



T-ES(2021)26\_en rev.

5 August 2021

## **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**

**32<sup>nd</sup> meeting (remote)**

**Venue: KUDO platform**

**28 June – 30 June 2021**

Adopted by the Lanzarote Committee on 30 June 2021

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 32nd meeting remotely on the KUDO platform on 28–30 June 2021.

**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. Adopted its agenda.

**2. Monitoring of the implementation of the Lanzarote Convention**

**2.1. “The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs): addressing the challenges raised by child self-generated sexual images and/or videos”**

2.1.1. Examination of document T-ES(2020)22 rev.1 (2nd monitoring round draft implementation report)

2. Examined Chapter II (Jurisdiction rules), reviewing in particular all recommendations and agreed on some modifications (see working document as modified). Also agreed to reconsider the list of promising practices (pages 12-13) to make it easier for the reader to understand the specificity of the promising practice (the current list was considered too long and diverse).

3. Examined Chapter III (Investigations and Prosecution) reviewing in particular all recommendations and agreed on some modifications (see working document as modified).

4. Agreed that additional information on these chapters (as well as on all other draft chapters of the report) could be submitted to the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) at the latest by **9 July 2021** to demonstrate compliance with any of the recommendations requiring or requesting given Parties to act.

2.1.2. Consideration of a compromise text concerning Chapter IV (International cooperation) as set out in the [Appendix to the list of decisions](#) of the Lanzarote Committee’s 30th meeting

5. Decided to postpone a decision on the compromise text concerning Chapter IV (International cooperation) as set out in the Appendix to the list of decisions of its 30th meeting, at its 33rd plenary meeting (21-22 September 2021).

2.1.3. Information on remaining stages in the finalisation of the draft implementation report

6. Took note that an additional meeting to review the chapter on legal frameworks was scheduled on 21-22 September 2021 and the adoption of the final draft was scheduled on 29 November-3 December 2021.

## **2.2. “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse”**

2.2.1. Follow-up to 10 Recommendations of the special report (urgent monitoring round)

- Examination of “draft compliance reports” with regard to 4 of the 10 Recommendations (i.e. Recommendations R15, R17, R32 and R35) concerning the 41 Parties covered by the special report

7. Heard presentations of the 4 draft compliance reports, welcoming their structure, and took note that additional clarification/information could be sent to the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) by **9 July 2021**.

8. As regards the compliance report on Recommendation 35, agreed to readjust the first requirement as follows: “Data is available – or a mechanism exists to collect and centralise data – on the number of children affected by the refugee crisis that go missing”.

9. Also took note that online bilateral exchanges could be scheduled between those Committee members wishing to further clarify their additional information and the Secretariat. In such case, the members should contact the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) to set a date for the exchange in July.

10. Took note that the remaining 6 draft compliance reports will be made available in August and September 2021. All 10 draft compliance reports will be reviewed in view of their adoption during the 34th meeting of the Committee (4-7 October 2021).

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

### **3.1. State of affairs concerning a possible compilation of relevant Council of Europe standards for a comprehensive human rights-based framework for the use of automated technology to detect online child sexual abuse and exploitation material ([see para 20, list of decisions, 30th meeting](#))**

11. Attended the live public launch of the report prepared by independent experts with the support of the Council of Europe Secretariat on [“Respecting human rights and the rule of law when using automated technology to detect online child sexual exploitation and abuse”](#), which compiles relevant Council of Europe standards for a comprehensive human-rights based framework for the use of automated technology to detect online child sexual abuse and exploitation and sets forward 9 concrete recommendations. Noted that the French version of this report will be made available by

the end of August 2021.

12. Heard with great interest the introduction by Ms SAMARDŽIĆ-MARKOVIĆ (Director General of Democracy of the Council of Europe), explaining why there was a need for this experts' report as well as the presentations of the invited guests, Mr SICILIANOS, former president of the European Court of Human Rights and lead expert of the working group and of Ms STACIWA, support of the lead expert.

13. Was informed more specifically about the complex issues at stake and challenges to be addressed when using automated technology to detect OCSEA, the process of the work carried out by the experts, the overall framework of the report, and the main content of the recommendations therein.

14. Heard initial reactions from Ms CASTELLO-BRANCO (Portugal, Vice-chairperson of the Lanzarote Committee), Ms CZARNECKI (ECPAT International), Mr KLANČNIK (Europol) and Mr NIKOLAIDIS (Greece) on the above-mentioned report.

15. Decided to hold an exchange of views on its recommendations at the plenary meeting scheduled on 21-22 September 2021.

### **3.2. Up-date on possible capacity building events on the issues raised in the focused questionnaires on legal age for sexual activities and statute of limitations for sexual offences against children**

16. Decided that the information submitted by Parties in reply to the focused questionnaires could be published online, unless Parties inform the Secretariat not to do so ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)).

17. Agreed that its Bureau would discuss about possible organisation in 2022 of capacity building event(s) in relation with the replies of Parties to the focused questionnaires on legal age for sexual activities and statute of limitations for sexual offences against children.

### **3.3. Debriefings by Lanzarote Committee members having participated in meetings of Council of Europe bodies on the Lanzarote Committee's behalf and/or information on the preparation of the next Council of Europe Strategy for the Rights of the Child**

18. Was informed by Mr NIKOLAIDIS (representative of the Lanzarote Committee in the Steering Committee for the Rights of the Child - CDENF) of the outcomes of the last two plenary meetings of the CDENF, including on the finalisation of the Council of Europe Strategy for the Rights of the Child, as well as on the progress made in the context of the CJ/ENF-ISE (joint subordinate body of CDENF and CDCJ), which is in the process of preparing recommendations on the rights of children of separated parents, and the rights of children who have been separated from their parents due to specific circumstances, such as, for example, intra-family violence and migration.

19. Was informed by Ms CASTELLO-BRANCO (representative of the Lanzarote Committee in the Cybercrime Convention Committee - T-CY) that the T-CY approved the draft “2nd Additional Protocol to the Convention on Cybercrime on Enhanced Co-operation and Disclosure of Electronic Evidence”.

20. Agreed to invite a representative of the T-CY at a forthcoming meeting to present the new Protocol.

21. Was informed by Ms CASTELLO-BRANCO (representative of the Lanzarote Committee in the European Committee on Legal Co-operation - CDCJ) of the preparation by the CDCJ of a draft instrument to codify existing international standards relating to the rules on the conditions of detention of migrants.

22. Agreed that Ms CASTELLO-BRANCO (Portugal) present the Lanzarote Convention at a webinar organised by the CDCJ in September on the issue of statelessness.

#### **3.4. Information about the 7th edition of the European Day on the protection of Children against Sexual exploitation and Sexual Abuse (18 November)**

23. Noted that the focus of the European Day will be on the protection of children against sexual abuse in their circle of trust.

24. Took note that the Council of Europe intends to organise a webinar on this occasion and will prepare a detailed concept note on the protection of children against sexual abuse in their circle of trust emphasising the key findings of the Lanzarote Committee first monitoring round, including the promising practices highlighted, as well as other activities carried out by the Council of Europe linked to the issue.

25. Finally, took note that its members, participants and observers were warmly invited to contribute to this year’s edition of the European Day by organising any type of activity around this theme and to inform the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) of any such initiatives.

#### **3.5. Exchange of information on any other relevant initiative**

26. Was informed by Mr KLANČNIK (EUROPOL) of his presentation to a webinar organised by the Committee on the Enlarged Partial Agreement on Sport on “Checking criminal records as a tool to protect children in sport” (3 June 2021).

### **4. Procedural matters**

#### **4.1. Adoption of the draft 6th activity report of the Lanzarote Committee (covering the period 19 October 2019 - 30 June 2021) (document T-ES(2021)16)**

27. Adopted its 6th activity report covering the period 19 October 2019 – 30 June 2021 and entrusted the Secretariat to transmit it to the European Committee on Crime Problems (CDPC) and the Committee of Ministers for information.

#### **4.2. Election of the Lanzarote Committee's Bureau**

28. Elected by acclamation, for a second term of office:
- Ms DE CRAIM (Belgium) as Chairperson of the Committee;
  - Ms CASTELLO-BRANCO (Portugal) as Vice-Chairperson of the Committee.
29. Elected by acclamation, for a first term of office Ms DOURTHE (France), Ms MUSCAT (Malta) and Mr ESSER (Netherlands) as members of the Committee's Bureau.
30. Thanked the outgoing members of the Bureau, Mr DEGTEARIOV (Republic of Moldova), Ms ILCHUK (Ukraine), and Ms SARTIN (United Kingdom), for their active participation in the Bureau.

#### **4.3. Reflection Paper containing suggestions to strengthen the effectiveness of the monitoring mechanism and procedure in the short or medium term (document T-ES(2021)15)**

31. Examined and held an exchange of views on the "Reflection Paper containing suggestions to strengthen the effectiveness of the monitoring mechanism and procedure in the short or medium term" (document T-ES(2021)15), and decided that any remark on the suggestions therein could be sent to the Secretariat ([lanzarote.committee@coe.int](mailto:lanzarote.committee@coe.int)) by **9 July 2021**.
32. Welcomed the offer made by Ms CASTELLO-BRANCO (Portugal) and Ms DOURTHE (France) to prepare, with the support of the Secretariat, draft revised Rules of Procedure, reflecting more concretely the main suggestions contained in the Reflection Paper to be examined and decided upon at a forthcoming plenary meeting.
33. Agreed that the Secretariat prepare one or more pilot country profiles to consider more concretely the suggestion appearing in paragraph 37 of the Reflection Paper.

#### **5. Any other business**

34. Was informed by its Chairperson, Ms DE CRAIM, that she addressed a request for information to Ms TÓTH (Hungary) on the new Hungarian bill No. T/16365 of 15 June 2021.
35. Noted that its next meetings are scheduled as follows:
- 33rd meeting (21-22 September 2021, KUDO platform) for an examination of the revised "Legal frameworks" chapter of the implementation report of the 2nd monitoring round and an exchange of views on the recommendations of the report "Respecting human rights and the rule of law when using automated technology to detect online child sexual exploitation and abuse"
  - 4 October 2021: Online awareness raising event on relevant new case-law concerning the protection of children against sexual exploitation and sexual abuse

with guest speakers including the President of the European Court of Human Rights (exact timeslot and other speakers tbc)

- 34th meeting (4-7 October 2021, KUDO platform) in particular for an examination of the remaining draft compliance reports and a decision on all of them
- 35th meeting (29 November - 3 December 2021, KUDO platform): adoption of the 2nd monitoring round implementation report and other business.

36. Adopted this list of decisions.