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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

**Follow-up given by Parties to the Special Report on “Protecting children
affected by the refugee crisis from sexual exploitation and sexual
abuse”**

Compliance report concerning Recommendation 11

Adopted by the Lanzarote Committee on 10 March 2022

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Executive Summary

In March 2016, the Council of Europe's Secretary General called for a series of priority actions to protect children affected by the refugee crisis. In this context, the Lanzarote Committee mandated its Bureau to decide on the need to make urgent requests for information on the basis of Rule 28 (Special reports and urgent situations) of its Rules of Procedure.

On the 3rd of March 2017, the Lanzarote Committee adopted the Special report Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse, as an outcome of the urgent monitoring round that had been launched for that purpose. The Special report focused on how Parties to the Lanzarote Convention were protecting children affected by the refugee crisis from sexual exploitation and sexual abuse.

To follow-up on the Special report and its recommendations, in 2018, the Committee requested Parties involved in the urgent monitoring round to provide information on the follow-up given to the 5 urge recommendations. The evaluation of the follow-up given to the 5 urge recommendations was adopted by the Lanzarote Committee on the 6th of June 2019.

Subsequently, the Committee asked the Parties involved in the urgent monitoring round to provide information on the follow-up to the 10 recommendations considering that Parties should act. This compiled information (hereafter Compilation information 2020) allowed for a first preliminary assessment of the Parties' practices and legislation with respect to the 10 "consider" recommendations, taking into account specific requirements. This first preliminary assessment was presented to the Parties at the 27th plenary meeting of the Lanzarote Committee in June 2020. The Parties were then given a second opportunity to provide information on the follow-up to the same 10 recommendations considering that Parties should act (hereafter additional information).

In view of the examination and possible adoption of the 10 Compliance Reports at the Lanzarote Committee's 34th meeting (4-7th of October 2021), international organisations having participatory status with the Lanzarote Committee submitted information of relevance to some of the recommendations in question.

The present draft compliance report was prepared on the basis of the Compilation of information 2020 and the compiled additional information sent by the Parties.¹ It is important to note that the conclusions of compliance/partial compliance/non-compliance have been drawn without the possibility to verify the extent to which legislation and measures are being applied in practice, nor whether children affected by

¹ The 41 Parties that are concerned by this report are: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, North Macedonia, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey and Ukraine.

the refugee crisis are actually benefitting from existing services. It has also not been possible to assess the overall impact of the protection to child victims irrespective of where the exploitation/abuse occurred, or the extent to which Parties distinguish between sexual exploitation and sexual abuse occurring prior to the entry of the child victim on their territories and after the entry.

The report covers the situation in the 41 states, which were Parties to the Convention at the time the urgent monitoring round was launched. Parties, which have ratified the Lanzarote Convention at a later stage may take into consideration the recommendations, promising practices and other findings presented in this report for information and subsequent relevant action.

The majority of the Parties to the Convention have measures in place to address the requirements of Recommendation 11. Specifically, 19 Parties are in full compliance and 14 Parties are in partial compliance of the requirements. Some of these Parties have in place promising practices that could inform further developments and advances in other Parties.

In many Parties, children affected by the refugee crisis, who have become a victim of sexual exploitation or sexual abuse, irrespective of where the exploitation/abuse occurred, receive adequate protection as child victims. In many cases, these victims are entitled to the same type of care as offered to national children. In other cases, specialised care is offered to children affected by the refugee crisis, including translation and interpretation services.

In 22 Parties, it is not clear where there are mechanisms or protocols in place to identify when and where the sexual exploitation/abuse occurred.

8 Parties have been considered non-compliant with Recommendation 11, due to insufficient evidence.

Table 1. Comparative information on fulfilment of Recommendation 11

Country	Protection of child victims affected by refugee crisis, irrespective of place where abuse/exploitation occurred	Mechanism or protocol to identify where exploitation/abuse occurred
★ Albania	Yes*	Yes*
★ Andorra	Yes	Yes
★ Austria	Yes	Yes*
Belgium	Yes	No
Bosnia and Herzegovina	No	No
★ Bulgaria	Yes	No
★ Croatia	Yes	Yes
Cyprus	Yes	Yes
Czech Republic	Yes	Yes
Denmark	Yes	Yes
★ Finland	Yes	No
★ France	Yes	Yes
★ Georgia	Yes	No
★ Germany	Yes	Yes
Greece	No	No
Hungary	Yes	Yes
Iceland	Yes	Yes
★ Italy	Yes	Yes
★ Latvia	Yes	Yes
Liechtenstein	No	No
Lithuania	Yes	Yes
Luxembourg	Yes	No
Malta	Yes	No
Republic of Moldova	Yes	No
Monaco	Yes	No
Montenegro	Yes	No
Netherlands	Yes	Yes
North Macedonia	No	No
Poland	Yes	Yes
Portugal	Yes	No
★ Romania	Yes	Yes
Russian Federation	Yes	Yes
San Marino	No	No
Serbia	No	No
★ Slovak Republic	Yes	Yes
★ Slovenia	Yes	Yes



Spain	No	No
Sweden	Yes*	Yes*
Switzerland	Yes	Yes
Turkey	Yes	Yes*
Ukraine	No	No

*Yes, to a limited extent.

Recommendation R11

The Lanzarote Committee:

considers that Parties, while providing adequate protection to child victims irrespective of where the exploitation/abuse occurred, should do their utmost to be able to distinguish between sexual exploitation and sexual abuse occurring prior to the entry of the child victim on their territories and after the entry (R11).

Following the adoption of the Special Report and after the assessment of the 5 urge recommendations, the Committee asked Parties involved in the urgent monitoring round to provide follow-up information on the 10 recommendations considering that Parties should act. On a first phase, Parties provided relevant information to assess their compliance with recommendations, which was compiled in the Compilation information 2020. An individual assessment was carried out of the replies of each Party, taking into account specific requirements.

The requirements identified to assess Parties' compliance with Recommendation 11 are as follows:

- 1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).*
- 2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.*

Full compliance with Recommendation 11 was determined if the Party had in place: a) an adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred; and b) a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory. Where countries provided concrete examples showing that protection to child victims of sexual exploitation and sexual abuse is unrelated to where such exploitation/abuse occurred; and where the Party indicated the number of children identified to have suffered sexual exploitation/abuse prior to entering the relevant State, these were considered as promising practices.

Based on this assessment, an analytical document was prepared and sent to the Parties. Subsequently, Parties were given the opportunity to submit additional information concerning other measures in place, which showed compliance with the requirements identified for the assessment of Recommendation 11.

The present report takes into account both the Compilation information 2020 and related analytical document, as well as the additional information submitted by Parties. The aim is to assess compliance, whilst providing a comprehensive picture of what national practices and legislation are in place.

For ease of reference, a comparative table summarising the findings of this report has also been prepared.² The table colours have been determined as follows:

- Full compliance (green) – the Party is in conformity with all the requirements of the Recommendation, corresponding to fulfilment of obligations under the Convention;
- Partial compliance (yellow) - the Party is in partial conformity with the requirements of the Recommendation, corresponding to fulfilment of obligations under the Convention;
- Non-compliance (red) – the Party does not address any of the requirements of the Recommendation, corresponding to fulfilment of obligations under the Convention.
- Promising practice country (star) – the Party fulfils one or more requirements of the Recommendation *or* has adopted other measures, in a manner that is considered a promising practice.

² This table can be found at the end of the Executive Summary.

Country results

ALBANIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Albania provided information that legislation pays particular attention to protecting children from trafficking and any form of sexual exploitation and abuse. In this context, specific procedures for the identification, reporting, treatment, assistance and protection of children in need of protection have been drafted and adopted, and ways of co-operation and co-ordination of work between state institutions or different actors have been defined and clarified. Standard working procedures have been drafted and adopted on the actions and procedures to be followed by the Border and Migration Police Officer, when they identify foreign nationals in an irregular situation at the border or in the territory. If a minor is identified during the verification process of foreign individuals, measures are taken to assist and ensure their accommodation, as well as to enable the presence of a psychologist or social worker prior to the interviewing process. The Border and Migration Police Officer pays special attention to any possible indicators of violence, sexual abuse, trafficking, etc. during the interview of the minor.

Where appropriate, the State Police structures cooperate and coordinate their work with regional structures of the State Social Service and / or Child Protection Units at municipalities or local administrative units, the National Reception Centre for Victims of Trafficking, as well as national or international organisations that provide assistance and services to children in need of protection, including children affected by the refugee crisis.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, Albania indicated that determining the location where a criminal offence happened is necessary in order to determine if the Albanian prosecution has jurisdiction to investigate and prosecute. The proceeding authority will seek by all available procedural means (expert acts, declarations, international cooperation) to prove whether the criminal offence of sexual exploitation or sexual abuse occurred before or after the entry of a minor victim into Albanian territory. Specific procedures for the identification, reporting, treatment, assistance and protection of children in need of protection have been drafted and adopted, and ways of co-operation and co-ordination of work between state institutions or different actors have been defined and clarified.

The proceeding authority will seek by all available procedural means (expert acts, declarations, international cooperation) to prove whether the criminal offence of sexual exploitation or sexual abuse occurred before or after the entry of a minor victim into Albanian territory.

Based on the information received, Albania is in partial compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: the Party does not refer to the protection of children affected by the refugee crisis, other than those affected by trafficking in human beings.

ANDORRA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Andorra provided information that the Refugee Assistance Service (SAPRE) provides comprehensive care for refugees. This service is made up of four professionals (two social workers, one psychologist and a lawyer) and given the limited number of refugees in the country (three children and 6 adults), it allows for intensive follow-up and support.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the additional information submitted, Andorra provided information that it has signed a protocol with the Community of Sant'Egidio for the creation of a humanitarian corridor that enables refugees to arrive in the country. Professionals of the Sant'Egidio Community, based in Beirut, carry out a selection to understand the situation of refugees. In these interviews, professionals try to detect whether the refugees have suffered a possible situation of risk, including sexual exploitation and abuse, in order to be able to intervene. Once the refugees are in Andorra, they receive medical check-ups to assess their health situation and intervene, if necessary. It is in these medical visits that one could detect a possible situation of sexual exploitation or abuse.

Additionally, refugees have an in-depth follow-up throughout the time they are in Andorra, through the Refugee Assistance Service (SAPRE). Where a possible situation of exploitation or sexual abuse is detected from the professionals, they are able to activate the Protocol for Immediate Intervention in cases of evidence of suspicion of abuse, sexual violence or physical maltreatment against children and adolescents (PAI protocol) (*see recommendation 31*). Currently, in Andorra there are two refugee families, who are receiving support from SAPRE, with a specific professional who provides support and follow-up.

Based on the information received, Andorra is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

AUSTRIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the additional information submitted, the Federal Ministry of Labour, Family and Youth of Austria provided information that children who have become victims of sexual violence and exploitation and are staying in Austria are granted educational assistance by child and youth welfare services to the extent that the child's wellbeing is currently at risk, irrespective of the child's origin and residence status or the place where the offence was committed. Educational assistance includes care in a social-educational institution or with foster families (full upbringing) as well as psychosocial support if the care is provided within the family or with relatives (educational support).

Austria also provided different examples of measures in place. For example, in Federal State Vorarlberg, Caritas Refugee Assistance has established an independent external ombudsman service in Vorarlberg for the purpose of dealing with requests and reports. Furthermore, a Child Welfare Officer was appointed within the service, and a special form was developed, which is available for documenting various incidents. The form is broken down in four phases according to the severity of the incident. According to each phase, the respective superior shall be automatically and promptly informed about the incident. These procedures are part of the child protection concept of Caritas.

All core employees of Caritas were trained on the subject matters of child protection and protection against violence. Within Caritas in Vorarlberg, 18 persons of trust are available for conducting confidential discussions concerning observations or incidents. Stand-by telephone services were established for residents in basic welfare support facilities of the Caritas Refugee Assistance, which are available round the clock.

These steps have also been undertaken as a reaction to the fact that children/juveniles in large refugee facilities are at greater risk of being victimised through violence and sexual abuse. Therefore, the abovementioned protection measures have been developed by the Caritas Refugee Assistance and the professional staff have been sensitised and trained accordingly. Furthermore, so-called risk analyses are conducted in the refugee facilities with the cooperation of the residents (children and adults). Children and juveniles, but also adults are being informed about their rights. This is done in simple language, or in the mother tongue of the person concerned, to enable the residents (minor and adults) to turn to the competent authorities for support, should the need arise.

In the Federal State of Vienna, the Vienna Child and Youth Welfare Service offers children, regardless of their origin, protective measures regarding experienced sexual violence.

The socio-pedagogical facilities, which were specially created for children and young people affected by the refugee crisis, have been officially approved. The necessary pedagogical concepts presented for this purpose also include the relevant topics, such as: sex education, sexual violence and dealing with trauma. This also refers to sexual exploitation/sexual abuse before the victim enters Austria.

Unaccompanied minor refugees in full education of the Vienna Child and Youth Welfare Service: The psychological service of the Vienna Child and Youth Welfare Service offers psychological counselling and arranges suitable therapy offers. This also applies to children and adolescents who are placed in foster families and who are affected by the refugee crisis.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

At present, no data are systematically collected at the child and youth welfare departments of the district administration authorities in Vorarlberg for recording where an offence was committed (in Austria or abroad).

In order to determine whether the sexual exploitation/sexual abuse took place prior to or after entry, data from the files of the child and youth welfare departments of the district administration authorities or from the body responsible for resolving a suspicion - in Vorarlberg, the Institute for Social Services – must be collected. Also, the police could upon interrogation of the minor provide such information, i.e. whether the offence took place abroad or after entry into Austria.

Based on the information received, Austria is in partial compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: it is unclear if there is a mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred, across the Federal States.

BELGIUM

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

Child victims of human trafficking or smuggling must first be detected and identified, then referred to one of the approved centres. In principle, this identification is carried

out by the police or inspection services on the site, who immediately inform both an authorised centres and the immigration service. The victim is also informed of the possibility of obtaining a right of residence in exchange for cooperation. This referral can also be made by hospitals, social services or approved centres themselves, who draw up a counseling agreement with the minor, which is signed at the start of the counselling. This agreement contains the conditions of the procedure and the commitments made respectively by the centre and the children.

For unaccompanied children, in addition to the recognised centre and the immigration service, the guardianship service must also be notified immediately. The latter then appoints a tutor with priority. The guardian represents the child in all proceedings. Furthermore, it is important that the guardian (in collaboration with the accredited centre and in consultation with the child) keeps the immigration service informed of what the child communicates within the framework of the procedure. There is a pool of tutors specialising in human trafficking, who are appointed as soon as there are signs of trafficking that are detected.

During the procedure and through the establishment of a bond of trust, the tutor sets up the framework necessary for the management of possible traumas. The child receives medical and psychosocial support, so that the victims can manage their trauma. This concerns all aspects of the minor's life: language, housing, integration, education, work and family life. The guardian must see to it that the child effectively receives this advice from the approved specialised centre.

Approved centres have discreet shelter for temporary stays. As these centres are not specifically adapted to the needs of children, they are referred to an appropriate organisation specialised in the care and accommodation of children, such as Minor-Ndako (in Flanders) or Esperanto (in Wallonia). Legal and administrative follow-up is also provided by the recognised specialised centre (PAG-ASA, SÜRYA or PAYOKE). The role of the tutor is to closely monitor both the reception of the child and the advice provided by the approved centre.

In the Wallonia-Brussels Federation, some youth assistance centres welcoming UAMs specialise in the psycho-social follow-up of particularly vulnerable migrant children, but also for child victims of trafficking. For the other children, not residing in these specialised centres, they can have recourse to mental health services, on a voluntary basis. Depending on their status, children in families are entitled to urgent medical aid (including mental health care) or UFM to health insurance.

In the Flemish Community, the Centres for General Welfare (CAW) were tasked in 2015 with temporarily strengthening psychosocial support and day-to-day assistance for refugees due to the increasing influx of asylum seekers. They received additional funding for this in 2016 and 2017. For children on the move, 9 Mental Health Centres (CGGs) were strengthened in 2016 to provide individual therapy and support to primary care services. In addition, Solentra, a specialist service that provides diagnostic and therapeutic support to refugees, migrant children and their families, has been expanded. The 2013 tariff decision provides for reduced rates for, among other things,

patients who come to a CGG without the knowledge of their parent or guardian and because of problematic situations related to their relationship.

Also in Flanders, Solentra, as an expert in cross-cultural psychiatry, provides psychological care and support to young refugees and migrant children and their families. This target group faces a range of complex psychotraumatic issues, having gone through an often hellish journey to flee war in their home country. Solentra stands for Solidarity and Trauma. Their area of expertise lies in the trauma caused by war and migration experiences. Solentra is a high quality, culturally sensitive diagnostic and treatment center. Part of their work consists of continuous research and optimisation as well as the use of state-of-the-art processing methods. This is how they developed their own PACCT® method, which makes psychological support much more accessible and effective for the target group, with a guarantee of excellent quality. (<https://www.solentra.be/en/who-are-we/>).

The services mentioned above are provided irrespective of where the abuse or exploitation occurred.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

During the psychological follow-up and the support provided to the victims, the relationship that is created between the trained workers and the children makes it possible to highlight the events that the latter have experienced and thus to identify when and where these abuses have been committed. However, there is no specific mechanism or protocol in place for this purpose.

Based on the information received, Belgium is in partial compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: there is no mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred, across the Federal States.

BOSNIA AND HERZEGOVINA

In Compilation information 2020, Bosnia and Herzegovina provided information that the Directorate for Coordination of Police Bodies, the Sector for international operative police ensures collaboration within the Ministry of Security, represents a single point of exchange of information at the strategic and operational level as part of conducting international investigations and realises international cooperation with the domestic police, judicial and other bodies with related bodies in different countries of the world, applying the best practices. Cooperation is also being carried out with Interpol, Europol and the SECI Centre, as well as other bodies and in accordance with the signed contracts.

It is unclear from this answer if the State systematically attempts to identify where the sexual exploitation/sexual abuse of children affected by the refugee crisis occurred, or if the information provided refers to a general provision.

No additional information has been submitted.

As there is insufficient information to determine compliance, Bosnia and Herzegovina is considered non-compliant with the requirements of Recommendation 11.

BULGARIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Bulgaria provided information that unaccompanied children or underage aliens who seek or have been granted international protection who are in the territory of the Republic of Bulgaria shall be appointed a representative from the municipal administration, designated by the mayor of the municipality or by an official empowered thereby. The State Agency for Refugees shall exercise control and shall take measures for the protection of minor or underage aliens seeking international protection from physical or psychological violence, cruel, inhuman or degrading treatment.

An alien shall be accommodated in a transit centre, a registration-and-reception centre or another type of accommodation facility provided by the State Agency for Refugees after having his/her health condition, family and material status assessed under the terms and procedure established by the Chairperson of the State Agency for Refugees. The alien shall undergo medical examination and testing and shall be quarantined until the time the results thereof are issued. The medical examination shall determine whether the applicant for international protection belongs to a vulnerable group and has special needs. According to the law "persons from a vulnerable group" shall mean minors or underage persons, unaccompanied minors and underage persons, elderly people, pregnant women, single parents with underage children, victims of human trafficking, people with serious health problems, people with mental disorders, and people who are victims of torture, rape or other serious forms of mental, physical or sexual violence.

The medical examinations shall be carried out at the medical units of the territorial structures. The operation of the medical units shall be ensured by a medical doctor or nurse.

The medical units shall perform the following activities:

1. initial medical screening upon the registration of applicants for international protection;

2. ongoing medical monitoring;
3. provision of first aid;
4. control on the applicants' hygienic state;
5. ongoing control on the observance of hygienic requirements;
6. preparing and keeping medical records for each applicant.

When aliens are seeking international protection during the procedure under the Asylum and Refugees Act the authorities shall take into consideration the specific situation and the special needs of aliens from a vulnerable group. Aliens belonging to a vulnerable group and who were granted temporary protection shall receive necessary medical or other services according to requirements and procedures applicable to Bulgarian nationals. Aliens from vulnerable groups accommodated at a closed-type centre shall be monitored and, if the need be, shall be provided with appropriate assistance depending on their special situation.

SAR at the Council of Ministers, as the institution responsible for conducting proceedings on international protection, accepts and accommodates in the territorial divisions (TA) of the agency, proactively cooperates with all competent institutions and organizations in implementing the Standard Operating Procedures for prevention and response to sexual abuse. With gender-based violence procedures updated in 2021, they are applied to foreigners accommodated in the TA of SAR at the Council of Ministers seeking international protection, providing a clear system for notifying and referring persons at risk and/or survivors of violence.

The procedures take into account the principle of the best interests of the child, take immediate action and refer to specialized care and services, regardless of whether the violence was committed in the Republic of Bulgaria or before arriving and applying for international protection in the country.

According to the procedures, any person who becomes aware of a presumed case of a child-related abuse immediately reports to the head of the SAR TA. When identifying cases of children seeking international protection at risk and/or survivors of sexual exploitation and abuse, immediate action is taken and the protection authorities are notified, and if the child is unaccompanied, his/her representative is informed under Art. 25 of the Asylum and Refugees Law.

The procedure includes the application of a multidisciplinary approach and the involvement of representatives of other institutions and organizations to provide support (health care, psychological support, legal aid, etc.). In the case of a child, seeking international protection, a survivor of violence, a team meeting is initiated by the Department of Child Protection at the Social Assistance Directorate. The team includes a contact person and a case manager from SAR at the Council of Ministers, a medical person, a psychologist, a representative of an organization providing legal aid, and for an unaccompanied child the representative under Art. 25 of the Law - determined by the National Legal Aid Bureau. During the team meeting is developed an action plan to

protect the child or to prevent the violence, and objectifies the measures. If necessary, representatives of other institutions and organizations are involved to provide support.

According to the Child Protection Act, one of the hypotheses for a "child at risk" is the following: the child is a victim of abuse, violence, exploitation or any other inhuman or degrading treatment or punishment within or outside his family; for which there is a danger of damaging his/her physical, mental, moral, intellectual and social development.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the additional information submitted, Bulgaria provided information that the State Agency for Refugees (SAR) provides training for its professional on the use of the European Asylum Support Office [EASO Tool for Identification of Persons with Special Needs](#). It may be used at any stage of the asylum procedure and at any stage of the reception process. The instrument has been developed in online and offline versions and provides guidance on certain types of possible vulnerabilities, including victims of trafficking, depending on the selected indicators for special needs. In addition, SAR updated the Standard Operating Procedures for preventing and responding to sexual and gender-based violence. In case of identification of a person who has experienced violence or a victim of trafficking, the procedure for immediate notification of a superior or other designated person of SAR is established. The EASO tool is relevant, however it does not seem to identify when/where the sexual exploitation or sexual abuse took place.

Based on the information received, Bulgaria is in partial compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: it is unclear if there is a mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

CROATIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

The Protocol on the Treatment of Unaccompanied Children adopted in 2018 by the Government of the Republic of Croatia (hereinafter: the Protocol) describes activities related to mandatory initial medical examinations of unaccompanied children in the process of their identification prior to institution placement. The initial medical examination of an unaccompanied child requires the presence of a trained employee of a social welfare centre or guardian *ad litem*. For the examination to be efficient and the

child to understand what is happening, it is important to ensure the presence of a translator of the language that the child understands. The initial medical examination includes a mandatory full body examination and the determination of the child's physical condition. In addition to the physical condition, the medical history must *inter alia* include a record of injuries (description, indications on a human body drawing), if present, data on chronic diseases or specific conditions of the child, as well as recommendations for any further medically indicated specialist examinations or medical consultations.

Victims of sexual violence undergo examinations in general hospitals and clinical healthcare institutions – clinics, clinical hospitals and clinical hospital centres (hereinafter: the healthcare institution). Healthcare institutions are obliged to provide urgent and comprehensive medical care in order to preserve physical and mental health in accordance with contemporary standards and practices, regardless of when the sexual violence occurred.

The treatment of unaccompanied children is based on the principles of the Convention on the Rights of the Child: protection of children's well-being, protection from any form of discrimination, right to life, safety and development, and right to participation and freedom of expression of their own opinion. Unaccompanied children are a particularly vulnerable group of children that require special protection and care and have been exposed to different risks during their journey, including possibly different forms of violence as well as sexual exploitation and sexual abuse. Under the Protocol on the Treatment of Unaccompanied Children, an unaccompanied child has the same scope of right to healthcare as if he/she were a person insured under the mandatory health insurance scheme. Under the same Protocol, healthcare includes an initial medical examination carried out immediately after finding the child on the territory of the Republic of Croatia, as well as ensuring continued healthcare for the child after his/her placement in a social welfare facility or, if the child is over 16, in a reception centre for asylum seekers. In the case of suspected sexual exploitation and sexual abuse, as identified by a primary care physician and/or social worker/employee of the Ministry of the Interior, the child must be provided with specialist healthcare and medical consultations in an appropriate specialist and consultant healthcare institution (polyclinic, hospital).

The Zagreb and Kutina Reception Centres for Asylum Seekers have available a psychosocial support team of the Croatian Red Cross, comprised of specially trained experts in the fields of psychology and social work. Upon the arrival of a family or unaccompanied child to the reception centres, the psychosocial support team carries out the initial assessment of the needs and screening of the newly arrived people. Since these are particularly vulnerable migrant groups, the screening of children is done with particular care in order to identify the children's needs and to notify of these needs relevant institutions responsible for children's rights and well-being in a timely manner. Competent institutions, such as the Ministry of the Interior, social welfare centres and child protection clinics, are immediately notified if a child victim of sexual violence, which occurred on the territory of the Republic of Croatia, during the journey or in the

child's country of origin, or any other form of exploitation of children has been identified.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the additional information submitted, Croatia provided information that it has put in place a mechanism to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory. Namely, competent authorities of the Republic of Croatia (Ministry of Interior) can identify when and where the sexual exploitation or abuse occurred, as well as identify if it occurred prior to or after entering the territory of the Republic of Croatia.

Based on the information received, Croatia is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

CYPRUS

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Cyprus provided information that protection and support services are provided to child victims regardless of where the exploitation took place.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, Cyprus provided information that if a child enters the Republic of Cyprus and reports sexual abuse, the case will be investigated in order to determine when and where the abuse took place and take any legal action, where necessary. Victims of sexual exploitation/abuse are identified either at the point of entry in the Republic of Cyprus (as part of interagency screening for vulnerable/high risk persons) or at a later stage while in the Republic of Cyprus through the process of interviewing by authorities who act in a multidisciplinary approach to the extent possible or through referrals by NGOs who are involved in the area of migration.

Based on the information received, Cyprus is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

CZECH REPUBLIC

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, complemented by the additional information submitted, the Czech Republic provided information that child victims are always considered to be particularly vulnerable under the Act on Victims of Crime and are entitled to use a variety of measures to ensure their best interests. They are provided with all required professional assistance, whether psychological counselling, social counselling, legal advice, legal assistance or any restorative programs, free of charge. The Act on Victims of Crime provides that all the information must be provided in the language the victim claims to understand or in the official language of the state of victim's citizenship. Any child, including unaccompanied children, who is reported as a possible sexual exploitation or abuse victim, receives social and legal protection support. It is not relevant, when and where the harm was caused, social workers focus on actual needs of the child and deliver relevant professional help to the child. This kind of protection is guaranteed to every child by law. Also, in all cases of sexual abuse and/or exploitation, the child is reported to law enforcement authorities and is investigated no matter of the origin of the crime.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the asylum procedure and during asylum interviews, the Migration Office identifies vulnerability, i.e. whether a person (child) has been sexually abused or exploited. If such a child victim is identified, it is ascertained when and where such action took place.

Based on the information received, the Czech Republic is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

DENMARK

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Denmark provided information that all asylum seeking and migrant children who are under the provision of the Danish Immigration Service and who are victims or presumed victims of sexual exploitation/sexual abuse have access to protection, treatment and other relevant measures regardless of where the exploitation/abuse has taken place.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, Denmark provided information that the Danish police are well aware of the characteristics of both sexual exploitation and sexual abuse and strongly enforce the legislation regarding any forms of sexual offences against children. When an offence is reported – or if the police during an interview of a newly arrived person get information about an offence – the police collect all sorts of evidence available and, if relevant, the Danish police uses international bodies like Europol, Interpol, and liaison officers to establish a possible foundation to investigate and prosecute.

Based on the information received, Denmark is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

FINLAND

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, complemented by the additional information submitted, Finland provided information that the personnel of the Finnish Immigration Service and the reception centres have gone through training to ensure the detection of possible sexual exploitation or sexual abuse occurring. Recommendations and training are provided by (for example) EASO and national child protective services.

In reception centres, a meeting with a social worker, and when needed, with a psychologist, is organised to all children applying for international protection. Part of these meetings is to detect any indicators showing that the child might have faced exploitation. Due attention in all stages of the asylum process is always given to minors and especially unaccompanied minors to detect possible signs of sexual exploitation or sexual abuse, and (compulsory) training is provided to officials to enhance this (for example training modules by EASO).

The Finnish Immigration Service and the reception centre keep timely contact on matters regarding the well-being of children in the asylum process, especially in cases where indicators of (sexual) abuse or exploitation have risen. The Immigration Service may in these cases also contact the reception centre through a specifically designed tool for officials in cases where there is worry of the child's well-being, called the "Worry"-form. If abuse has been detected, other national processes' will be activated by the officials, most importantly informing the social services and the police.

All unaccompanied minors are appointed a legal guardian and a legal advisor to ensure that the child's best interests are taken into account and to ensure the well-being of the child together with officials.

In 2019, a new crisis and family worker quota for 12 persons was launched in the reception system. These crisis and family workers focus on giving short-term aid in crisis situations, and also in longer-term purposeful family work with families with children.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

The reception centres offer support and help to victims of sexual abuse or exploitation whether the abuse has happened in Finland or before arrival. Also, reception centres inform the police or child protection officials on any cases (suspected/actual) of sexual abuse or exploitation, whether the abuse has happened in Finland or before arriving to Finland. Finland does not have a specific method to identify *where* the sexual exploitation/abuse has occurred (prior to or after entering).

Based on the information received, Finland is in partial compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: it is unclear if there is a mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

FRANCE

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the additional information submitted, France provided information that both in law and in practice identical protection is guaranteed to all victims of sexual abuse, regardless of the place where the acts were committed.

Article 375 of the Civil Code provides that, if the health, safety or morals of a child, or if the conditions of his/her education or of his/her physical, emotional, intellectual and social development are seriously compromised, measures can be ordered by the courts. These measures aim to protect children in danger, if necessary, by ordering their placement in a family or an appropriate establishment.

These provisions are unconditional and therefore do not depend on the location of the acts of which a child became a victim. Thus, a child who has been sexually abused abroad and whose legal guardians are not considered to be able to ensure his/her protection could be placed in placement, if necessary, ordered urgently by the public prosecutor.

In addition, social workers in charge of child protection are trained to identify the vulnerabilities and risks concerning these children, thus ensuring appropriate protection for children regardless of the place where the acts are committed. are victims. For example, the continuing training provided by the National School for the Judicial Protection of Youth deals with the suffering linked to the journey of exile, as well as, on the issues resulting from exploitation, in particular sexual exploitation, resulting from trafficking in human beings within the national territory.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, France provided information that, when a judicial investigation is opened, the competent authorities endeavour to characterise as precisely as possible the acts of sexual exploitation and abuse suffered by the minor. This research focuses in particular on determining the place and date of the events. The location of the facts is of particular importance because of the territoriality of French law, with exceptions limited by law.

Based on the information received, France is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

GEORGIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Georgia provided information that the "State Fund for the Protection and Assistance of (Statutory) Victims of Human Trafficking", while not an institution that individually (specifically) provides services to children who have become victims of the refugee crisis and need assistance, provides the appropriate services if a child is found to be a victim of sexual violence and sexual exploitation under Georgian law and he/she (his/her representative) applies to the State Fund, regardless of the circumstances of the victims, including if they are affected by the refugee crisis.

The aims of the State Fund include the protection, assistance and rehabilitation of the victims/statutory victims/alleged victims (both adults and minors) of human trafficking and/or domestic violence and/or violence against women and/or sexual abuse, regardless of the race, skin colour, language, sex, age, religion or belief citizenship, origin, property or social status, place of residence, political or other opinions, national, ethnic or social affiliation, profession, marital status, health status, disability, sexual orientation, gender identity and expression.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

No additional information has been submitted.

Based on the information received, Georgia is in partial compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: it is unclear if there is a mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

GERMANY

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the additional information provided, Germany indicated that pursuant to section 6 (2) of book VIII of the Social Code (*Sozialgesetzbuch VIII – SGB VIII*), access to the services of the child and youth welfare institutions is also open to unaccompanied minors as well as foreign minors residing here lawfully or whose deportation has been suspended (“tolerated migrants”).

The German police are familiar with the characteristics of both sexual exploitation and sexual abuse, and emphatically enforce the law in respect of any type of sexual offences against children.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

Regarding the remit of the federal police, this largely concerns such evidence as is obtained during trafficking or, as the case may be, during initial processing after being apprehended at the border. Similar to the report from DNK, children seeking asylum and migrant children who are or could be victims or presumed victims of sexual exploitation/sexual abuse, are provided with access to protection, treatment and other relevant measures, irrespective of where such exploitation/abuse took place. When working with children in a professional capacity, police watch out for characteristics of sexual exploitation and sexual abuse. If an offence is reported – or if the police obtain information regarding an offence while interviewing a person who has newly arrived – then, as part of the (initial) processing, all available evidence that can be obtained using international agencies such as Europol, Interpol and liaison officers will be used and shared with the competent authorities.

In the case of asylum proceedings it is mandatory that minors are interviewed by special officers. These special officers have been specially trained to recognise indications of abuse and exploitation of children. If they do become aware of such abuse, they will notify the competent security agencies and social authorities for the purposes of health care provision, law enforcement, or in order to avert a significant danger to life and limb.

Based on the information received, Germany is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

GREECE

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

Greece provided no information on either round of assessment. Information submitted by FRA reports “In Greece, (Médecins Sans Frontières) MSF responded to alarming levels of mental health problems among asylum applicants on the Greek islands, including self-harming and suicidal acts among children. According to MSF, the indefinite detainment, sense of limbo and systematic violence further traumatised people seeking protection. The Estia scheme on Samos, which in the past had offered safe apartments to vulnerable applicants, including victims of sexual and gender-based violence, was discontinued. For lack of alternative accommodation, even sexually abused persons stayed in tents in a separate section of Vathy camp, where the alleged perpetrators also stayed. On Lesbos, following the closure of the Kara Tepe site, a model facility offering dignified accommodation in prefabricated containers, vulnerable persons were transferred to Mavrovouni tent camp. Owing to the reduced numbers of alternatives to camps on both islands, there are significant difficulties in finding dignified accommodation even for persons with serious health issues, as reported by MSF.”³ The report on Sexual and Gender-Based Violence submitted [by Médecins Sans Frontières to the United Nations Committee Against Torture prior to the periodic review of Greece, 67th Session June 2019, provides more detailed information, including that “on the hotspot island of Lesbos in 2018, MSF responded to 28 cases of sexual violence \(rape, nonpenetrative sexual assault, sexual threats with or without physical assault\) \(...\). Of the 28 cases, 26 of them were living in Moria / Olive Grove at the time of the SV incident. All but 3 cases happened in or around Moria camp. Of the cases of rape and non-penetrative sexual assault, 18 of these were adults and 10 were children/minors. \(...\) In 2018, MSF has witnessed significant gaps in protection responses to reports of harassment and threats, including failing to provide safe and appropriate accommodation and protection for survivors of sexual violence.”](#)⁴

³ FRA (2021) [Migration: Key fundamental rights concerns- bulletin 2 - 2021](#), published 24.09.2021; Page 20

⁴ MSF (2019) Submission of [Médecins Sans Frontières to the United Nations Committee Against Torture prior to the periodic review of Greece, 67th Session June 2019](#), Page 3-4

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

No additional information has been submitted.

Based on the information submitted by FRA and the lack of information submitted by Greece, Greece is considered non-compliant with the requirements of Recommendation 11.

HUNGARY

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Hungary provided information that, according to Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals, anyone can be considered as "persons requiring special treatment" if they are, for instance, unaccompanied children, vulnerable persons such as children, persons who have been subjected to torture, rape or other severe forms of psychological, physical or sexual violence, if they are found to have special needs after an individual evaluation of their situation. The protection of vulnerable persons is guaranteed under the reception conditions. Unaccompanied children between the age of 14 and 18 and children arriving with their families are placed in separate accommodation at the reception centre. Unaccompanied children under the age of 14 shall be placed in a child protection institution. Paediatrician and psycho-social care are available for child applicants. If the applicant requires special treatment, taking into account the situation of the applicant or the medical opinion, he/she is entitled to free health care, rehabilitation, psychological and clinical psychological care and psychotherapeutic treatment.

The non-stop social care, providing five meals daily, the opportunity for immediate school enrolment under the age of 21 and free time activities also contribute to the protection of minors. While nothing specific is mentioned with regard to the sexual exploitation or sexual abuse of children affected by the refugee crisis (independent of where such exploitation/abuse has been committed) the information provided appears to confirm a general system ensuring protection to all child refugees, including those in need of special treatment.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the additional information submitted, Hungary provided information that in the course of the personal asylum interview, the asylum case officer is obliged to ask further

questions to identify the circumstances of any serious harm suffered, including the time and place of the incident.

Based on the information received, Hungary is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

ICELAND

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Iceland provided information that all children have a right to appropriate supportive services and therapy according to their specific needs.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

All investigations of alleged child sexual exploitation and sexual abuse include a focus on when and where the alleged crime was committed.

Based on the information received, Iceland is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

ITALY

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the Italian system protection is provided to children affected by the refugee crisis who are presumed victims of sexual exploitation and sexual abuse independently if a criminal procedure has been launched through different mechanisms.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

Within the system of protection of unaccompanied foreign children, a number of projects have been financed thanks to the Asylum, Migration and Integration Fund that also foresee the training of professionals working with migrant children in relation to issues of child abuse. In particular the training is based on the UNHCR Guidelines for

primary care facilities containing standard operating procedures for the evaluation of the best interests of the child

(<https://www.unhcr.org/it/wp-content/uploads/sites/97/2020/07/Linee-guida-per-strutture-prima-accoglienza.pdf>).

Based on this training, professionals are called to understand if the child has suffered an abuse (based on his/her narration or on symptoms shown) and to distinguish whether the abuse occurred in his/her country of origin, during the trip or during his/her stay in Italy.

Concerning potential abuses taking place in Italy, any professional of a reception centre who becomes aware or suspects that one or more children are being abused, mistreated or exploited by adults outside the facility, by other children or by staff is required to take immediate action in accordance with applicable law and with the code of procedure of the reception centre. All migrant children who enter Italy are inserted into the national child protection system. If an abuse is detected by the professionals who are in charge of the migrant child, a personalised intervention is put in place.

Concerning the anti-trafficking system, some important changes have been made in the last period based on the integration of the asylum system and the anti-trafficking system. This has allowed the emergence of a number of cases of both labour and sexual exploitation, which were previously ignored. This modality of pre-identification and referral is in addition to the outreach modalities of the anti-trafficking associations, mainly based on street units, which have allowed to reach a considerable number of victims, especially sexually exploited women and girls.

Coordination between the two systems has been implemented in the first instance within the procedure for the recognition of international protection, through the adoption of specific standard operating procedures aimed at facilitating the early identification of trafficking survivors among applicants for international protection, and the reporting by the Territorial Commissions to the agencies that implement the single programme of emersion, assistance and social integration pursuant to art. 18 of Legislative Decree 286/98.

These procedures have been defined in the Guidelines for Territorial Commissions on the Identification of Victims of Trafficking among Applicants for International Protection and Referral Procedures developed within the project carried out by [UNHCR and the National Commission for the Right to Asylum](#).

Based on the information received, Italy is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

LATVIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Latvia provided information that the State Border Guard and the Office of Citizenship and Migration Affairs (OCMA) shall evaluate whether the asylum seeker has special reception or procedural needs, and that officials of those authorities "should be able" to recognise signs of sexual exploitation and violence. An asylum seeker who has special reception or procedural needs is, among others, a minor person, a victim of human trafficking, a person who needs care because of the state of health or a person who has suffered torture, rape or other serious psychological, physical or sexual abuse. OCMA realises how crucial it is to enhance the ability of employees to recognise signs of sexual abuse or sexual exploitation (previous or current) particularly in child asylum seekers and to channel victims for necessary support – consultations with medical experts or consultations by psychologist etc.

OCMA pays particular attention to the training of the staff members who are involved in the asylum process – either when interviewing children and taking decisions or providing the reception. The Government's "Plan for the Protection of Minors from Criminal Offences against Morality and Sexual Inviolability 2019-2020" included the organisation of trainings for the specialists of the OCMA and the State Border Guard, whose duties are related to contacts with children in order to form understanding of these persons on matters like recognition and detection of signs of sexual violence against children and sexual exploitation of children, reporting and action in such cases.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the additional information submitted, Latvia provided information that identification takes place within the framework of criminal proceedings during the course of interrogation of a minor or in the process of asylum procedure. For example, in 2017, a minor from Tajikistan with refugee status was granted the status of a victim of human trafficking for the reason that the person and his mother were sexually exploited in Tajikistan.

Based on the information received, Latvia is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

LIECHTENSTEIN

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Lichtenstein provided information that Recommendation R11 is implemented, as Liechtenstein distinguishes between sexual exploitation and sexual abuse occurring prior to the entry and after the entry. The distinction is made by the National Police that investigates cases of sexual abuse and sexual exploitation.

However, the Party did not confirm that all child victims, including children affected by the refugee crisis, receive adequate protection irrespective of where the abuse/exploitation occurred.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

Same as above.

As there is insufficient information to determine compliance, Liechtenstein is considered non-compliant with the requirements of Recommendation 11.

LITHUANIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Lithuania provided information that it does not matter where the abuse happened. The State Child Protection and Adoption Service has to take the child to receive necessary integrated assistance in a child-friendly environment in the Support Centre for Child Victims of Sexual Abuse.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, Lithuania provided information that the Support Centre for Child Victims of Sexual Abuse collects all information about children who were sexually abused in Lithuania. In this data, information is included about where the child suffered the abuse, in which place and country.

Based on the information received, Lithuania is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

LUXEMBOURG

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the additional information, Luxembourg provided information that where a victim who is a third-country national has been exploited in a country other than Luxembourg (EU or third country), assistance may be provided under certain conditions but it differs from that provided for victims exploited on the territory of the Grand Duchy of Luxembourg.

However, this difference does not apply in the case of victims who are children. If sexual abuse of AIP children is suspected (assaults in National Reception Office (ONA) facilities, on the way from the country of origin to Luxembourg or in the country of origin), the ONA refers to the relevant national authorities and arranges care for the children by the same services as are responsible for all children living in Luxembourg. If cases of sexual abuse or suspected sexual abuse occur in ONA facilities, the perpetrator and the victim are accommodated separately until the final court ruling. The youth protection courts may also intervene in such cases and the perpetrator may be remanded in custody if the conditions are met.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

With regard to exploitation and, hence, trafficking in human beings, a distinction is made between offences committed before arrival in Luxembourg territory and after arrival, i.e. offences committed in Luxembourg. The Monitoring Committee to Combat Trafficking in Human Beings is currently preparing a roadmap for such cases. However, this difference does not apply in the case of victims who are children.

Based on the information received, Luxembourg is in partial compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: it is unclear if there is a mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

MALTA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Malta provided information that legal protection and protection services are given irrespective of where the criminal offence involving abuse/exploitation occurred.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, Malta provided information that medical examinations, together with a psychological assessment carried out by medical professionals, "should be able to verify such a distinction" (i.e. whether the exploitation/abuse occurred prior to or after the child's entry into the country).

Based on the information received, Malta is in partial compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: it is unclear if there is a mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

REPUBLIC OF MOLDOVA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, the Republic of Moldova provided information that in cases of detection of sexual abuse of migrant children, the migration authority refers the case for examination to authorities provided by Law no. 140/2013, including police or prosecutor's office. Child victims on the territory of the Republic of Moldova are granted protection regardless of the place of abuse.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the additional information submitted, the Republic of Moldova provided information that no cases of children to have suffered sexual exploitation/abuse prior to entering the country were registered.

Based on the information received, the Republic of Moldova is in partial compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: it is unclear if there is a mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

MONACO

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Monaco provided information that in the event that a child mentions sexual abuse committed before entering Monegasque territory, the Foyer de l'Enfance Princesse Charlène would organise and finance his/her psychological care, with the aid of a translator, if necessary. The Monegasque authorities could also use international cooperation tools to report these facts or to prosecute the alleged perpetrators in another State. In the event that a child mentions sexual abuse committed on Monegasque territory, the protection of the child would be ensured by the following procedure:

1. The person who took the word of the child would have the obligation to report to the Attorney General;
2. In the event that the alleged perpetrator is a professional from Foyer de l'Enfance, he/she will be suspended from his duties without delay;
3. The child would benefit from psychological care.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, Monaco provided information that given the extremely low number of migrant children on Monegasque territory, the length of stay in Monaco of less than 24 hours and the total lack of reporting for acts of mistreatment or sexual abuse on these children, the Monegasque authorities did not consider it useful to implement measures aimed at distinguishing between sexual exploitation and abuse, depending on whether they were suffered before or after entering the territory.

Based on the information received, Monaco is in partial compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: there is no available mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

MONTENEGRO

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Montenegro provided information that in the event that the sexual exploitation or sexual abuse of children affected by the refugee crisis is detected, it would certainly make a difference where and when it happened to provide as effective protection and support for the children as possible. Since no cases of sexual exploitation or abuse of children affected by the refugee crisis have been identified so far, there was no specific situation where this issue could be discussed separately.

In the additional information submitted, Montenegro provided information that in case of detection of sexual abuse or exploitation of foreign children seeking international protection in the Directorate for asylum, the competent prosecutor shall be urgently notified. When a child is a victim of sexual abuse or exploitation, the involvement of a guardianship authority i.e. Centre for social work is mandatory.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the additional information submitted, Montenegro provided information there is no protocol at the moment, but the Ministry of interior will suggest the adoption of such a document together with the Police administration.

Based on the information received, Montenegro is in partial compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: there is no available mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

NETHERLANDS

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, the Netherlands provided information that the Dutch procedure to apply for a residence permit for victims of human trafficking is open to refugee children in "both categories" (i.e. victims of sexual exploitation/abuse outside or in the Netherlands). The circumstance of whether the exploitation/abuse has taken place outside or within the Netherlands is not a condition for applying. The Immigration and Naturalisation Office (IND) does not make any distinction in their collection of data regarding victims. However, in a concrete case the official authorities are alert on where

the exploitation/abuse occurred in order to ensure adequate protection to child victims and so that the offenders will be prosecuted in the Netherlands or abroad (if possible).

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

Same as above.

Based on the information received, the Netherlands is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

NORTH MACEDONIA

In Compilation information 2020, North Macedonia provided information that "Standard Operating Procedures" have been adopted on the treatment of Unaccompanied Foreign Children as well as on the treatment of Vulnerable Categories of Foreigners. The first of the six developed procedures is precisely the procedure for Reception, Identification and Referral of Vulnerable Categories of Persons, whereby children, in particular victims or presumed victims of sexual exploitation and sexual abuse, fall into this category. The Standard Operating Procedures have proved to be quite effective and consistently applied and, together with the provisions contained in the existing national legislation, enable the smooth exchange of information and data between the competent institutions.

However, the information provided does not confirm clearly that adequate protection is provided to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred.

As there is insufficient information to determine compliance, North Macedonia is considered non-compliant with the requirements of Recommendation 11.

POLAND

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Poland provided information that Polish legislature on sexual crimes against children does not differentiate between Polish or foreign children (including migrant or refugee children). Child victims of sexual exploitation should be entitled to full protection, regardless of where the crime was committed (for example before the child arrived in Poland).

2. *The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.*

In the additional information submitted, Poland provided information that the Office for Foreigners is a member of the Agreement of 25 March 2008 on Standard Operating Procedures to Identify, Prevent and Respond to Cases of Sexual or Gender-Based Violence against Foreigners Staying at Facilities for Persons Seeking the Refugee Status, pursuant to which Local Interaction Teams (LITs) operate in the facilities for foreigners applying for international protection. In addition to the Office, the following entities are parties to the Agreement: The Commander-in-Chief of the Police, the Office of the United Nations High Commissioner for Refugees, "La Strada" Foundation, and Halina Nieć Legal Aid Centre. The basic form of cooperation of LITs are meetings organised at least quarterly, attended by employees of the Office performing their duties in the facility, territorially competent representatives of the Police and the Border Guard, representatives of the NGOs being parties to the Agreement, as well as other institutions and organisations invited to cooperate. Activities of LITs go beyond the sexual and gender-based violence referred to in the Agreement and, in fact, LITs analyse, monitor and counteract all cases of violence at the facilities, with a particular focus on child abuse and violence against women.

The most important element of the procedure for identifying a potential victim of sexual exploitation in the course of the proceedings is an interview conducted with the applicant and the accompanying psychological expert's opinion. Information thus obtained may be the first indication that a minor has been sexually exploited. In turn, information thus collected may be passed on to law enforcement authorities, whose duty it is to determine whether such a crime has been committed. Confirmation, in the course of the procedure for granting international protection, on the basis of an analysis of the entire body of evidence, that an applicant may have been a victim of sexual exploitation may constitute an important ground for granting international protection to a foreigner.

As far as the Border Guard is concerned, it primarily undertakes action aimed at protecting victims of human trafficking. When identifying a potential minor victim of trafficking in human beings, including an alleged victim of sexual exploitation, the Border Guard undertakes official measures based on the scheme included in the document titled "Algorithm for identifying and dealing with a minor victim of trafficking in human beings for Police and Border Guard officers". This document describes, among others, the principles of interviewing a minor. If a Border Guard officer establishes that a minor may be a victim of sexual exploitation within the meaning of the definition of trafficking in human beings, he/she must immediately contact the Public Prosecutor in order to initiate the procedure of interviewing the minor under Article 185a of the Criminal Procedure Code (a one-off, recorded interview in a friendly room, in the presence of an expert psychologist) (*see information to Recommendation 31*).

Based on the information received, Poland is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

PORTUGAL

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Portugal provided information that the data collected by the Children's Health Action at Risk (ASCJR), from the Hospital Centres for Support for Children and Youth at Risk (NHACJR) network, is not disaggregated to indicate refugee children and therefore it is not possible, in the health field, to identify if the situation occurred before or after the child's entry into the national territory. However, the protection and physical and mental health care provided to refugee children is ensured globally and the access is free and universal.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

Same as above.

No additional information has been submitted.

Based on the information received, Portugal is in partial compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: there is no mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

ROMANIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Romania provided information that children affected by the refugee crisis who are unaccompanied on Romanian territory are protected in a residential service within the child protection system. A detailed evaluation is mandatory and in case of suspicion of violence against children – prior to the entry and after the entry on Romanian territory – special procedures and interventions are carried out by the General Departments for Social Assistance and Child Protection (GDSACP). If there is suspicion of violence against children affected by the refugee crisis who are

accompanied on Romanian territory by their parents, professionals interacting with them should mandatorily report to the GDSACP and special procedures are implemented.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, Romania provided information that in all the proceedings that occur either in the field of social protection or, even more, in criminal proceedings, identifying the time and place of the abuse are an essential concern in order to be able to proceed forward and provide the adequate protection for the child. When underlining the importance of distinguishing between sexual exploitation and sexual abuse occurring prior to the entry of the child victim on their territories and after the entry, the report of the Committee refers especially to judicial criminal proceedings. In this particular field, establishing the circumstances in which the act was perpetrated, which includes the time and place, is crucial in order to engage criminal responsibility and is among of the main concerns of the investigation, as part of the necessity to acquire the most relevant information possible about the sexual abuse committed against the child.

Based on the information received, Romania is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

RUSSIAN FEDERATION

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the additional information submitted, the Russian Federation provided information on legislation for the protection of children and the investigation of crimes against the sexual inviolability of minors, both in cases before the entry of the victim into the country, and in the case after the minor enters the country. The legislation applies to all the victims, without specifying any particular categories of persons. Protection and support are provided to child victims, regardless of where the sexual abuse or exploitation took place, on the basis of the Federal Law of 24 July 1998 N 124-FZ (as amended on 31 July 2020) On basic guarantees of the rights of the child in the Russian Federation. This [law](#) sets forth fundamental guarantees of the rights and legitimate interests of the child provided for by the Constitution of the Russian Federation in order to create legal, socio-economic conditions for the realization of the rights and legitimate interests of the child. The legislation pays special attention to the protection of children from human trafficking and any form of sexual exploitation and abuse. The Russian Federation provided information on additional legislation, including the [Criminal Code of the Russian Federation](#) (classification of crimes against sexual freedom and sexual

inviolability of the person, chapter 18), with the presence of special clauses regarding crimes against minors; the [Criminal Procedural Code of the Russian Federation](#); the [Family Code of the Russian Federation](#); and the [Federal Law N 48-FZ On Guardianship and Trusteeship](#), of 24 July, 2008.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, the Russian Federation provided information that it keeps records of victims on its territory and, on the basis of cooperation agreements, exchanges data with partner countries. As abovementioned, protection procedures do not depend on the fact whether the exploitation/abuse took place outside or within the country. In the Russian Federation, the procedure for interaction of courts, prosecutors, investigators and inquiry agencies with the relevant competent authorities and officials of foreign states, and international organisations is determined by [Section XVIII of the Criminal Procedure Code](#) of the Russian Federation. Chapter 53 defines the main provisions on the procedure for interaction of courts, prosecutors, investigators and inquiry bodies with the relevant competent authorities and officials of foreign states and international organisations.

In accordance to Article 453, if there is a need to carry out procedural actions on the territory of a foreign state, the investigator, the head of the investigative body submits a request for the above activities implementation by the competent body or the officer of the foreign state in accordance with an international treaty of the Russian Federation, an international agreement or on the basis of the principle of reciprocity. The principle of reciprocity is confirmed by the written obligation of the Investigative Committee of the Russian Federation to provide legal assistance to a foreign state on behalf of the Russian Federation in the implementation of certain procedural actions. The evidence obtained on the territory of a foreign state by its officials, certified and submitted in accordance with the established procedure, bears the same legal force as the evidence received on the territory of the Russian Federation in full compliance with the requirements of this Code. In case of a crime committed on the territory of another state, measures are also carried out in accordance with the Instruction on the organisation of information support for cooperation through Interpol under the title [On approval of the Instruction](#) on the organisation of information support for cooperation through Interpol, of 6 October, 2006.

Article 456 specifies the procedure to summon the witness, victim, expert, civil claimant, civil defendant, and their representatives, who are outside the territory of the Russian Federation. Further, article 457 outlines the execution of an inquiry on legal assistance in the Russian Federation. The cases concerning the sexual exploitation and abuse against children are subject to the same procedure as the ones mentioned in this Code and its articles are in force regarding all types of crimes specified in the Russian Criminal Code.

Based on the information received, the Russian Federation is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

SAN MARINO

San Marino provided no information on either rounds of assessment. Non-compliance has been determined, as there is insufficient information to determine compliance with the requirements of Recommendation 11.

SERBIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Serbia provided information that, regarding the protection of unaccompanied children who have been exposed to sexual abuse, the guardianship authority has a role of coordinator. This is stipulated by the Family Code, General Protocol on the Protection of children from Abuse and Neglect, and by special protocols on the protection of children from abuse and neglect applicable to every individual. It comprises the protection of children (social protection, health care, education, law enforcement).

No additional information has been submitted.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

No relevant information has been submitted.

From the information provided, it is not clear if Serbia is providing adequate protection to all child victims irrespective of where the exploitation/abuse occurred.

As there is insufficient information to determine compliance, Serbia is considered non-compliant with the requirements of Recommendation 11.

SLOVAK REPUBLIC

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, the Slovak Republic provided information that within the framework of providing protection to child victims in the area of identification of sexual exploitation and sexual abuse of a child, before or after entering the territory of the Slovak Republic, the health care system provides special medical procedures for children, as established by the law. When it is found that a child has been sexually abused, the Centre for Children and Family expert team focuses on victims and the Centre's psychologist cooperates with a clinical psychologist, as necessary, to make a professional diagnosis with recommendations for further action.

In the asylum procedure and during asylum interviews, the Migration Office identifies vulnerability, i.e. whether a person (child) has been sexually abused or exploited. If such a child victim is identified, it is ascertained when and where such action took place. If a child victim would be found to be a victim of trafficking in human beings, he/she would have the right to join the program of support and protection of victims of trafficking in human beings. The programme includes measures such as isolation from the criminal environment, the possibility of suitable and safe accommodation, assistance to a European Union citizen and third-country national in assisted voluntary return to their country of origin, and mediation of aid for the organisation operating in the country of origin, social assistance, social and psychological counselling, psychotherapeutic services, interpreting and translation services, legal counselling, health care, retraining courses, possibility of inclusion in witness protection programme under special law, one-off financial compensation under special law, information on tolerated residence in the territory of the Slovak Republic and, if necessary, information on the possibility of granting international protection if the victim is a third-country national.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

Same as above.

Based on the information received, the Slovak Republic is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

SLOVENIA

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Slovenia provided information that if there is a suspicion that sexual abuse has been committed against a migrant child, every authority has to act in accordance with the Domestic Violence Prevention Act and the Criminal Procedure Act, namely: the police and prosecution have to be informed, as well as the Social Service Centre. Migrant children who have been victims of any form of abuse shall have access to rehabilitation and to appropriate psychological treatment. The Government Office for Support and Integration of Migrants pays special attention to children and unaccompanied minors as the most vulnerable category of persons. In the event of any indication of any signs of violence or behavioural disturbances, it shall act, in accordance with its powers, among other, to convene a specific group of experts in different fields. To this end, there are Standard Operational Procedures for Prevention and Response to Sexual Violence and Violence by Gender against Persons under the Provisions of the International Protection Act.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation information 2020, Slovenia provided information that the police and prosecution will act in line with domestic legislation, including taking into account whether the sexual abuse and exploitation occurred prior or after the arrival in Slovenia. The police and the prosecution investigate and prosecute in accordance with articles that provide for the competence of Slovene courts for criminal offences committed in Slovenia and outside of Slovenia.

Based on the information received, Slovenia is in full compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report.

SPAIN

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the additional information submitted, Spain provided information that all children who have been victims of sexual abuse, including children affected by the refugee crisis, have the right to receive free legal aid and medical and psychological assistance adapted to their personal circumstances.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

No relevant information has been submitted.

From the information provided it is unclear whether adequate protection is provided irrespective of where the abuse/exploitation occurred.

As there is insufficient information to determine compliance, Spain is considered non-compliant with the requirements of Recommendation 11.

SWEDEN

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In Compilation information 2020, Sweden provided information that when the Migration Agency detects a possible case of human trafficking for sexual purposes, no matter if it concerns a child or an adult, the Agency handles it in the same way regardless if the exploitation has occurred within or outside the territory. The main task of the Migration Agency is to detect indicators of possible human trafficking. Thereafter the Agency reports the indications to the police and offers the victims support in the ways possible, for instance by contacting healthcare, counselling, social services etc. The involvement of the Social Services is stated through national legislation. Case officers at the Migration Agency have an obligation to notify the Social Services when there is suspicion of child abuse and to provide information that may be important in the investigation of the child's need for protection and support. This applies to cases concerning children who are themselves suspected of being victims of human trafficking as well as children of victims of human trafficking. In cases where there is a concern for the welfare of a child, the obligation to notify supersedes the obligation to maintain secrecy between authorities. Public responsibility for the welfare of children up to 18 years of age is clearly stated in the Swedish Social Services Act. The legislation clearly tasks public officials of each municipality with the responsibility for ensuring that all who reside there are given the assistance and support they need. Swedish social services are responsible for assessing whether or not a child's needs are being met and for maintaining contact with children and their families. In work with children at risk, they are required to collaborate with healthcare professionals, schools and the Swedish Police Authority. Collaboration between local agencies is also required within the remit of proactive work, in which healthcare services and schools play a central role.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In the additional information submitted, Sweden provided information that a preliminary investigation shall be initiated as soon as due to a report or for other reason there is cause to believe that an offence subject to public prosecution has been committed. During the preliminary investigation, inquiry shall be made concerning who may be reasonably suspected of the offence and whether sufficient reason exists for his prosecution and the case shall be prepared so that the evidence can be presented at the main hearing without interruption. The questions of when and where the crime took place will be investigated during the preliminary investigation.

The Swedish Migration Agency has a joint responsibility to identify possible instances of human trafficking, together with other governmental, municipal and police authorities. Case officers receive training and can obtain methodological support in manuals, consultations with human trafficking experts at the Agency as well as in collaboration with the social services, NGOs and the police in detecting and responding to human trafficking and other forms of severe exploitation. This includes identifying when and where the exploitation/abuse occurred. Case officers at the Swedish Migration Agency write internal reports in each suspected or established case of human trafficking where children have been sexually exploited. The report states where the sexual exploitation has taken place, whether it is in Sweden or in another state. These reports are written mainly due to a statistical interest but also to be able to discover new trends and patterns as well as to conduct follow-up activities with the individuals at risk.

Based on the information received, Sweden is in partial compliance with the requirements of Recommendation 11, and has in place promising practices, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the following reason: the Party does not refer to the protection of children affected by the refugee crisis, other than those affected by trafficking in human beings.

SWITZERLAND

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the additional information submitted, Switzerland provided information that all children who are victims or presumed victims of sexual exploitation/sexual abuse have access to protection, treatment and other relevant measures regardless of where the exploitation/abuse has taken place.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

In Compilation 2020, Switzerland provided information that professionals are trained in hearing and recognising potential victims of human trafficking as part of the asylum procedure. It also includes the ability to distinguish sexual exploitation linked to human trafficking from other sexual abuse and to determine whether the sexual exploitation and abuse suffered by the child took place before entering the country or after his/her arrival.

Based on the information received, Switzerland is in full compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report.

TURKEY

1. The State is providing adequate protection to child victims, including children affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. (N.B. Must be fulfilled for the recommendation to be considered implemented).

In the additional information submitted, Turkey provided information that there are specialised child care institutions under the Ministry of Family, Labour and Social Services, which are to provide services to child victims, including children affected by the refugee crisis, irrespective of where the sexual exploitation and sexual abuse occurred. These institutions provide services in order to satisfy the fundamental needs of children who are diagnosed to be in need of psycho-social support and carry out the necessary interventions by identifying their emotional, psychological and social needs. In addition, the Psycho-Social Support Programme is implemented in order to support children in areas where they have needs by taking into consideration their negative experiences. The purpose of the programme in question is to minimise the trauma caused by the negative experiences and to create a change of positive attitudes and behaviours by taking into consideration the personal differences of children and their needs. The necessary professional intervention is carried out by advisors who are assigned for this task and, if necessary, judicial processes are commended in relation to the victimisation of the child and the process if followed-up carefully.

2. The State has put in place a mechanism/protocol to identify when/where the sexual exploitation/abuse occurred, i.e. if it occurred prior to or after entering the relevant State's territory.

No relevant information has been submitted.

Based on the information received, Turkey is in partial compliance with the requirements of Recommendation 11, as per the obligations of the Convention and the issues highlighted in the Special Report. Partial compliance has been determined for the

following reason: it is unclear whether there is a mechanism/protocol to identify when/where the sexual exploitation or sexual abuse occurred.

UKRAINE

In Compilation information 2020, Ukraine provided information concerning the regulation by law of the protection of migrant persons in general. In the additional information provided, it referred to its participation in different important projects. However, Ukraine does not provide information on any specific protection measures for children affected by the refugee crisis who are victims of sexual exploitation or sexual abuse, irrespective of where the exploitation/abuse occurred.

As there is insufficient information to determine compliance, Ukraine is considered non-compliant with the requirements of Recommendation 11.

Concluding remarks

This report covered the situation of 41 Parties, which were concerned by the Special Report Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse. Out of the 41 Parties, 19 are in full compliance and 14 are in partial compliance with the requirements of Recommendation 11 on protection of child victims affected by the refugee crisis, irrespective of where the abuse/exploitation occurred. 8 Parties have been considered non-compliant with the requirements of Recommendation 11.

The information contained in this report provides a variety of examples of how Parties have implemented Recommendation 11.

Andorra has signed a protocol with the Community of Sant'Egidio, based in Beirut, to assess risks, including whether children have been a victim of sexual exploitation or abuse, prior to entering the country.

In Denmark, the police collects relevant information and collaborates internationally with Europol, Interpol and others, to establish a possible foundation to investigate and prosecute those responsible for the sexual exploitation and abuse of children.

In Turkey, the Psycho-Social Support Programme is tailored to minimise the consequences of the trauma undergone by child victims and takes into account their needs and characteristics towards positive change.

At least four Parties have in place specialised training for the identification of sexual violence and other risks against children. In Finland, professionals of the Finnish Immigration Service and Reception Centres have undergone training to ensure the detection of possible sexual exploitation and sexual abuse against children. In France, relevant training is provided by the National School for the Judicial Protection of Youth. In Latvia, the government's "Plan for the Protection of Minors from Criminal Offences against Morality and Sexual Inviolability 2019-2020" included training for experts of the Office of Citizenship and Migration Affairs and the State Border Guard on the recognition, detection, reporting and other action on signs and protection of children from sexual violence. In Switzerland, professionals receive training on hearing and recognising potential victims of sexual exploitation and sexual abuse in the context of trafficking, as part of the asylum procedure.

At least eight Parties collect relevant information during asylum interviews, prior to entry or at the point of entry, namely Albania, Andorra, Cyprus, the Czech Republic, Denmark, Hungary, Latvia and the Slovak Republic.

Importantly, 22 Parties seem not to have in place any mechanism or protocol to identify when/where the sexual exploitation or sexual abuse occurred.

Improvements to be implemented by Parties include:

- √ Consolidating efforts or establishing the protection of child victims, including children affected by the refugee crisis, irrespective of where the abuse or exploitation occurred;
- √ Setting up mechanisms or protocols to identify when/where the sexual exploitation or abuse occurred.