference on the occasion of the 10<sup>th</sup> anniversary of the opening for signature of the Lanzarote Convention on: "Ending sexual exploitation and abuse of children: Towards a world of trust", which was held in Strasbourg (France) on 24-25 October 2017;
7. Capacity-building event on "Ending sexual abuse of children in sport", which was held in The Hague (Netherlands) on 6 November 2018;
8. Capacity-building event on multidisciplinary approach and interagency cooperation in Cyprus to protect children against sexual exploitation and sexual abuse, which was held in Nicosia (Cyprus) on 15 October 2019.

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More detailed information on the activities carried out by the Lanzarote Committee may be found in its [activity reports](#) which are adopted annually.

The Council of Europe also carries out other activities in the field of the protection of children against sexual violence which are referred to on dedicated webpages, as, for example, those in the context of the [European Day](#) on the protection of children against sexual exploitation and sexual abuse (18 November).

For additional information, visit our website at:  
[www.coe.int/lanzarote](http://www.coe.int/lanzarote) or contact us at: [lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)