



T-ES(2019)09\_en

7 March 2019

## **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**

#### **23<sup>rd</sup> meeting**

Strasbourg, 5-7 March 2019

Adopted by the Lanzarote Committee on 7 March 2019

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 23rd meeting in Strasbourg on 5-7 March 2019.

**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. Took note of the words of welcome by Mr SCHOKKENBROEK, Director of Anti-discrimination in the Council of Europe.
2. Adopted its agenda.

**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 with respect to Parties still not in compliance**

3. Took note of the revised analyses of the information submitted by Parties on the follow-up given to each of the 5 “urge” recommendations (documents T-ES(2019)03-07) and adopted them as working documents.
4. Acknowledging that, in accordance with the above-mentioned analyses, many Parties are not in compliance with one or more of these recommendations, mainly due to lack of information, decided that:
  - **By 22 March 2019 at the latest**, Parties may add/clarify the information submitted with respect to the situations with which they are considered not in compliance
  - On the basis of the above analyses and additional information submitted, the Chairperson will send an individualised letter to each of these Parties, highlighting the reasons for their non-compliance and asking them to send any additional clarification to the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) **by 5 April 2019**
  - The Secretariat, in cooperation with the Bureau, will then review the situation
  - A final decision on each of these Parties will be taken during its 24th meeting
  - (4-6 June 2019) and be made public

**2.1.2. Follow-up by Hungary to the [recommendations](#) addressed to it further to a visit of a delegation of the Lanzarote Committee to transit zones at the Serbian/Hungarian border (5-7 July 2017)**

5. Took note of the [report](#) submitted by the Hungarian authorities and the presentation made during the meeting on actions taken to implement the recommendations addressed to them further to the visit of the Committee's delegation to transit zones at the Serbian/Hungarian border.
6. Acknowledged that it needed more time to look into the issue before being in a position to take a decision.
7. Authorised its Bureau and the Committee's delegation who participated in the visit to contact the Hungarian authorities for possible further clarification.
8. Decided that it would take its final decision on the follow-up by Hungary to the recommendations addressed to it further to the visit at its 24th meeting (4-6 June 2019).

## **2.2. "The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)"**

### **2.2.1. Exchange of views on the observations to questions 11 and 12 of the [thematic questionnaire](#)**

9. Took note of the observations prepared by the Secretariat on reference in law to ICT facilitated sexual coercion and/or extortion (Question 11) as they appear in document T-ES(2018)29\_en rev. and the recommendations to Parties and called upon those Parties that have not yet submitted information to send it to the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) as soon as possible and **no later than 5 April 2019**.
10. Took note that Rapporteur Ms LIČKOVÁ (Czech Republic) was not in a position to submit her observations on replies/contributions to question 12 (Jurisdiction rules) and, as a consequence, entrusted the Secretariat to prepare the said observations.

### **2.2.2. Examination of the draft interpretative opinion on how to deal with child self-generated sexually explicit images and videos in light of Article 20 read in conjunction with Article 18 of the Lanzarote Convention in view of its adoption**

11. After an in-depth examination of the draft interpretative opinion, decided to ask its Bureau and the Secretariat to submit a revised version of the text limiting it to provide guidance only with respect to scenarios involving just children, in view of its examination and possible adoption during its 24th meeting (4-6 June 2019).

### **2.2.3. Monitoring round indicative calendar**

12. Took note that Ms CASTELLO BRANCO (Portugal) accepted to prepare observations on question 16 (International cooperation) and Ms PETROVA accepted to prepare observations on questions 3 (National curriculum) and 4 (Higher education curriculum and continuous training).

13. Established that their observations should be ready **by 16 April 2019** so as to examine them during its 24th meeting (4-6 June 2019).

14. Appointed the following Rapporteurs:

- Mr DIOURI (Morocco) as Rapporteur to prepare observations on replies to Question 1 (Awareness-raising or educational activities / tools / materials / measures)
- Ms ILCHUK (Ukraine) as Rapporteur to prepare observations on replies to Questions 2 (Civil society involvement) and 7 (Cooperation with civil society)
- Mr AZZOPARDI (Malta) as Rapporteur to prepare observations on replies to Question 6 (Assistance to victims)

15. Called upon its members, participants and observers to inform the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) if they may act as a Rapporteur to prepare observations on replies to Question 5 (Research).

16. Established that their observations should be ready **by 2 September 2019** so as to examine them during its 25th meeting (15-18 October 2019).

## **3. Exchange of information, experiences and good practices**

### **3.1. Exchange of experiences with Council of Europe monitoring bodies to identify good practices to verify whether monitoring findings are acted upon**

17. Exchanged experiences with secretariat members of the [GRETA](#) (trafficking in human beings), [GRECO](#) (corruption), [MONEYVAL](#) (money laundering), [Committee of experts](#) (regional or minority languages) and [ECRI](#) (racism and intolerance).

18. Entrusted its Secretariat to draw a table comparing the main features of the different mechanisms to enable the Committee to consider what might work well for it and to pursue the discussion at its 24th meeting (4-6 June 2019).

### **3.2. Presentation of relevant activities by national authorities, international governmental and non-governmental organisations, experts, as well as services of the Council of Europe**

19. Held an in-depth discussion on the draft Declaration on protecting children from sexual abuse and sexual exploitation in residential care and institutional settings and decided to:

- Send the revised version to its members, asking them to send their possible new comments to the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) **by 5 April 2019**
- Revert to the draft Declaration at its 24th meeting (4-6 June 2019) in view of its adoption.

20. Heard presentations from and exchanged views with:

- Ms FISCHEROVÁ (Slovak Republic) on the [Campaign “It does concern me”](#)
- Mr DEGTEARIOV (Republic of Moldova) on the campaign on child sexual abuse online, conducted by the NGO La Strada-Moldova
- Ms TOURA (Programme Manager, Education Policy Division) on the Council of Europe Campaign [“Free to speak – Safe to learn” – Democratic Schools for All](#)
- Ms AULA (Holy See) on the meeting organised by the Holy See, [“The Protection of Minors in the Church”](#) (21-24 February 2019)
- Ms SARTIN (United Kingdom) on the current discussions at EU level on the E-Directive
- Ms JENSDÓTTIR (Head of the Children’s Rights Division in the Council of Europe) on the High Level Conference for the Mid-Term Evaluation of the Council of Europe Strategy for the Rights of the Child (2016-2021) (Paris, 13-14 November 2019)

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

21. Took note of the recent activities of the Council of Europe’s Parliamentary Assembly presented by Ms PERERVA (Secretary to the Committee on Social Affairs, Health and Sustainable Development of the Parliamentary Assembly).

### **3.4. Participation of the Lanzarote Committee representatives in outside events**

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

- Ms DE CRAIM (Vice-Chairperson, Belgium), meeting and working lunch organised by the Secretary General of the Council of Europe with the Chairpersons of the Council of Europe monitoring and advisory bodies

- Ms CASTELLO-BRANCO (Gender Equality Rapporteur, Portugal):
  - ECPAT Global Initiative on Boys (on-going initiative)
  - Awareness-raising Workshop “Crossing perspectives on international instruments for the protection of the rights of the child” organised by the Faculty of Legal, Economic and Social Sciences (Mohammedia, 22 November 2018)
- Mr NIKOLAIDIS (Chairperson, Greece), International Conference on the urgent need to take specific measures against sexual abuse of children, organised by “The Smile of the Child” (Athens, Greece, 28 February 2019)

#### **4. Council of Europe cooperation projects on the protection of children against sexual exploitation and sexual abuse**

23. Was informed on the Council of Europe “End Online Child Sexual Exploitation and Abuse @ Europe” Project which promotes a child-friendly / victim-centred approach in all aspects of responses to online child sexual exploitation and abuse and which particularly implicates 10 focus states (Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Republic of Moldova, Montenegro, Serbia, Turkey and Ukraine).

24. Took note that it is invited to widely disseminate the forthcoming calls for experts to conduct various gap analyses of legislation, analysis of training materials and programmes for law enforcement officers, judges and prosecutors and to widely disseminate the awareness raising materials that will be produced in the context of this project.

#### **5. Procedural matters**

##### **5.1. Elections: Chair, Vice-Chair and Bureau**

25. Re-elected by acclamation, for a second term of office, Mr NIKOLAIDIS (Greece), as Chairperson of the Committee and Ms Christel DE CRAIM (Belgium) as Vice-Chairperson.

26. Re-elected, after a vote, for a second term of office, Ms CASTELLO-BRANCO (Portugal) and Ms PETROVA (Bulgaria), as members of the Committee’s Bureau.

27. Elected, after a vote, for a first term of office, Mr DEGTEARIOV (Republic of Moldova), as member of the Committee’s Bureau.

##### **5.2. Road map to ensure that operational follow-up is given to monitoring findings based on the exchange of experience with other Council of Europe monitoring bodies**

28. See item 3.1 above.

### **5.3. Appointment of a representative of the Lanzarote Committee to the CAHENF**

29. Took note that its current representative to the Ad Hoc Committee on the Rights of the Child (CAHENF), Ms WACHENHEIM (France), left the Committee due to a change in responsibilities in her national administration.

30. Decided that:

- it will see among the members of its Bureau who could represent the Committee to the 6th meeting of the CAHENF (21-22 May 2019)
- in the meantime, it would launch a call to all its members with a view to appoint its new representative at its 24th meeting (4-6 June 2019)

### **5.4. Adoption of the list of decisions of the meeting**

31. Adopted the present list of decisions of the meeting.

## **6. Any other business**

32. Was informed by Ms SCAPPUCCI (Executive Secretary) that the United Nations Committee on the Rights of the Child is preparing Guidelines on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (UN OPSC) and that, **by 31 March 2019**, any stakeholder may submit comments on the [draft](#).

33. With regard to the above Guidelines, agreed to explore ways to streamline reporting about the implementation of the Lanzarote Convention and the UN OPSC.

34. Took note that this meeting was the last meeting attended by Mr GUDBRANDSSON (Iceland), thanked him for his very active participation and devotion in the work of the Committee since its creation, in particular as Chairperson, and wished him all the best in his new capacities as a member of the United Nations' Committee on the Rights of the Child (UN-CRC).

## **7. Dates of the next meetings**

35. Took note that the dates for its next meetings are:

- 24th meeting: 4-6 June 2019, Strasbourg
- 25th meeting (3 days + ½ day capacity building event): 15-18 October 2019, Cyprus

In accordance with Rule 10, paragraph 5 of the Rules of Procedure and as the Lanzarote Committee has not decided otherwise, this list of decisions shall be made public.

In accordance with Rule 10, paragraph 6 of the Rules of Procedure, a full meeting report shall be submitted to the members, participants and observers of the Lanzarote Committee at a later stage.