



T-ES(2018)33_en

10 December 2018

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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List of decisions

22nd meeting

The Hague, 7-9 November 2018

Adopted by the Lanzarote Committee on 7 December 2018

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 22nd meeting in The Hague on 7-9 November 2018.

During this meeting, the Lanzarote Committee:

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

1. Thanked the Dutch Ministry of Justice and Security for hosting its meeting.
2. Welcomed the news shared by the representative of Tunisia that the deposit of its instrument of ratification of the Lanzarote Convention was forthcoming.

2. Monitoring of the implementation of the Lanzarote Convention

2.1. “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse”

2.1.1. Follow-up by Parties to the 5 “urge” recommendations of the [special report](#): decisions on the way forward

3. Took note of the analysis of the information submitted by Parties to outline the follow-up given to the 5 “urge” recommendations (document T-ES(2018)26) and:
 - acknowledged that it highlighted that only a few Parties had taken measures after the adoption of its special report;
 - considered that this was probably due to the fact that the special report did not specifically indicate which Parties were targeted by its recommendations;
 - agreed that, **by 18 December 2018**, all Parties should send to the Secretariat (lanzarote.committee@coe.int) information to demonstrate that the 5 “urge” recommendations are complied with so that a decision may be taken during its 23rd meeting (5-7 March 2019) on the way forward with respect to the Parties still not complying with these recommendations.
4. In addition and more generally, acknowledged that to ensure the effective implementation of the Convention (as required by Article 1§2 of the Convention), Parties should act upon the recommendations addressed to them in the context of its monitoring reports and reiterated that in line with Rule 27§6 of its Rules of Procedure, it may ask Parties to regularly inform it of the steps taken to implement its monitoring recommendations and thus agreed that during its next meetings it would:
 - continue to examine the ways and means to maintain its monitoring process effective and to ensure that operational follow-up is given to its findings;
 - examine the feasibility of involving independent experts in the process of assessing the steps taken by Parties to implement its monitoring findings;
 - hear presentations of the follow-up procedures of several relevant Council of Europe monitoring bodies (to be planned for its 23rd meeting, 5-7 March 2019);

- consider whether any elements of such procedures may be of inspiration to it and thus decide on a possible amendment of its Rules of Procedure to systematise any additional procedure it sees fit to carry out its monitoring tasks effectively (could be planned for its 24th meeting, 4-6 June 2019).

2.2. “The protection of children against sexual exploitation and sexual abuse facilitated by ICTs”

5. Warmly welcomed the United Kingdom’s decision to take part in this monitoring round even if it became a Party to the Convention after its launching.

2.2.1. Decisions on key issues emerging from the observations on replies/contributions to the [thematic questionnaire](#) following the decisions taken during the previous meeting (20-22 June 2018)

- Questions 8-10: Challenges raised by child self-generated sexually explicit images and/or videos

6. Examined in depth the challenges raised by child self-generated sexually explicit images/videos emerging from the scenarios set out in document T-ES(2018)27 and:

- agreed on the scenarios that, in the light of the Lanzarote Convention, do not lead to criminalisation as well as scenarios for which prosecution should only be a last resort and those corresponding to criminal offences;
- acknowledged the added value of an interpretative opinion on Article 20 read in conjunction with Article 18§3 to guide Parties in particular in addressing situations that do not give rise to criminal offences and situations where prosecution should be considered as a last resort;
- decided that such a draft interpretative opinion should be prepared in advance of its 23rd meeting (5-7 March 2019) in view of its examination and possible adoption during this meeting;
- also decided that its members, participants and observers would have the opportunity to comment on the draft interpretative opinion in advance of its 23rd meeting (5-7 March 2019).

- Question 11: Observations on the additional information submitted by Parties concerning reference in law to ICT facilitated sexual coercion and/or extortion

7. Agreed that the numerous Parties¹ that had not submitted the additional information requested in [Appendix I, list of decisions 21st meeting](#) on reference in law to ICT facilitated sexual coercion and extortion should do so no later than **18 December 2018** (lanzarote.committee@coe.int) and that any Party/other stakeholder wishing to further clarify submissions reflected in document T-ES(2018)29, could do so by the same deadline.

¹ The 20 Parties that did not fill in the table and reply to the questions in Appendix I of the 21st meeting’s list of decisions are: Albania, Andorra, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Georgia, Greece, Italy, Latvia, Luxembourg, Montenegro, Netherlands, Poland, Romania, San Marino, Serbia, “The former Yugoslav Republic of Macedonia” and Ukraine.

8. Asked the Secretariat to update working document T-ES(2018)29 accordingly and in due time before its 23rd meeting (5-7 March 2019).

2.2.2. Exchange of views on the observations prepared by the Rapporteurs on replies/contributions to questions 12-15 of the [thematic questionnaire](#)

9. Took note that the Rapporteur on Question 12 on Jurisdiction Rules, Ms LIČKOVÁ (Czech Republic), was not in a position to finalise her observations on the replies to this question as several Parties had not submitted any information at all and therefore called upon these Parties² to submit the required information to the Secretariat (lanzarote.committee@coe.int) no later than **18 December 2018**.

10. Asked the Rapporteur to up-date her draft observations accordingly and to send them to the Secretariat (lanzarote.committee@coe.int) as soon as possible.

11. Exchanged views on replies to questions 13, 14 and 15 of the thematic questionnaire, based respectively on the observations prepared by Rapporteurs:

- Mr DEGTEARIOV (Republic of Moldova) on Specialised units/departments/sections (document T-ES(2018)23);
- Ms JUKIĆ (Croatia) on Challenges in the prosecution phase (document T-ES(2018)24);
- Ms SARTIN (United Kingdom) on Training of professionals (document T-ES(2018)25).

12. Invited all Parties and relevant stakeholders to submit to the Secretariat (lanzarote.committee@coe.int) any additional information to clarify the situation described in the above mentioned documents by **18 December 2018**.

2.2.3. Appointment of Rapporteurs to prepare observations on replies/contributions received with regard to further questions of the thematic questionnaire

13. Called upon its members, participants and observers to inform the Secretariat (lanzarote.committee@coe.int) if they may act as a Rapporteur to prepare observations on replies to any of the following questions of the [2nd monitoring round questionnaire](#).

² The following 7 Parties have yet to submit information on their jurisdiction rules: Albania, Bosnia and Herzegovina, Cyprus, Finland, Greece, Netherlands and Ukraine.

Prevention

- Question 1 - Awareness-raising or educational activities / tools / materials / measures
- Question 2 - Civil society involvement³
- Question 3 - National curriculum⁴
- Question 4 - Higher education curriculum and continuous training⁵
- Question 5 - Research

Protection

- Question 6 - Assistance to victims
- Question 7 - Cooperation with civil society⁶

Partnerships

- Question 16 - International co-operation

14. Highlighted that the observations on the replies to the above questions should be finalised by **16 April 2019** and presented during its 24th meeting (4-6 June 2019).

2.2.4. State of play concerning the use of the [Guidelines for Implementation of Child Participation in the 2nd thematic monitoring round](#)

15. Applauded the contributions received by children from Bulgaria, Cyprus, Finland, Georgia, Hungary, Republic of Moldova, Serbia and Ukraine, and acknowledged that, when sharing the outcomes of this monitoring round with them, it would outline how their contributions were taken into account.

16. Agreed to reopen the [call for children's contributions](#) to the 2nd monitoring round and set **1 April 2019** as the deadline to submit such contributions to the Secretariat (lanzarote.committee@coe.int).

17. Considered that, if resources are available, it would be necessary to develop child friendly materials to raise awareness on specific aspects of the Lanzarote Convention, its monitoring process and findings.

2.3. “The protection of children against sexual abuse in the circle of trust”

2.3.1. Decisions on how to manage the follow-up to the recommendations of “The Framework” and “The Strategies” implementation reports

18. Agreed to take decisions on how to manage the follow-up to all its recommendations after having heard presentations from other Council of Europe monitoring mechanisms (see above § 4).

³ Replies to this question could be examined jointly with those to question 7 as both questions are interconnected.

⁴ Replies to this question could be examined jointly with those to question 4 as both questions are quite short and overlap.

⁵ See previous footnote.

⁶ See footnote to question 2.

3. Exchange of information, experiences and good practices

3.1. Debriefing of the capacity-building event on “The protection of children against sexual abuse in sport” (6 November 2018)

19. Thanked the Dutch authorities and the Council of Europe Sport Values Division for having organised the event.

20. Welcomed capacity building events in general as an opportunity to explore more in-depth the challenges and best practices related to specific issues raised by child sexual abuse and exploitation.

21. Commended the role of survivors in raising awareness on the issues examined and considered it might be helpful to draft guidelines on how to involve and work with survivors.

3.2. Presentation of relevant activities by national authorities, international governmental and non-governmental organisations and experts

3.2.1. Presentations by Dutch relevant stakeholders

22. Took note of the following Dutch experiences which were presented to it:
- The [Halt programme](#) to address some cases of sexting;
 - A public-private approach, with new administrative enforcement options, to combat child pornography.

3.2.2. Child-like sex robots/dolls

23. Exchanged views on the ethics behind recent legislative solutions concerning child-like sex robots based on research findings presented by Ms VAN WYNSBERGHE (Delft University).

24. Was up-dated by Mr KLANČNIK (EUROPOL) concerning the questionnaire EUROPOL is preparing on child-like sex dolls to map out what is in place in Europe to deal with this phenomenon under various angles, and, in this context:

- reiterated that it agreed that EUROPOL could address its questionnaire to all Parties to the Lanzarote Convention;
- took note that the questionnaire would most likely be sent at the beginning 2019;
- underlined that Parties stood ready to help EUROPOL in collecting the information it needed but clarified that this process was not part of its monitoring of the Lanzarote Convention and therefore it could not require Parties to respond.

3.2.3. Mission and vision of the [Centre for Child Protection](#) (CCP) of the Pontifical Gregorian University: exchange of views with Father ZOLLNER on possible cooperation between the CCP and the Lanzarote Committee

25. Took note of the preventive and awareness raising work undertaken by the Centre for Child Protection and exchanged views on how to better ensure that children are protected against sexual abuse by the clergy.

26. In this context, welcomed the “[Interfaith Alliance for Safer Communities: Child Dignity Online](#),” (19-20 November 2018 in Abu Dhabi) bringing together the world’s religious leaders to address the issue of online child abuse and expressed its interest in being informed of the outcomes of this important forum as well as any following activities on the subject matter.

3.2.4. Presentation by Ms LARSSON (Executive Director, Council of International Schools) of an International Protocol for managing allegations of child abuse by educators and other adults

27. Welcomed the recent adoption of an [International Protocol for managing allegations of child abuse by educators and other adults](#) developed by the International Taskforce on Child Protection and the Safeguarding Unit of the [Council of International Schools](#) (CIS).

28. Was informed of the support by CIS of an initiative (I-CPAS) pending at INTERPOL to create a formal process to screen anyone seeking employment or volunteer work across national borders to work with children and encouraged relevant stakeholders to implement this initiative in the near future.

3.2.5. Presentation by Mr NIKOLAIDIS (Lanzarote Committee Chairperson, Greece) of the project “Support to Adult Survivors of Child Abuse in institutional settings ([SASCA](#))”

29. Was informed of the SASCA project focusing on child abuse in institutional settings from the perspective of adult survivors to understand the long terms effects of such abuse and how their experience may enlighten prevention strategy for the protection of children living today in residential care.

30. Agreed to entrust its Bureau to prepare a declaration or other document on the above issues with a view to adopt it during its 23rd meeting (5-7 March 2019).

3.2.6. 4th Edition of the European Day on the protection of children against sexual exploitation and sexual abuse (18 November)

31. Was reminded that the focus of the 2018 Edition of the European Day was on “[The protection of children against sexual abuse in sport](#)” and invited all Parties and other stakeholders to take awareness raising initiatives on the occasion of this Day and to inform the Secretariat (EndChildSexAbuseDay@coe.int) of such initiatives (providing links where relevant).

3.3. Presentation of relevant initiatives of the Parliamentary Assembly and Congress of Regional and Local Authorities of the Council of Europe

32. Took note that this item would be addressed during a forthcoming meeting.

3.4. Participation of the Lanzarote Committee representatives in outside events

33. Took note that the following persons participated in the events listed below:

- Ms DE CRAIM (Vice-Chairperson, Belgium) and Ms CASTELLO-BRANCO (Bureau Member, Portugal):
 - exchange of views with GRETA on the links between online sexual exploitation of children and the anti-trafficking in human beings legal framework (12 July 2018, Strasbourg);
 - [Octopus Conference](#) Workshop on Cyberviolence (Strasbourg, 13 July 2018).
- Mr NIKOLAIDIS (Chairperson, Greece), [Safety for Children: New thinking – New approaches](#) (Reykjavik, 5-7 September 2018);
- Ms SCAPPUCCI (Executive Secretary), Expert Workshop on the implementation of the EU child sexual abuse directive with regard to background checks and the use of ECRIS (Brussels, 25 September 2018);
- Mr FORNER ROVIRA (CDDH, Rapporteur on reporting suspicion of child sexual abuse in the context of the Committee's 2nd implementation report), seminar organised by the Independent Inquiry into Child Sexual Abuse in England and Wales on reporting child sexual abuse (London, 27 September 2018);
- Ms CASTELLO-BRANCO (Gender Equality Rapporteur, Portugal):
 - ECPAT Global Initiative on Boys (on-going initiative);
 - Gender Equality Training (Strasbourg, 15 October 2018).
- Ms BOROČANIN-MARIĆ (Bosnia and Herzegovina, representative to the CAHENF-VAC): 2nd meeting of the Group of Experts on responses to violence against children (CAHENF-VAC) (Strasbourg, 18-19 September 2018);
- Ms WACHENHEIM (France, representative to the CAHENF), 5th meeting of the Ad Hoc Committee on the Rights of the Child (CAHENF, Strasbourg, 16-18 October 2018).

4. Procedural matters

4.1. Ensuring compliance with the principle of equality of the two official Council of Europe languages (English and French)

34. Took note of the letter addressed by the Ambassador of Monaco to its Secretariat asking that working documents be made available at the same time in both English and French.

35. Called upon its Parties and other stakeholders to respect deadlines to submit information having to be integrated in working documents as such deadlines are set to allow for the documents to be translated and distributed in compliance with its [Rules of Procedure](#) (see Rule 10).

4.2. & 4.3. Exchange of views on possible ways and means to maintain the monitoring process effective and to ensure that operational follow-up is given to its findings

36. Started to address various options while discussing the way forward in the context of its monitoring reports and agreed to pursue the exchange of views during its next meetings (see §4 and §18 above).

4.4. Adoption of the list of decisions of the meeting

37. Due to lack of time, decided to adopt these decisions by written procedure.

5. Dates of the next meetings

- 23rd meeting: 5-7 March 2019, Strasbourg
- 24th meeting: 4-6 June 2019, Strasbourg
- 25th meeting: October 2019 (dates and place to be confirmed)