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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

20th meeting

Strasbourg, 29-31 January 2018

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 20th meeting in Strasbourg on 29-31 January 2018. 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. The Lanzarote Committee took note of the opening address by Ms Snežana SAMARDŽIĆ-MARKOVIĆ (Council of Europe Director General of Democracy) who acknowledged the importance and value of the work carried out by the Lanzarote Committee and informed it about restrictions to the Council of Europe’s budget that might impact the Committee’s work.

3. The Lanzarote Committee welcomed progress in the accession process announced by the delegate of Tunisia.

2. Monitoring of the implementation of the Lanzarote Convention

2.1 Urgent monitoring round: “Special report further to a visit undertaken by a delegation of the Lanzarote Committee to transit zones at the Serbian/Hungarian border (5-7 July 2017)”

4. Mr Claude JANIZZI (Chairperson of the Lanzarote Committee) recalled that during its 18th meeting (10-12 May 2017), the Lanzarote Committee accepted the Hungarian authorities’ invitation to visit the transit zones of Röszke and Tompa to verify *in loco* the situation of children (in particular unaccompanied children aged 14-18).

5. A delegation of the Lanzarote Committee carried out the visit on 5-7 July 2017. Further to the visit, the delegation prepared a report (“Special report further to a visit undertaken by a delegation of the Lanzarote Committee to transit zones at the Serbian/Hungarian border (5-7 July 2017)”) which was submitted to the Hungarian authorities for comments. Further to the receipt of such comments, the delegation forwarded its final report to the Committee with the integrity of the Hungarian comments attached.

6. During the current meeting, the Lanzarote Committee acknowledged that, as such, the report was not subject to adoption by the Lanzarote Committee but remained the delegation’s report. After an in-depth discussion, it nevertheless endorsed the recommendations contained in it while stressing that these recommendations reflect the state of affairs at the time of the visit (see Appendix III). Some of the recommendations are of a general nature, in particular the call to the Hungarian authorities to cater for all the asylum-seeking children within its regular child protection system, i.e. in open child protection institutions. Many other recommendations are of a

more specific nature. Some of these concern measures to be taken in the transit zones until the practice of keeping children there ceases.

7. The Committee also took note of some developments which took place further to the visit and were presented by the Hungarian authorities during the meeting (see Appendix III).

8. To ensure follow-up to its recommendations, the Lanzarote Committee requested the Hungarian authorities to send information to the Secretariat (lanzarote.committee@coe.int) on actions taken to implement these recommendations before 31 January 2019, with a view to examine such information during its first meeting of 2019.

9. All documents concerning this visit and its follow-up are reproduced on the [dedicated webpage](#) of the Lanzarote Committee.

10. Finally, the Lanzarote Committee held an exchange of views on the procedure to carry out future possible on the spot visits and decided to resume its discussions at a forthcoming meeting on the basis of preparatory work (relating to, for example, a state of play of practices in other monitoring bodies, possible changes needed in its Rules of procedure, pros and cons on organising visits only to some Parties, etc.).

2.2 1st monitoring round: review, in view of its adoption, of the draft 2nd implementation report on the “Protection of children against sexual abuse in the circle of trust: The strategies”

11. The Committee held an in-depth examination of the full text of the revised draft 2nd implementation report on the “Protection of children against sexual abuse in the circle of trust: The strategies”. It assessed written amendments to the text, which had been submitted to the Secretariat in advance of the meeting, as well as other amendments and suggestions which emerged during the deliberations.

12. Following the above deliberations, the Committee adopted its 2nd implementation report by consensus. The report is available [online](#). The executive summary of the implementation report is reproduced in Appendix IV to this meeting report.

13. The 2nd implementation report on “The strategies” complements the 1st implementation report on “The framework”, adopted on 4 December 2015 by the Committee and concludes the 1st monitoring round of the Lanzarote Committee on the “Protection of children against sexual abuse in the circle of trust”. A follow-up to the implementation of the recommendations of these reports will be carried out during a forthcoming meeting.

2.3 2nd monitoring round: “The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)”

2.3.1 State of play of replies/comments to the questionnaire

14. The Secretariat informed that all Parties except the Netherlands and the Czech Republic had sent replies to the thematic questionnaire on [“The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies \(ICTs\)”](#). The Lanzarote Committee took note that these two Parties committed themselves to send their replies in a very near future.

15. The Lanzarote Committee was also informed that 14 NGOs and other stakeholders had sent replies to the questionnaire or had submitted comments on the replies sent by Parties. The Secretariat reiterated that civil society representatives and any other stakeholders involved in preventing and combating sexual exploitation and sexual abuse of children could send their comments on Parties’ replies to the Secretariat (lanzarote.committee@coe.int) within 2 months from the Parties’ replies having been made public.

2.3.2 Setting of a monitoring calendar based on Rapporteurs’ appointed/to be appointed

16. The Lanzarote Committee decided to consider the observations prepared by the rapporteurs (see item 4.2 below) on replies to questions 8 (Legislation), 9 (Criminalisation), 10 (Production and possession of self-generated sexually explicit images and/or videos by children for their own private use) and 11 (Reference in law to ICT facilitated sexual coercion and/or extortion) of the Thematic Questionnaire at its 21st meeting (20-22 June 2018). It will decide on the following stage of its consideration of observations on replies to other questions at its next meeting in the light of volunteers to examine replies to further questions.

2.3.3 Brief presentation of the Guidelines for Implementation of Child Participation in the 2nd thematic monitoring round

17. Ms Zsuzsanna RUTAI (Secretariat of the Lanzarote Committee) presented the [Guidelines for Implementation of Child Participation in the 2nd thematic monitoring round](#). She recalled that the Lanzarote Convention requires Parties to “encourage the participation of children, according to their evolving capacity, in the development and the implementation of state policies, programmes or other initiatives concerning the fight against sexual exploitation and sexual abuse of children” (Article 9 (1) of the Lanzarote Convention). The involvement of children in the implementation of the Lanzarote Convention is firmly based also on the priorities of the Strategy for the Rights of the Child (2016-2021) and the Recommendation CM/Rec(2012)2 of the Committee of Ministers to member States on the participation of children and young people under the age of 18. Accordingly, involvement of children in the work of the Lanzarote Committee

is welcomed and supported in the 2nd monitoring round of the Lanzarote Convention by the said Guidelines.

18. These Guidelines were distributed to partners asking them to organise work sessions with children in order to get their input on 3 questions of the questionnaire which are deemed of particular interest to them (i.e. those on awareness-raising in the school curriculum; other awareness-raising activities; assistance to victims). Contributions by children should be submitted to lanzarote.committee@coe.int by 30 September 2018.

3. Exchange of information, experiences and good practices

3.1 Participation of the Lanzarote Committee in outside events

19. The Committee took due note of the following briefings by:
- Ms Regína JENSDÓTTIR (Council of Europe Children’s Rights Coordinator) of the [3rd meeting](#) of the Ad Hoc Committee on the Rights of the Child (CAHENF, Strasbourg, 22-24 November 2017). She informed the Committee that the Guidelines for member states to respect, protect and fulfil children’s rights in the digital environment had been finalised on this occasion. She also pointed out that the Drafting Group of Experts on Children’s Rights and Safeguards in the Context of Migration (CAHENF-Safeguards) will pursue its work on the drafting of instruments on age assessment and on guardianship. The Committee noted in particular the establishment of a new Group of Experts on responses to violence against children (CAHENF-VAC) which will notably focus on SDG Target 16.2 to end all forms of violence against children developed in the context of the 2030 Agenda for Sustainable Development. It stressed that strong links should be made with this Group;
 - Ms Gioia SCAPPUCCI (Lanzarote Committee Executive Secretary) of her participation in the European Commission’s Expert Workshop on the implementation of Directive 2011/93/EU with regard to children in migration (Brussels, 17 January 2018);
 - Mr George NIKOLAIDIS (Lanzarote Committee Vice-Chairperson) of his participation in the working lunch of the Chairpersons of the Council of Europe monitoring and advisory bodies with the Secretary General, in replacement of the chairperson of the Committee (Strasbourg, 18 January 2018)

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

3.2.1 Debriefing about the [3rd edition of the European Day](#) on the protection of Children against Sexual exploitation and Sexual Abuse

20. Mr Mikaël POUTIERS (Lanzarote Committee Secretary) debriefed about the [3rd edition of the European Day](#) on the Protection of Children against Sexual

Exploitation and Sexual Abuse (18 November). He emphasised that for the first time it had been decided to propose to partners a specific topic to focus on, that of "The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)". A [leaflet](#) was prepared to explain this choice which added to the [general leaflet](#) which presents the European Day. In order to support partners the Council of Europe produced a set of 6 video tutorials,¹ a brochure and an infographics which were made available on the dedicated website.

21. He also indicated that a joint statement issued by 4 member States (Andorra, Luxembourg, Monaco and Slovenia) was released on the occasion of the European Day and was supported by 35 other Council of Europe member States, totalling 39 States out of 47. Council of Europe key personalities delivered statements to support the European Day (Secretary General, President of the Parliamentary Assembly, President of the Congress of Local and Regional Authorities, Commissioner for Human Rights, Chairperson of the Lanzarote Committee). In addition, the Special Representative of the UN Secretary-General on Violence against Children delivered a video statement.

22. The Council of Europe was made aware of 42 activities in the following 19 countries: Albania, Austria, Belgium, Bulgaria, Croatia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Poland, San Marino, Slovak Republic, Slovenia, Spain, Sweden and Ukraine. Activities were also carried out by other international partners. In Strasbourg, the Council of Europe organised a Conference in Lieu d'Europe "Protecting children against sexual exploitation and abuse" on 15 November 2017 in order to raise awareness of persons living in Strasbourg on the issue.

23. Information on all the activities is promoted on the Council of Europe website, in particular on its [webpage dedicated to the 2017 edition of the European Day](#).

3.2.2 Child sexual abuse in sports: presentation by Ms Elda MORENO (Head of the Children's Rights and Sport Values Department) of the Council of Europe "Start to talk" initiative

24. Ms Elda MORENO (Head of the Children's Rights and Sport Values Department of the Council of Europe) presented the "[Start to talk](#)" initiative (Child sexual abuse in sports). "Start to talk" is a Council of Europe call for action to public authorities and the sport movement to stop child sexual abuse. By joining this call, governments, sports clubs, associations and federations, as well as athletes and coaches, pledge to take concrete measures to prevent and respond to abuse.

¹ The tutorials concerned:

- [Online protection of children](#)
- [Online sexual exploitation of children \(Sextortion\)](#)
- [Self-generated sexually explicit images and materials involving children \(Sexting\)](#)
- [Sex-chatting](#)
- [Grooming](#)
- [Sexualised images used in revenge \(Revenge porn\)](#)

25. In this context and in order to raise awareness on the issue, to help protect children, and prevent, detect and report sexual abuse in sport, the Council of Europe offers the following materials:

- [a training kit](#) for sport professionals and volunteers (to be adapted to countries' particular contexts)
- other printed materials
- [a video-clip](#) and a [TV spot](#)

26. It was highlighted that the launch of the "Start to talk" initiative was set for April 2018, in Spain. All countries were invited to consider launching the initiative as well.

3.2.3 Interagency seminar held in Moscow on the implementation of the Lanzarote Convention: presentation by Ms Anastasia ATABEKOVA (Russian Federation)

27. Ms Anastasia ATABEKOVA (Russian Federation) informed the Lanzarote Committee about the [Interagency Seminar "Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse \(Lanzarote, October 25, 2007\): experience, state and prospects of implementation"](#) held at the Peoples' Friendship University of Russia (Moscow) on 22 November 2017.

28. This seminar was the occasion for 40 participants from 17 regions to learn about the Lanzarote Convention, the Lanzarote Committee, its monitoring work and the sharing of experiences among its members. Participants were also informed on a whole range of other issues. In particular, that the Russian Federation is developing and implementing the policy of a unified state approach to solving problems of protecting children's rights and interests. University research activities related to the Lanzarote Convention implementation in the Russian Federation were also presented to participants as well as some good practices from other Parties to the Lanzarote Convention. Overall, the event aimed at informing participants about the challenges of implementing the provisions of the Lanzarote Convention.

3.2.4 PROMISE project and the forthcoming celebrations of the 20th anniversary of the Barnahús model by Mr Bragi GUÐBRANDSSON (Iceland)

29. Mr Bragi GUÐBRANDSSON (Iceland) presented the developments in the [PROMISE project](#) whose second phase was launched the week prior the current meeting. This phase aims at promoting child friendly structures.

30. Mr Bragi GUÐBRANDSSON also informed participants that the 1st scientific study on the Barnahús model was released recently ([Collaborating Against Child Abuse - Exploring the Nordic Barnahus Model](#), Susanna Johansson, Kari Stefansen, Elisiv Bakketeig, Anna Kaldal, editors, Palgrave MacMillan, 2017). It contains a comparative analysis of Barnahús models in Nordic countries.

31. He also referred to the forthcoming celebrations of the 20th anniversary of the Barnahús model, during the next Nordic Congress on [“Safety for Children: New thinking – New approaches”](#) (Harpa Conference Centre, Reykjavik, 5-7 September 2018) which will be followed by a study visit to the Icelandic Barnahús.

3.2.5 Forthcoming World Congress on Justice for Children by Mr Daniel PICAL (International Association of Youth and Family Judges and Magistrates - IAYFJM)

32. Mr Daniel PICAL (International Association of Youth and Family Judges and Magistrates - IAYFJM) informed the Lanzarote Committee about the forthcoming [World Congress on Justice for Children](#) (UNESCO House, Paris, 28-30 May 2018) which would address the issue of “Strengthening justice systems for children: Challenges, including disengagement from violent extremism”. The 2018 World Congress on Justice for Children aims to bring together professionals and stakeholders from all around the world to share their perspectives on youth and family justice, and on the prevention of offending and violent extremism.

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

33. Ms Maren LAMBRECHT (Secretary to the Committee on Social Affairs, Health and Sustainable Development of the Parliamentary Assembly) presented the recent activities of the Council of Europe’s Parliamentary Assembly. She stressed in particular that the plenary Committee on Social Affairs and its Sub-Committee on Children continue to follow closely the work of the Lanzarote Committee.

34. The Parliamentary Assembly had actively contributed to a Seminar organised by the UK Parliament in London on 6-7 November 2017 on [“Children’s mental health and child-friendly justice”](#) and decided to further promote these topics in its own work in 2018.

35. Ms Maren LAMBRECHT also referred to a recently adopted Assembly report on [“Protecting children affected by armed conflicts”](#), prepared by Ms Sevinj FATALIYEVA (Azerbaijan), and a report under preparation on [“Striking a balance between the best interest of the child and the need to keep the families together”](#), by Mr Valeriu GHILEȚCHI (Moldova).

4. Procedural matters

4.1 Elections: Chairperson, Vice-Chairperson and Bureau members

36. The Committee elected by acclamation Mr George NIKOLAIDIS (Greece) as Chairperson of the Committee, Ms Christel DE CRAIM (Belgium) as Vice-Chairperson, Ms Vesna PETROVA (Bulgaria) and Ms Maria José CASTELLO-BRANCO (Portugal) as members of the Committee’s Bureau.

37. The Committee re-elected by acclamation, for a second term of office, Mr Stevan POPOVIĆ (Serbia), as member of the Committee's Bureau.

38. The Committee thanked Mr Claude JANIZZI (Luxembourg) for his Chairmanship for the last 2 years and Ms Sylvie BOLLINI (San Marino) for having been a member of the Bureau for 2 years.

4.2 Appointment of Rapporteurs to examine the replies to the questionnaire for the 2nd monitoring round on “*Protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)*”

39. The Lanzarote Committee appointed Ms Sandra FISCHEROVÁ (Slovak Republic) as Rapporteur to prepare observations on replies to question 10 (Production and possession of self-generated sexually explicit images and/or videos by children for their own private use) and Ms Anastasia ATABEKOVA (Russian Federation) as Rapporteur to prepare observations on replies to question 11 (Reference in law to ICT facilitated sexual coercion and/or extortion). These two newly appointed rapporteurs join the two rapporteurs who had already volunteered, i.e. Ms Kristina MARKU (Hope for Children, CRC Policy Centre) for observations on replies to question 8 (Legislation) and Ms Manuela TROPPOCHER (Austria) for observations on replies to question 9 (Criminalisation).

40. The Chairperson called on other members, participants and observers to act as a rapporteur for the remaining questions of the questionnaire of the second monitoring round. Volunteers may contact the Secretariat (lanzarote.committee@coe.int).

4.3 Discussion of the request of observer status made by the Internet Watch Foundation

41. The Secretariat informed that the Internet Watch Foundation (IWF) expressed its interest in being granted observer status with the Lanzarote Committee.

42. It was recalled that a representative of the IWF was a member of the Lanzarote Committee's Working Group on Trends in Child Sexual Abuse and Exploitation and that his input in the work of the group was highly appreciated by the other members of the Group.

43. IWF is a UK based and registered charity that operates on an international basis with the objective of eliminating child sexual abuse imagery online. Its remit is to remove child sexual abuse content hosted anywhere in the world and non-photographic child sexual abuse images hosted in the UK. IWF works closely with the internet industry and has over 130 members from all over the world which include internet service providers, social media platforms, mobile operators and manufacturers, content service providers, telecommunications and software companies as well as blue-chip

organisations who support it for Corporate Social Responsibility reasons. IWF also works closely with law enforcement and government in the UK and EU to influence initiatives and programmes developed to combat online abuse. In the fight against the spread of Child Sexual Abuse internationally, IWF is one of a select group of leaders of the WeProtect Global Alliance.

44. The Committee decided to invite the Internet Watch Foundation as an observer to its forthcoming meetings.

4.4 Adoption of the list of decisions of the meeting

45. The Lanzarote Committee adopted the [list of decisions](#) of the current meeting.

5. Any other business

46. Mr Francis STOLIAROFF (France) expressed his regret that most of the reports and working documents provided to the Committee for its consideration were in English whilst French is also an official language of the Council of Europe. He underlined that he understood the budgetary constraints but highlighted the difficulties in his national administration (and probably in others) to comment on drafts available only in English. He noted however that the final version of the documents was always available in both languages.

6. Dates of the next meetings

47. The Lanzarote Committee took note that the dates for its next meetings are:

- 21st meeting: 20-22 June 2018, Strasbourg
- 22nd meeting: 7-9 November 2018, Strasbourg (place and date to be confirmed)

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 **Urgent monitoring round:** *“Special report further to a visit of a delegation of the Lanzarote Committee to transit zones at the Serbian/Hungarian border (5-7 July 2017)”* (document T-ES(2017)11)
 - 2.2 **1st monitoring round:** review, in view of its adoption, of the draft 2nd implementation report on the *“Protection of children against sexual abuse in the circle of trust: The strategies”* ([document T-ES\(2017\)12 Rev2](#))
 - 2.3 **2nd monitoring round:** *“The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)”*
 - 2.3.1 State of play of replies/Comments to the questionnaire
 - 2.3.2 Setting of monitoring calendar based on Rapporteurs’ appointed/to be appointed
 - 2.3.3 Brief presentation of the [Guidelines for Implementation of Child Participation in the 2nd thematic monitoring round](#)
3. **Exchange of information, experiences and good practices**
 - 3.1 Participation of the Lanzarote Committee in outside events
 - 3.1.1 Debriefing of the [3rd meeting](#) of the Ad Hoc Committee on the Rights of the Child (CAHENF, Strasbourg, 22-24 November 2017)
 - 3.1.2 Debriefing by Ms Gioia SCAPPUCCI (Lanzarote Committee Executive Secretary) of participation in the European Commission’s Expert Workshop on the implementation of Directive 2011/93/EU with regard to children in migration (Brussels, 17 January 2018)
 - 3.1.3 Debriefing by Mr George NIKOLAIDIS (Lanzarote Committee Vice-Chairperson) of his participation in the working lunch of the Chairpersons of the Council of Europe monitoring and advisory bodies with the Secretary General (Strasbourg, 18 January 2018)

- 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
- 3.2.1 Debriefing about the [3rd edition of the European Day](#) on the protection of Children against Sexual exploitation and Sexual Abuse
 - 3.2.2 Child sexual abuse in sports: presentation of the Council of Europe “Start to talk” initiative
 - 3.2.3 Interagency seminar held in Moscow on the implementation of the Lanzarote Convention: presentation by Ms Anastasia ATABEKOVA (Russian Federation)
 - 3.2.4 PROMISE project and the forthcoming celebrations of the 20th anniversary of the Barnahús model by Mr Bragi GUÐBRANDSSON (Iceland)
 - 3.2.5 Forthcoming World Congress on Justice for Children by Mr Daniel PICAL (International Association of Youth and Family Judges and Magistrates - IAYFJM)
- 3.3 Presentation of relevant initiatives of the Parliamentary Assembly and Congress of Regional and Local Authorities of the Council of Europe

4. Procedural matters

- 4.1 Elections: Chairperson, Vice-Chairperson and Bureau members
- 4.2 Appointment of Rapporteurs to examine the replies to the questionnaire for the [2nd monitoring round](#) on “*Protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)*”
- 4.3 Consideration of the request of observer status made by the [Internet Watch Foundation](#)
- 4.4 Adoption of the list of decisions of the meeting

5. Any other business

6. Dates of the next meetings

- 21st meeting: 20-22 June 2018
- 22nd meeting: 7-9 November 2018

Appendix II

List of participants

1. MEMBERS / MEMBRES

STATE PARTIES TO THE CONVENTION / ETATS PARTIES A LA CONVENTION

ALBANIA / ALBANIE

No official nomination /
Pas de nomination officielle

ANDORRA / ANDORRE

Mme Cristina CANALES CERVERA
Travailleur social
Unité spécialisée dans la protection de l'enfance
Service responsable de l'enfance et de
l'adolescence
Ministère des Affaires sociales, de la Justice et
de l'Intérieur

AUSTRIA / AUTRICHE

Ms Martina KLEIN
Apologised / Excusée
Legal Adviser
Directorate General for Criminal Law
Federal Ministry of Justice

Ms Manuela TROPPOCHER
Judge
Division IV 1
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
High Expert Associate
Sector for Human Rights
Ministry for Human Rights and Refugees

BULGARIA / BULGARIE

Ms Vesna PETROVA
State Expert
Child Policies and Programmes
Strategic development and coordination
Directorate
State Agency for Child Protection

CROATIA / CROATIE

Ms Ana VLAHOVIĆ STANIĆ
Apologised / Excusée
Head of Department
Department for Substantive Criminal and
Misdemeanour Regulations
Directorate for Criminal Law and Probation
Ministry of Justice

Ms Marlena JUKIĆ
Head of Service
Service for regulations of Criminal Substantive
Law
Directorate for Criminal Law
Ministry of Justice

CYPRUS / CHYPRE

Ms Hara TAPANIDOU
Principal Social Services Officer
Social Welfare Services
Ministry of Labour, Welfare and Social Insurance

CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

Ms Martina LIČKOVÁ
Apologised / Excusée
International Cooperation Department
Ministry of Justice

Ms Barbora ŠVÁCHOVÁ
Senior Ministerial Counsellor
Criminal Law Unit
Legislative Department
Ministry of Justice

DENMARK / DANEMARK

Mr Christian Nikolaj SØBERG
Apologised / Excusé
Head of Section
Criminal Law Division
Ministry of Justice

ESTONIA / ESTONIE

Ms Brit TAMMISTE
Adviser
Analysis Division
Criminal Policy Department
Ministry of Justice

FINLAND / FINLANDE

Ms Satu SISTONEN
Legal Officer
Legal Service
Unit for Human Rights Courts and Conventions
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
Deputy Director
International Relations Department
Ministry of Internal Affairs

GERMANY / ALLEMAGNE

Mr Steffen RÖBER
Judge
Division II A 7
Criminal Law (Criminology, Prevention and
Offences against sexual self-determination)
Federal Ministry of Justice and Consumer
Protection

GREECE / GRÈCE

Mr George NIKOLAIDIS
Director
Department of Mental Health and Social Welfare
Centre for the Study and Prevention of Child
Abuse and Neglect
Institute of Child Health

Ms Maria Andriana KOSTOPOULOU
Apologised / Excusée
Lawyer
Ministry of Justice

HUNGARY / HONGRIE

Ms Csenge Diána TÓTH
Legal Advisor
Deputy State Secretariat for Criminal Law
Codification
Ministry of Justice

Ms Csilla LANTAI

Deputy Head of Department
Department for Child Protection and
Guardianship
State Secretariat for Social Policy
Ministry of Human Capacities

Ms Aranka LŐRINCZ
Director
Directorate of Refugee Affairs
Immigration and Asylum Office

Mr Gergő KOC SIS
Deputy to the Permanent Representative
Permanent Representation of Hungary to the
Council of Europe

ICELAND / ISLANDE

Mr Bragi GUÐBRANDSSON
General Director
Government Agency for Child Protection

ITALY / ITALIE

Ms Tiziana ZANNINI
Head of the Division for General and Social Affairs
Department for Equal Opportunities
Presidency of the Council of Ministers

LATVIA / LETTONIE

Ms Indra GRATKOVSKA
Director
Department of Criminal Law
Ministry of Justice

LIECHTENSTEIN

Mme Lukrezia GASSNER
Apologised / Excusée
Psychologue
Service de l'Enfance et de la Jeunesse
Office des Affaires sociales

Ms Nuscha WIECZOREK
Apologised / Excusée
Unit for Human Rights and International
Humanitarian Law
Office for Foreign Affairs

LITHUANIA / LITUANIE

Ms Ruta PABEDINSKIENĖ
Apologised / Excusée
Expert
Children Division
Family and Communities Department
Ministry of Social Security and Labour

LUXEMBOURG

M. Claude JANIZZI
Chairperson / Président
Conseiller de direction 1^{re} classe
Service des droits de l'enfant / Service des
relations internationales
Ministère de l'Éducation nationale, de l'Enfance et
de la Jeunesse

MALTA / MALTE

Mr Andy ELLUL
Advocate & Legal Consultant
Ministry for Family and Social Solidarity

Ms Lorna MUSCAT
Head of Office
Office of the Commissioner for Children

**REPUBLIC OF MOLDOVA /
REPUBLICQUE DE MOLDOVA**

Mr Artur DEGTEARIOV
Main Investigation Officer
Child Protection Department
Cybercrime Centre
National Investigation Inspectorate
General Police Inspectorate

MONACO

Mme Corinne MAGAIL
Apologised / Excusée
Chargée de mission
Direction des Affaires Internationales
Ministère d'Etat

Mme Chrystel CHANTELOUBE
Adjointe au Représentant Permanent
Représentation Permanente de Monaco auprès
du Conseil de l'Europe

MONTENEGRO

Ms Svetlana SOVILJ
Apologised / Excusée
Senior Adviser for Child Protection
Ministry of Labour and Social Welfare

NETHERLANDS / PAYS-BAS

Ms Annemarie KOKS
Policy Advisor
Law Enforcement Department
Ministry of Security and Justice

POLAND / POLOGNE

Mr Maciej DELIJEWSKI
Victim Support and Crime Division for Family
and Welfare
Department of Family and Juvenile Affairs
Ministry of Justice

PORTUGAL

Ms Maria José CASTELLO-BRANCO
Legal Adviser
Civil Justice Unit
International Affairs Department
Directorate General for Justice Policy
Ministry of Justice

ROMANIA / ROUMANIE

Ms Alina ION
Apologised / Excusée
Legal Adviser
Department for Drafting Legislation
Ministry of Justice

RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE

Mr Evgeny SILYANOV
Head of the Department for Children's Rights
Protection State Policy
Ministry of Education and Science

Ms Anastasia ATABEKOVA
Expert, Professor
People's Friendship University (RUDN University)

SAN MARINO / SAINT-MARIN

Mme Sylvie BOLLINI
Premier Secrétaire (Diplomate)
Direction des Affaires Juridiques
Département des Affaires Etrangères

SERBIA / SERBIE

Mr Stevan POPOVIĆ
Advisor
Ministry of Labour, Employment, Veterans and
Social Issues

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Ms Sandra FISCHEROVÁ
National Coordination Centre for Resolving the
Issues of Violence against Children
Ministry of Labour, Social Affairs and Family

Ms Eva TOMKOVÁ
Apologised / Excusée
Senior counsellor
Regional Education Division
Ministry of Education, Science, Research and
Sport

SLOVENIA / SLOVÉNIE

Mr Miha MOVRIN
Undersecretary
Department for International Cooperation and
EU Law
Ministry of Justice

SPAIN / ESPAGNE

Ms Marta COLINO CASTRO
Head of Department
Department for Justice Affairs in the European
Union and International Organizations
Directorate-General for International Legal
Cooperation
Ministry of Justice

SWEDEN / SUÈDE

Ms Josefin MICHANEK
Apologised / Excusée
Head of Section
Ministry of Health and Social Affairs

SWITZERLAND / SUISSE

Ms Anita MARFURT
Juriste
Unité Droit pénal international
Office fédéral de la justice
Département fédéral de justice et police

**“THE FORMER YUGOSLAV REPUBLIC OF
MACEDONIA” / « L’EX-REPUBLIQUE
OUGOSLAVE DE MACEDOINE »**

Mr Darko NUSHEV
Chief Inspector
Homicide and Sexual Offences Unit
Crime Police Department
Ministry of Interior

Ms Elka TODOROVA
Apologised / Excusée
Ministry of Labour and Social Policy

TURKEY / TURQUIE

Mr Tuğrul UZUN
Rapporteur Judge
Directorate General for International Law and
Foreign Relations
Ministry of Justice

Mr Harun DUYKU
Rapporteur Judge
Directorate General for International Law and
Foreign Relations
Ministry of Justice

Ms Muzaffer Uyav GÜLTEKİN
Deputy to the Permanent Representative
Permanent Representation of Turkey to the
Council of Europe

UKRAINE

Ms Svitlana ILCHUK
Director
Legal Support and Monitoring of the
Implementation of the UN Convention on
Children’s Rights
Ministry of Social Policy

2. PARTICIPANTS

**2.1 COUNCIL OF EUROPE MEMBER
STATES NOT PARTY TO THE
CONVENTION / ETATS MEMBRES
DU CONSEIL DE L’EUROPE NON
PARTIES À LA CONVENTION**

ARMENIA / ARMÉNIE

Ms Karine SOUDJIAN
Apologised / Excusée
Head of Human Rights and Humanitarian Issues
Division
International Organizations Department
Ministry of Foreign Affairs

AZERBAIJAN / AZERBAÏDJAN

Ms Jeyran RAHMATULLAYEVA
Apologised / Excusée
Chief of Staff
State Committee on Family, Women and
Children Affairs

IRELAND / IRLANDE

No official nomination /
Pas de nomination officielle

Mr Conor NELSON

Deputy to the Permanent Representative
Permanent Representation of Ireland to the
Council of Europe

NORWAY / NORVÈGE

No official nomination /
Pas de nomination officielle

UNITED KINGDOM / ROYAUME-UNI

No official nomination /
Pas de nomination officielle

**2.2 COUNCIL OF EUROPE OBSERVER
STATES / ETATS OBSERVATEURS
AUPRES DU CONSEIL DE
L’EUROPE**

CANADA

No official nomination /
Pas de nomination officielle

HOLY SEE / SAINT-SIÈGE

Mme Alessandra AULA
Secrétaire Générale
Bureau international catholique de l'enfance
(BICE)
Genève, Suisse

JAPAN / JAPON

No official nomination /
Pas de nomination officielle

Ms Kumiko NIITSU
Chargée de Mission
Consulat Général du Japon

Mme Nadia RICHER
Consulat Général du Japon

MEXICO / MEXIQUE

No official nomination /
Pas de nomination officielle

Mme Lorena ALVARADO QUEZADA
Adjointe à l'Observateur Permanent
Mission Permanente du Mexique auprès du
Conseil de l'Europe

**UNITED STATES OF AMERICA /
ÉTATS-UNIS D'AMÉRIQUE**

No official nomination /
Pas de nomination officielle

**2.3 STATE HAVING REQUESTED
ACCESSION TO THE
CONVENTION / ETAT AYANT
DEMANDE D'ADHERER A LA
CONVENTION**

MOROCCO / MAROC

M. Hassan ABALIL
Chef de Service de suivi et d'évaluation de la
promotion des droits de l'enfant
Direction de la Protection de la Famille, de
l'Enfance et des Personnes âgées
Ministère de la Famille, de la Solidarité, de
l'Egalité et du Développement Social

TUNISIA / TUNISIE

Mme Amel NEFOUSSI
Chargée de la Sous-Direction des Droits de
l'Enfant et du Suivi de la Situation des Enfants
Direction Générale de l'Enfance
Ministère de la Femme, de la Famille et de
l'Enfance

**2.4 NEIGHBOURHOOD
PARTNERSHIPS / PARTENARIATS
DE VOISINAGE**

JORDAN / JORDANIE

Mr Mohammed MOGDADI
Deputy Secretary General
National Council for Family Affairs

**2.5 INTERNATIONAL
ORGANISATIONS /
ORGANISATIONS
INTERNATIONALES**

**COUNCIL OF THE BALTIC SEA STATES (CBSS) /
CONSEIL DES ETATS DE LA MER BALTIQUE
(CEMB)**

Ms Turid HEIBERG
Apologised / Excusée
Senior Adviser & Head of the Unit for Children at
Risk (CAR)

**ENOC (European Network of Ombudspersons for
Children) / ENOC (Réseau Européen des
Ombudsmans pour Enfants)**

Ms Leda KOURSOUNBA
Apologised / Excusée
Commissioner for Children's Rights
Cyprus

**EUROPEAN NETWORK OF NATIONAL HUMAN
RIGHTS INSTITUTIONS (ENNHRI) / RESEAU
EUROPEEN DES INSTITUTIONS NATIONALES DE
PROMOTION ET DE PROTECTION DES DROITS DE
L'HOMME**

Ms Debbie KOHNER
Apologised / Excusée
Secretary General
Permanent Secretariat

Ms Julie LEJEUNE
Apologised / Excusée
Legal Policy Officer
Permanent Secretariat

EUROPEAN UNION / UNION EUROPÉENNE

Mr César ALONSO IRIARTE
Apologised / Excusé
Unit D.4: Cybercrime
DG Home Affairs and Migration
European Commission

EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS (FRA) / AGENCE DES DROITS FONDAMENTAUX DE L'UNION EUROPEENNE (FRA)

Ms Astrid PODSIADLOWSKI
Apologised / Excusée
Head of Child Rights Sector
Equality and Citizens Rights Department

EUROPOL

Ms Katarzyna STACIWA
Apologised / Excusée
Strategic Analyst
Focal Point Twins
EC3
European Cybercrime Centre and fight against child sexual exploitation

INTERNATIONAL ORGANISATION OF LA FRANCOPHONIE (IOF) / ORGANISATION INTERNATIONALE DE LA FRANCOPHONIE (OIF)

Mme Delphine COUVEINHES-MATSUMOTO
Apologised / Excusée
Spécialiste de programme
Direction « affaires politiques et gouvernance démocratique » (DAPG)

INTERNATIONAL TELECOMMUNICATION UNION (ITU)

Ms Carla LICCIARDELLO
Apologised / Excusée
Corporate Strategy Division

INTERPOL

Mr Björn SELLSTRÖM
Apologised / Excusé
Coordinator of the Crimes Against Children Team
Organised and Emerging Crime
Vulnerable Communities Office

UNICEF

Ms Anne GRANDJEAN
Apologised / Excusée
Child Protection Specialist
UNICEF Regional Office for Central and Eastern Europe
and Commonwealth of Independent States (CEE/CIS)

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)

Mr Roland-François WEIL
UNHCR Representative to the European Institutions in Strasbourg

Ms Jutta SEIDEL
Senior Legal Associate
UNHCR Representation to the European Institutions in Strasbourg

Ms Delphine LENEUTRE
Legal Associate
UNHCR Representation to the European Institutions in Strasbourg

WORLD HEALTH ORGANIZATION (WHO) / ORGANISATION MONDIALE DE LA SANTE (OMS)

Dr Dinesh SETHI
Apologised / Excusé
Programme Manager Violence and Injury Prevention
Division of NonCommunicable Diseases and Promoting Health through the Life-Course
WHO Regional office for Europe

2.6 COUNCIL OF EUROPE INSTITUTIONS AND BODIES / INSTITUTIONS ET ORGANES DU CONSEIL DE L'EUROPE

ADVISORY COUNCIL ON YOUTH / CONSEIL CONSULTATIF POUR LA JEUNESSE

Apologised / Excusé
No official nomination /
Pas de nomination officielle

CONFERENCE OF INGOS OF THE COUNCIL OF EUROPE / CONFERENCE DES OING DU CONSEIL DE L'EUROPE

Mme Anna RURKA
Apologised / Excusée
Présidente de la Conférence des OING

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE / CONGRÈS DES POUVOIRS LOCAUX ET RÉGIONAUX DU CONSEIL DE L'EUROPE

Mr Johan van den HOUT
Apologised / Excusé
Thematic Spokesperson on Children /
Rapporteur thématique sur les enfants

COUNCIL OF EUROPE COMMISSIONER FOR HUMAN RIGHTS / COMMISSAIRE AUX DROITS DE L'HOMME DU CONSEIL DE L'EUROPE

Mr Nils MUIŽNIEKS
Apologised / Excusé
Commissioner for Human Rights /
Commissaire aux droits de l'homme

**COUNCIL OF EUROPE DEVELOPMENT BANK
(CEB) / BANQUE DE DEVELOPPEMENT DU
CONSEIL DE L'EUROPE (CEB)**

Mr Konstantin DOULAMIS
External Affairs Officer / Chargé des Relations
Extérieures
Executive Office & Corporate Services / Bureau
Exécutif & Services Corporate

**CYBERCRIME CONVENTION COMMITTEE
(T-CY) / COMITÉ DE LA CONVENTION SUR LA
CYBERCRIMINALITÉ (T-CY)**

Ms Cristina SCHULMAN
Apologised / Excusée
T-CY Vice-chair
Legal Adviser
Directorate International of Law and Judicial
Cooperation
Ministry of Justice
Romania

**EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC) / COMITÉ EUROPÉEN POUR LES
PROBLÈMES CRIMINELS (CDPC)**

Apologised / Excusé
No official nomination /
Pas de nomination officielle

**EUROPEAN COMMITTEE ON LEGAL CO-
OPERATION (CDCJ) / COMITÉ EUROPÉEN DE
COOPÉRATION JURIDIQUE (CDCJ)**

Apologised / Excusé
No official nomination /
Pas de nomination officielle

**GOVERNMENTAL COMMITTEE OF THE
EUROPEAN SOCIAL CHARTER AND THE
EUROPEAN CODE OF SOCIAL SECURITY (T-SG) /
COMITÉ GOUVERNEMENTAL DE LA CHARTE
SOCIALE EUROPÉENNE ET DU CODE EUROPÉEN
DE SÉCURITÉ SOCIALE (T-SG)**

Ms Karolina KIRINCIC ANDRITSOU
2nd Vice-chair
General Secretariat for Social Security
Directorate for Interstate Social Security,
Division for Bilateral Conventions and
Relations with International
Organisations in the field of Social
Security
Ministry of Labour, Social Security and
Social Solidarity
Greece

**PARLIAMENTARY ASSEMBLY OF THE COUNCIL
OF EUROPE / ASSEMBLÉE PARLEMENTAIRE DU
CONSEIL DE L'EUROPE**

Baroness Doreen MASSEY
Apologised / Excusée
Chairperson
Sub-Committee on Children
Committee on Social Affairs, Health and
Sustainable Development

**STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH) / COMITÉ DIRECTEUR POUR LES DROITS
DE L'HOMME (CDDH)**

M. Joan FORNER ROVIRA
Apologised / Excusé
Directeur
Département pour les Affaires bilatérales et
consulaires
Ministère des Affaires Extérieures
Andorre

3. OBSERVERS / OBSERVATEURS

**NON-GOVERNMENTAL ORGANISATIONS /
INSTITUTIONS NON-GOUVERNEMENTALES**

ECPAT INTERNATIONAL

Ms Katlijn DECLERCQ
Apologised / Excusée
Vice-Chair
ECPAT International Board of Trustees

**eNACSO (European NGO Alliance for Child Safety
Online)**

Mr Miguel TORRES GARCIA
Apologised / Excusé
Deputy CEO/Chief Operation Officer
Child Focus Belgium

"HOPE FOR CHILDREN" CRC Policy Center Cyprus

Mr Joseph VARUGHESE
Apologised / Excusé
Director-General

Ms Kristina MARKU
Apologised / Excusée
Child Protection Coordinator

**INHOPE FOUNDATION (The International
Association of Internet Hotlines)**

Ms Lalana PATIL
Apologised / Excusée
Communications Manager

Ms Samantha WOOLFE
Apologised / Excusée
Projects Coordinator

**INTERNATIONAL ASSOCIATION OF YOUTH AND
FAMILY JUDGES AND MAGISTRATES (IAYFJM) /
ASSOCIATION INTERNATIONALE DES
MAGISTRATS DE LA JEUNESSE ET DE LA FAMILLE
(AIMJF)**

M. Daniel PICAL
Représentant de l'Association Internationale des
Magistrats de la Jeunesse et de la Famille

MISSING CHILDREN EUROPE

Mr Francis HERBERT
Apologised / Excusé
Legal Counsel

Mme Laure VIERSET

**4. COUNCIL OF EUROPE
SECRETARIAT / SECRETARIAT DU
CONSEIL DE L'EUROPE**

**Secretariat of the Parliamentary Assembly /
Secrétariat de l'Assemblée parlementaire**

**Committee on Social Affairs, Health and
Sustainable Development / Commission des
questions sociales, de la santé et du
développement durable**

Ms Maren LAMBRECHT-FEIGL
Secretary to the Committee on Social Affairs,
Health and Sustainable Development /
Secrétaire de la commission des questions
sociales, de la santé et du développement
durable

**Secretariat of the Congress of Local and Regional
Authorities / Secrétariat du Congrès des pouvoirs
locaux et régionaux**

**Current Affairs Committee / Commission des
Questions d'Actualité**

Ms Sedef CANKOCAK
Apologised / Excusée
Secretary of Committee / Secrétaire de
Commission

**Office of the Commissioner for Human Rights /
Bureau du Commissaire aux droits de l'homme**

Ms Françoise KEMPF
Apologised / Excusée
Adviser / Conseillère

**Directorate General of Human Rights and Rule of
Law / Direction générale des Droits de l'Homme
et de l'Etat de droit**

**Office of the Special Representative of the
Secretary General on migration and refugees /
Bureau du représentant spécial du Secrétaire
Général sur les migrations et les réfugiés**

Ms Elvana THACI
Administrator / Administratrice

**Directorate General of Democracy /
Direction Générale de la Démocratie**

Ms Snežana SAMARDZIC-MARKOVIC
Director General / Directrice Générale

**Partial Agreement of the Council of Europe
Development Bank (CEB) /
Accord Partiel de la Banque de développement
du Conseil de l'Europe (CEB)**

Ms Giusi PAJARDI
Apologised / Excusée
Head of Secretariat / Chef de Secrétariat

**Directorate of Human Dignity, Equality and Sport
Values / Direction de la dignité humaine, de
l'égalité et des valeurs du sport**

Mr Emmanuel BARON
Project Manager / Chargé de projets

**Children's Rights and Sport Values Department /
Service des Droits des Enfants et
des Valeurs du Sport**

Ms Elda MORENO
Head of Department / Chef de Service

**Children's Rights Division / Division des droits des
enfants**

Ms Regína JENSDÓTTIR
Head of Division / Chef de Division

Ms Gioia SCAPPUCCI
Executive Secretary to the Lanzarote Committee /
Secrétaire exécutive du Comité de Lanzarote

Mr Mikaël POUTIERS
Secretary to the Lanzarote Committee /
Secrétaire du Comité de Lanzarote

Ms Zsuzsanna RUTAI
Policy Advisor / Conseillère en politiques

Ms Corinne CHRISTOPHEL
Assistant to the Lanzarote Committee /
Assistante du Comité de Lanzarote

Interpreters / Interprètes

Ms Lucie DE BURLET
Ms Cynera JAFFREY
Ms Chloé CHENETIER (29-30/01)
Mr Jean-Jacques PEDUSSAUD (31/01)

Appendix III

Special report further to a visit undertaken by a delegation of the Lanzarote Committee to transit zones at the Serbian/Hungarian border (5-7 July 2017)

Recommendations endorsed by the Lanzarote Committee at its 20th meeting (29-31 January 2018) and follow-up given by the Hungarian authorities

1. On 5-7 July 2017, a delegation of the Lanzarote Committee undertook an on-the-spot visit to the transit zones at the Serbian/Hungarian border in order to assess the situation of asylum-seeking children with regards to their protection against sexual exploitation and sexual abuse.
2. The delegation prepared a special report further to this visit [see document T-ES(2017)11] which included a series of suggested recommendations and addressed it to the Hungarian authorities.
3. The Hungarian authorities submitted comments to the report, some of which were integrated in a revised version of the report, which was sent to the Committee.
4. During its 20th meeting (29-31 January 2018), the Lanzarote Committee endorsed the recommendations of the special report as they appear below. It also took note of some developments which took place further to the visit and were presented by the Hungarian authorities during its 20th meeting. These developments are reproduced below.
5. The Hungarian authorities are requested to inform the Secretariat (lanzarote.committee@coe.int) of actions taken to implement the recommendations listed below before 31 January 2019. The information received will be considered by the Lanzarote Committee at its first meeting in 2019.

* * *

List of the recommendations addressed to the Hungarian authorities further to a visit undertaken by a delegation of the Lanzarote Committee to transit zones at the Serbian/Hungarian border (5-7 July 2017)

(adopted by the Lanzarote Committee at its 20th meeting, 29-31 January 2018)

<p>R1 – In the framework of immigration procedures, the Hungarian authorities should treat all persons under the age of 18 years as children without discrimination on the ground of their age and ensure that all children under Hungarian jurisdiction are protected against sexual exploitation and abuse.</p>

R2 – The Hungarian authorities should care for all the children within its regular child protection system, i.e. in open child protection institutions, especially in light of the very limited number of children falling under the new regulation (19 unaccompanied boys aged 14-18 were accommodated in the specific sector in Röszke transit zone at the time of the visit).

R15 – The Hungarian authorities should pay special attention to the heightened vulnerability of unaccompanied children, especially girls, and systematically place them in mainstream child protection institutions to prevent possible sexual exploitation or sexual abuse against them by adults and adolescents in the transit zones.

Measures to be taken towards asylum-seeking children

R3 – The Hungarian authorities should be asked to cooperate with the Serbian authorities as regards the management of the waiting lists to enter the Hungarian transit zones in order to prevent corruption through sexual exploitation and sexual abuse of the asylum-seeking children.

R4 – The Hungarian authorities should cease all push-backs of migrant and asylum-seeking children at the border and ensure that any child on Hungarian territory is immediately referred to the competent child protection authorities to undergo a needs assessment in line with the rights of the child to ensure that they are protected against any risk of sexual exploitation and abuse.

R5 – Where age verification is necessary, the Hungarian authorities should reinforce its age verification procedures and complement it by other verification processes than only physical appearance of the person, in order to avoid cases of unaccompanied children under 18 being assessed as being above 18 and held together with single men, thus preventing cases of their being sexually exploited or sexually abused.

R6 – The Hungarian authorities should ensure that the principle of the benefit of the doubt is adequately applied to individuals pending verification of their age when there are reasons to believe that they are children and to individuals when the age verification procedure is over and if doubts about the age of the person remain.

R7 – The Hungarian authorities should protect asylum-seeking children from sexual exploitation and sexual abuse by strengthening verification procedures to establish family links between these children and the adults who accompany them and, if necessary, separating children from adults who are found to be unrelated to them.

R8 – The Hungarian authorities should repeal their legislation to ensure a full protection of all unaccompanied children aged 14-18 and grant them a guardian with the same qualifications, functions and legal powers as those appointed for children aged less than 14, in order to facilitate disclosure of possible cases of sexual exploitation or sexual abuse. The authorities should make sure that children are informed that they have a guardian and able to contact their guardian directly if they are facing problems or need assistance.

R9 – The Hungarian authorities should take measures to respect the Hungarian legal maximum of 30 children per child protection guardian in order to ensure that guardians receive manageable caseloads (since, in addition to refugee seeking children, they are also in charge of Hungarian children in care). This would enable them to spend more time with each of the unaccompanied asylum-seeking children in order to build a relationship of trust with them which, as a consequence, would facilitate disclosure of any possible cases of sexual exploitation and sexual abuse. Where a child discloses that they have been a victim of sexual exploitation or sexual abuse the Hungarian authorities should provide appropriate protection and assistance regardless of the child's age.

R10 – The Hungarian authorities should provide access to interpreters especially during appointments between the child and staff, including medical staff, social workers and guardians to facilitate disclosure of actual or potential sexual exploitation and sexual abuse. In addition, the Hungarian authorities should provide Hungarian language courses for children held in the transit zones (or accept that NGOs provide such courses).

R11 – The Hungarian authorities should take measures to inform children in the transit zones, in a manner adapted to their age and maturity, in a language they understand and which is sensitive to gender and culture, to raise their awareness on the risks they face of being sexually exploited or abused and to inform them of the help and protection available if they are or become victims of such offences.

R16 – The Hungarian authorities should provide specialised training to all personnel, including paid staff and voluntary workers, who come into contact with asylum-seeking children, in the transit zones or in the mainstream child protection institutions. Specialised training should include modules on the specific needs of these children, in particular on prevention, protection and detection of sexual exploitation and sexual abuse.

In the meantime, measures to be taken in the transit zones

R12 – The Hungarian authorities should cease the practice of detaining children in the transit zones as a measure to prevent them from falling victims of sexual exploitation or sexual abuse and to facilitate disclosure of cases of sexual exploitation or sexual abuse. Preventing the direct and uncontrolled access to the Hungarian territory does not necessarily include detaining children in fenced open air areas with shelter containers.

R13 – The Hungarian authorities should take steps to improve the living conditions of children in the transit zones, in particular by providing shaded areas in the courtyards and air conditioning in the containers, providing access to education to children, reinforcing leisure activities and ensuring mobile phone connection in all sectors of the transit zones in order to minimise their vulnerability.

R14 – The Hungarian authorities should provide children with food that is appropriate to their age, free of charge and of adequate quality and quantity. This should diminish the risk of children becoming exposed to sexual exploitation and sexual abuse.

R17 – The Hungarian authorities should ensure that the social workers in the transit zones make all possible efforts to build up a relationship of trust and confidence with the children in order to facilitate disclosure and prevent their sexual exploitation and sexual abuse.

R18 – The Hungarian authorities should ensure that the medical staff in the transit zones practice medical assistance in the state of the art, with a positive attitude of care and concern towards children and in a language children can understand, in order to build up a relationship of trust and confidence to facilitate disclosure of possible cases of sexual exploitation or sexual abuse.

R19 – The Hungarian authorities should revise the management procedure of visits of children to the medical staff with a view that, for sake of confidence building towards the doctor, and to limit risks of sexual abuse and facilitate disclosure, children should be accompanied by one of their parents if they wish so. If a parent does not accompany the child, a nurse should always stay in the room during the examination. The latter should always apply in the case of unaccompanied children.

R20 – The Hungarian authorities should provide psychological support to children in the transit zones in a language they can understand in order to accompany those of them who have been victims of sexual exploitation or sexual abuse along the path to disclosure and recovery. Where State provision of psychological support is not possible, the authorities should allow voluntary psychologists access to the transit zones.

R21 – The Hungarian authorities should monitor the requests from children to leave the transit zone to return to Serbia in order to screen these children for possible cases of sexual violence, to remedy the cases and to act in order to limit recurrence of such cases.

R22 – The Hungarian authorities should implement a corporate culture whereby all personnel in contact with asylum-seeking children in the transit zones have a positive attitude of care and concern towards children, are better trained and equipped with trained interpreters, to identify child victims of sexual exploitation or sexual abuse.

R23 – The Hungarian authorities should ensure that children in the transit zones and persons wishing to help them have access to information services such as telephone or Internet helplines in order to provide advice on sexual exploitation and sexual abuse, in a language they can understand. Then Hungary should inform children in the transit zones of the existence of such helplines.

R24 – The Hungarian authorities should revise their policy of restricting access to the transit zones to a very limited number of NGOs, since NGOs with specific expertise may bring added value to the care provided by the authorities to children seeking asylum and efficiently complement it at no cost for the state authorities (such as psychological care).

* * *

Developments further to the visit as referred to by the Hungarian authorities during the 20th meeting of the Lanzarote Committee (29-31 January 2018)

The Lanzarote Committee took note of the following developments which took place further to the visit and were presented by the Hungarian authorities during its 20th meeting.

1. Changes in the law

Following the legal changes from 1st January 2018, additional regulations were introduced favouring minors in general and unaccompanied minors in Hungary:

1.1. According to the former legal rules, five meals per day were available only for children aged under 14 years, but as of 1st of January 2018, it is provided for all minor asylum seekers.

1.2. The asylum interview must be conducted in a language that is understandable for the minors while taking into consideration their age, maturity, sexual and cultural characteristics.

1.3. If a second or further asylum interview is needed, the same interviewer should conduct the interview with the minor.

1.4. If it is possible, the asylum interview of children aged under 14 years, should be held in a kid-friendly interview room.

1.5. The asylum interviewer of minors must have the necessary knowledge and training for interviewing minors. For this, it is important to provide such children with a professional asylum assistance staff, meaning also that during the asylum interview the interviewer should have the quality of inspiring confidence and provide a child-friendly atmosphere, finding the perfect, professional interpreter who has relevant practice in communicating with children.

1.6. The applicant may choose the sex of the interpreter and the case worker.

2. Changes in the transit zones

2.1. During the visit of the Committee, there was a summer holiday affecting every Hungarian school and children. However, from September 2017, the school year began in the transit zones as well. The education is carried out by the educational authorities having jurisdiction and competence under the guidance of the Ministry of Human Capacities. A specific curriculum was developed for the minor asylum seekers staying in the transit zones, and as of the beginning of September 2017, education is provided according to this curriculum for minors aged between 6 and 16 years, and if the child wishes, even up to their 18 years of age, by competent and specially trained teachers. In Hungary, it is obligatory for children to go to school till the age of 16 years. The necessary tools for educational purposes are also provided (e.g. PC, exercise books, pens etc.) to aid their education. (R 10) and (R 13)

2.2. The Office has so far completed the training of 120 administrators for the successful identification of victims of human trafficking (partially sexual exploitation) and to increase the awareness of those who are more likely to be in contact with such persons during their day-to-day work. Moreover, managers of the Office also have to participate in this training as well. In addition, a summary of relevant knowledge has been prepared and handed out for the staff. The Office started cooperation with the IOM in order to provide special training for the personnel of the transit zones on the rights of the child – especially who are affected by the migration crisis - and also trafficking in human beings.

Since 2011, the police personnel serving in the transit zone have participated in psychological, tactical and intercultural training that greatly contributes to the recognition and proper handling of vulnerable persons and their situations. The briefing of the personnel contains the requirements of performing tasks in a multicultural environment and the instructions for appropriate behaviour in such an environment. (R 16)

2.3. An additional food package is provided since October 2017 every week for different age groups, which contains fruits and vegetables, chocolate, instant coffee, tea, refreshment, biscuit etc. This is beyond the five times meal that is provided officially. (R 14)

2.4. Both adults and children are provided with the adequate standard of medical care available generally in Hungary. Medical doctors for adults are present every day for 4 hours, while paediatrician doctors are available twice a week in the transit zones (similarly to office hours of doctors for the general population). However, paramedics are present 24/7 at the transit zones, who can provide emergency medical treatment, and if necessary, they can also arrange the transfer of any children to the hospital. The Immigration and Asylum Office with the help of Hungarian Baptist Aid charity weekly provides health visitor service in the transit zones specialised for little children. (R 18)

2.5. From November 2017 the Immigration and Asylum Office employs a psychologist in the transit zones. The psychologist works at Rösztke Transit Zone in 9 hours per week, and at Tompa Transit Zone in 6 hours per week. From January 2018, a psychiatrist in 3 hours per week is present in each of the transit zones. The psycho-social help was available by NGOs even before these dates. Also, if necessary, the psychiatric care of state hospitals is still available for the applicants. (R 20)

2.6. Throughout the summer sunshades and also shading canopies were installed throughout the transit zones. During summer, the community rooms are air-conditioned and in the living quarters fans are installed, while during winter, the living quarters are individually heated. (R 13)

Appendix IV

Executive Summary of the 2nd monitoring report on the “Protection of children against sexual abuse in the circle of trust: The strategies”

1. The first monitoring round of the implementation of the Lanzarote Convention focuses on the protection of children against sexual abuse in the circle of trust.
2. Two reports assess the situation with regard to this theme in 26 Parties² to the Lanzarote Convention:³
 - the [first report](#), adopted in December 2015, scrutinised the Parties’ legal framework, judicial procedures and data collection mechanisms to protect children against sexual abuse in the circle of trust;
 - this report, adopted in January 2018, examines Parties’ strategies (structures, measures and processes in place) to prevent and protect children from sexual abuse in the circle of trust. This report more specifically looks into Parties’ strategies with regard to the (i) involvement of relevant stakeholders, (ii) awareness-raising, (iii) education and training. It also assesses the processes in place to (iv) screen and (v) deny access to children to persons convicted of sexual offences against them. Finally, stock is taken of the (vi) measures and programmes to assist sexual offenders.
3. The Committee acknowledges the steps already taken by the Parties and encourages them to do more to involve children and representatives of civil society in preventing sexual abuse of children and assisting victims. In this regard it notes the role of independent national or local human rights institutions, as well as civil society, in providing children with the space, means and opportunity to express their views and contribute to the development and monitoring of relevant state policies, programmes and other initiatives. The Committee furthermore notes that collaboration should be strengthened with the private sector, in particular with the information and communication technology sector to prevent sexual abuse and with the media to respect the right of the child to privacy.
4. It however also highlights that not enough is done by the Parties to regularly raise children’s awareness, in a manner adapted to their age and maturity, with a specific focus on the fact that sexual abuse may also happen within the family or through manipulation of children’s trust by persons close to them.
5. The Committee thus underlines that it is important to provide information on the risks of child sexual abuse, including within the circle of trust, within the context of general sexuality education at school. It also underlines that parents and adults

² Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Denmark, Finland, France, Greece, Iceland, Italy, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, Portugal, Romania, San Marino, Serbia, Spain, “The former Yugoslav Republic of Macedonia”, Turkey, Ukraine.

³ Since the [first monitoring round](#) was launched, the Parties to the Lanzarote Convention have increased to 42. These will all be assessed during the [second monitoring round](#) which focuses on “The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)”.

assuming parental responsibilities should be further involved in awareness raising initiatives on the protection of children against sexual abuse.

6. All persons working in regular contact with children should be trained to recognise the signs of child sexual abuse and should be informed about reporting mechanisms and how to help the child to disclose and seek assistance. Any person who knows or suspects in good faith that a child is a victim of sexual abuse or exploitation should be encouraged to report to the competent services. In this context, the Committee reiterates that confidentiality rules imposed on certain professionals should not constitute an obstacle to the possibility for those professionals to report to the services responsible for child protection.
7. The Committee urges 13 out of the 26 monitored Parties to extend mandatory screening to the recruitment of all professionals (public or private) in regular contact with children. It also invites all Parties to go beyond the requirement of the Lanzarote Convention to also regularly screen such professionals (not only at recruitment). It also encourages Parties to do the same with all voluntary activities involving contacts with children.
8. Finally, the Committee found that most Parties have yet to take action to offer effective intervention programmes or measures to assist both persons (including children) who fear they might commit sexual offences against children and persons already convicted for sexual offences against children. In this context Parties are urged to also put in place a tool or a procedure to assess the dangerousness and possible risk of repetition of offences against children. Similarly they should have in place a tool or procedure to evaluate the effectiveness of the intervention programmes and measures.
9. With regard to all the above areas, the Committee identifies promising practices that may be of inspiration for those who are not yet doing so.