



T-ES(2016)RFG-01_bil

28 February 2017

Committee of the Parties to the Council of Europe Convention on the protection of children against exploitation and sexual abuse (**Lanzarote Committee**)

Comité des Parties à la Convention du Conseil de l'Europe sur la protection des enfants contre l'exploitation et les abus sexuels (**Comité de Lanzarote**)

Compilation of Replies to Question 1 of the Focused Questionnaire

Compilation des réponses à la Question 1 du Questionnaire Ciblé

The full replies submitted by States and other stakeholders are available at:

Les réponses intégrales des Etats et autres parties prenantes sont disponibles ici :

www.coe.int/lanzarote

Question 1 : DATA (Lanzarote Convention, Chapter III)

- 1) How many migrant and asylum-seeking children (accompanied and unaccompanied)¹ are in your country as a result of the refugee crisis?
 - a) Please provide estimates, if exact data is not available, for the period between 1 July 2015 and 30 June 2016,² and specify how many of these children are victims or presumed victims of sexual exploitation and sexual abuse;
 - b) Describe how the victims of sexual exploitation and sexual abuse were identified or describe the challenges faced to identify them. Specify whether a distinction is made between victims of sexual exploitation/abuse prior to the entry on your territory (Group 1) and after entry (Group 2) and provide data/estimates of the two groups of victims. Please also explain how the age is determined in case of doubt;
 - c) Indicate also how the data collected is used to offer a coordinated response between the different agencies in charge of the protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children;
 - d) Identify the institution(s) responsible for the collection of above data.

Question 1 : DONNÉES (Convention de Lanzarote, Chapitre III)

- 1) Combien d'enfants migrants et demandeurs d'asile (accompagnés et non accompagnés)³ se trouvent-ils dans votre pays suite à la crise des réfugiés ?
 - a) Merci de fournir des estimations, si vous ne disposez pas de données précises, pour la période comprise entre le 1er juillet 2015 et le 30 juin 2016,⁴ et de préciser combien, parmi ces enfants, sont victimes ou victimes présumées d'exploitation et d'abus sexuels ;
 - b) Expliquez de quelle manière les victimes d'exploitation et d'abus sexuels ont été identifiées ou décrivez les difficultés que présente leur identification. Précisez si une distinction est faite entre les enfants qui ont été victimes d'exploitation et d'abus sexuels avant leur entrée sur votre territoire (Groupe 1) et ceux qui l'ont été après leur arrivée (Groupe 2) et fournissez des données chiffrées/estimations pour les deux groupes de victimes. Merci également de préciser comment l'âge est déterminé en cas de doute ;
 - c) Indiquez également de quelle manière les données collectées sont utilisées pour apporter une réponse coordonnée entre les différentes instances chargées de la protection, de la prévention et de la lutte contre l'exploitation et les abus sexuels concernant des enfants ;
 - d) Indiquez quelles sont les institutions chargées de collecter les données ci-dessus.

¹ Please provide the definition of accompanied/unaccompanied children in your country and, if available, provide separate figures for accompanied and unaccompanied children. If such data is not available, please provide data on migrant and asylum-seeking children.

² If figures for this period are not available, please provide the most recent annual data.

³ Merci de préciser la définition d'enfants accompagnés/non accompagnés dans votre pays et, si disponible, merci de fournir des chiffres distincts pour les enfants accompagnés et les enfants non accompagnés. Si ces données ne sont pas disponibles, merci de fournir les données sur les enfants migrants et demandeurs d'asile.

⁴ Si des données pour cette période ne sont pas disponibles, merci de fournir les données annuelles les plus récentes.

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**COMPILATION
of replies / des réponses**

**I – States to be assessed /
Etats devant faire l'objet du suivi⁵**

ALBANIA / ALBANIE

Question 1

Information for this questionnaire was collected from the Ministry of Internal Affairs, the People's Ombudsman, the Commissioner for Protection from Discrimination, the Ministry of Health, the State Social Service and organizations World vision and Terres des Hommes

During the period July 2015 - July 2016, the number of asylum- seeking children is a total of 25.

According to the information received from the Ministry of Interior, during the period 01.07.2015 - 31.06.2016, in the Closed Center for Irregular Foreigners in Karrec, Vore, are accommodated and treated 13 children in total who were accompanied by their parents, while there weren't unaccompanied foreign children

Question 1.a

There doesn't result any case of sexual exploitation of immigrants children or asylum-seeking from the period of June 2015- June 2016.

Question 1.b

There haven't been identified/referred cases.

Question 1.c.d

The responsible institutions for the initial identification of victims of sexual exploitation are:
State Police/General Directorate of Border and Migration,
Department of Asylum,
National Reception Centre for Asylum Seekers Babrru,
Social State Services,
State Agency for the Protection of Child Rights,
State Inspectorate of Labour and Social Services,
Health Structures,
Child Protection Units.

So far, there is no central institution in charge of collecting these data at national level.

⁵ Unless otherwise specified, the replies below were sent by the authorities / sauf indication contraire, les réponses ci-dessous ont été envoyées par les autorités.

ANDORRA / ANDORRE

Question 1

La Principauté d'Andorre s'est montré ferme dans sa volonté d'accueillir environ une vingtaine de réfugiés syriens au pays, sauf qu'il faudra, précédemment, adapter la législation actuelle pour pouvoir les accueillir. Entre les Ministères d'Affaires Sociales, Justice et Intérieur et celui d'Affaires Extérieures nous sommes en train de travailler ensemble avec l'objectif de définir une réglementation qui permette leur donner asile sous la couverture légale nécessaire. Il faut préciser, à propos, qu'aujourd'hui nous n'avons accueilli aucune personne en situation de réfugié au pays.

AUSTRIA / AUTRICHE

Question 1.a

- 31.314 alleged minors applied for asylum in Austria in 2015, of those 19.711 were under 14 and 11.603 between 14 and 18 years old. Of the first group the top three countries of origin were Syria (6.943), Afghanistan (5.665) and Iraq (2.976). Of the second group the top three countries were Afghanistan (6.710), Syria (2.210) und Iraq (811).
- 10.596 alleged minors applied for asylum in Austria from January to June 2016, of those 6.919 were under 14 and 3.677 between 14 and 18 years old. Of the first group the top three countries of origin were Syria (2.522), Afghanistan (2.043) and Iraq (696). Of the second group the top three countries were Afghanistan (2.038), Syria (419) and Somalia (293).
- 8.277 unaccompanied alleged minors applied for asylum in Austria in 2015, of those 743 were under 14 and 7.534 between 14 and 18 years old. Of the first group the top three countries of origin were Afghanistan (427), Syria (182) and Iraq (64). Of the second group the top three countries were Afghanistan (5.182), Syria (952) und Iraq (302).
- 2.800 unaccompanied alleged minors applied for asylum in Austria from January to June 2016, of those 236 were under 14 and 2.564 between 14 and 18 years old. Of the first group the top three countries of origin were Afghanistan (183), Iraq (15) und Syria (14). Of the second group the top three countries were Afghanistan (1.596), Somalia (254) and Pakistan (196).

Both the Police Crime Statistics and the Austrian Court Automation (a system designed to manage key data on more than 50 different proceedings such as data on victims, criminal charges and convictions) register the victim's nationality, but neither his/her asylum status nor when the victim came to Austria. Therefore there is no data about how many migrant and asylum-seeking children who came to Austria as a result of the refugee crisis have become victims of sexual exploitation or sexual abuse.

Question 1.b

Upon arrival, asylum seekers are required to take part in an initial interviewing process consisting of three separate conversations. In this procedure the topic sexual violence is discussed likewise. Furthermore during the course of the person's stay, social workers and doctors actively follow the asylum-seekers' mental and physical well-being, including health

issues relating to sexual violence. If the suspicion is raised that an asylum seeker has been or currently is victim of sexual violence, a clinical and health psychologist's assistance is available immediately.

Thereby it has to be noted that asylum seekers often do not make reports about cases of sexual violence, this can mainly be reasoned out of previous negative experiences with disclosures.

A distinction between Group 1 and Group 2 is made by asking and taking note of when the described incident occurred. If the incident occurred when the person concerned was already living in the reception center, the Ministry of the Interior will be informed promptly – which will then initiate necessary measures. However there are no statistics or estimates available on this matter.

In case of doubting the age of asylum seekers the Federal Office for Immigration and Asylum will arrange an age assessment procedure. This procedure consists of several medical tests (e.g. carpus x-ray) and is legally bound to display the determined minimum age of the asylum seeker – which is then binding for the ongoing asylum procedure of the individual.

Victims can be identified during the hearings of the asylum procedures and also in the accommodation facilities for minor asylum seekers by legal representatives, social workers, pedagogues, educators or psychologists of the care facilities. In some cases the sexual violence was the reason for a police operation. Some victims report sexual exploitation or abuse during a counselling session at a victims' protection organisation, others during an investigation that primarily dealt with other crimes (e.g. corporal violence).

Question 1.c

The above mentioned data is important for the planning of the necessary measures of the different agencies involved. For example the number of unaccompanied minors is important for the child and youth welfare authorities to plan the necessary measures and the personnel. The data on the home-countries of the children is important for the provision of interpreters, information flyers etc.

Question 1.d

The data above was collected by the Federal Ministry of the Interior.

BELGIUM / BELGIQUE

Question 1.a

Un Mineur non accompagnés peut être en Belgique :

Une personne :

- de moins de dix-huit ans,
- non accompagnée par une personne exerçant l'autorité parentale ou la tutelle (en vertu de la loi applicable conformément à l'article 35 de la loi du 16 juillet 2004 portant le Code de droit international privé),
- ressortissante d'un pays non membre de l'Espace économique européen,
- et étant dans une des situations suivantes :

- soit, avoir demandé la reconnaissance de la qualité de réfugié;
- soit, ne pas satisfaire aux conditions d'accès au territoire et de séjour déterminées par les lois sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers.

soit une personne :

- de moins de dix-huit ans;
- ressortissante d'un pays membre de l'Espace économique européen ou de la Suisse;
- non accompagnée par une personne exerçant l'autorité parentale ou la tutelle en vertu de la loi applicable conformément à l'article 35 de la loi du 16 juillet 2004 portant le Code de droit international privé;
- non munie d'un document légalisé attestant que la personne exerçant l'autorité parentale ou la tutelle a donné l'autorisation de voyager et de séjourner en Belgique;
- non inscrite au registre de la population;
- et étant dans une des situations suivantes :
 - soit avoir demandé un titre de séjour provisoire sur la base de l'article 61/2, § 2, alinéa 2, de la loi du 15 décembre 1980 sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers;
 - soit se trouver en situation de vulnérabilité.

Dans ce cadre on parle des Mineurs non accompagnés européens.

Nombre total de mineurs demandeurs d'asile pour cette période (accompagnés ou pas):

2015 : 10248

2016 : 2892

En 2015, 5.047 personnes se sont déclarées mineurs étrangers non accompagnés (MENA) sur le territoire dont environ 144 mineurs non accompagnés européens.

En 2016, 1813 personnes se sont déclarées mineurs étrangers non accompagnés (MENA) sur le territoire et un doute a été émis pour 648 d'entre eux. Environ 69 des 1813 sont des mineurs non accompagnés européens.

Nombres total de MENA demandeurs d'asile pour cette période (après vérification de la minorité):

2015 : 2185

2016 : 622

Pour 2015 : il y a eu 3 MENA qui sont entrées dans la procédure en tant que victimes d'exploitation sexuelle. La procédure est expliquée en bas.

Pour 2016 : il y a eu 1 MENA entrée dans la procédure.

Ceci ne peut pas être compris comme il n'a y que 4 mineurs victimes de l'exploitation sexuelle. Probablement il y en a plus, mais soit ils ne se sont pas (encore) manifester comme victime, soit ils ne sont pas encore identifier comme victime.

Question 1.b

La Belgique a mis en place un système spécifique de protection pour les personnes victimes potentielles d'exploitation et ce compris l'exploitation sexuelle. Au niveau de la délivrance du document de séjour la procédure est décrite aux art 61/2 à 61/5 de la loi du 15/12/1980. Au niveau de la cellule MINTEH de l'Office des Etrangers, de données ne sont disponibles que pour les personnes entrées dans la procédure traite des êtres humains.

Sur le plan de l'identification, les victimes d'exploitation sexuelles peuvent être signalées par diverses instances. Bien souvent, il s'agit des services de police mais il peut aussi s'agir d'acteurs sociaux. Il existe une liste d'indicateurs de traite y compris exploitation sexuelle) qui ont été fournis aux services de police. Cette liste comprend une rubrique spécifique concernant les mineurs.

En outre d'autres initiatives d'informations ont lieu vers d'autres intervenants de première ligne (secteur de l'asile par exemple).

Pour plus de détails voir le volet « protection » de ce questionnaire.

Procédure de détermination de l'âge :

En cas de doute sur l'âge, il est procédé à un test médical par un médecin afin de vérifier si cette personne est âgée ou non de moins de 18 ans. Le test médical est réalisé sous le contrôle du service des Tutelles (art. 7 de la loi du 24/12/2002 - Loi-programme (I) (art. 479) - Titre XIII - Chapitre VI : Tutelle des mineurs étrangers non accompagnés).

Titre XII – Chapitre 6 « Tutelle sur les mineurs étrangers non accompagnés » stipule que le Service des tutelles peut procéder à un test médical si le Service ou les autorités chargées de l'immigration émettent un doute sur le fait que la personne qui se déclare être mineur le soit effectivement.

Dans ce cas la personne est informée du déroulement du test et des conséquences éventuelles qui pourront en découler.

Ce test est effectué dans un hôpital et consiste dans trois examens, à savoir : la radiographie de la clavicule, la radiographie du poignet et l'orthopantomogramme (radio des dents). Les résultats de ces 3 tests sont rassemblés et un radiologue formule une conclusion finale, dans laquelle un âge fictif est déterminé indiquant une certaine marge. La décision établissant qu'une personne a plus ou moins de 18 ans ne se base donc pas sur un seul élément. Le résultat du test représente une estimation.

A l'heure actuelle il s'agit de la méthodologie scientifique la plus fiable pour déterminer si une personne a plus ou moins de 18 ans. Le service des Tutelles n'a pas pour mission de déterminer une date de naissance précise.

Dans un avis du 20 février 2010 l'Ordre des Médecins a indiqué (traduction libre du texte) qu'une marge d'erreur est toujours possible et que le doute doit toujours bénéficier au profit de la personne.

En cas de marge d'erreur, le Service des Tutelles tiendra toujours compte de l'âge le plus bas.

En dehors de tous ces éléments l'administration tient compte des déclarations effectuées par la personne, invite si nécessaire la personne à un entretien pour évaluer les éléments du dossier, y compris les informations qui sont transmises au Service des Tutelles par le personnel des Centres d'observation et d'orientation.

De plus, si la personne dispose de documents (passeport, déclaration de naissance, jugement supplétif) ces documents sont inclus dans l'analyse du dossier pour autant qu'ils soient authentiques et si possible légalisés dans le pays d'origine par un poste diplomatique belge. Toutefois, étant donné que beaucoup de documents peuvent être obtenus sans trop de formalités, ils ne sont pris en compte que jusqu'à 2 ans en dessous de la marge inférieure résultant du test.

Le service des Tutelles prend toujours dans ces décisions l'intérêt supérieur de l'enfant en compte, conformément aux dispositions internationales applicables en Belgique.

Au cas où les jeunes peuvent présenter de nouveaux éléments, ils peuvent toujours demander une révision de leur dossier au service des Tutelles.

Enfin, la notification d'une décision de majorité constitue un acte administratif contre lequel un recours en suspension et en annulation devant le Conseil d'Etat est ouvert.

Il y a lieu de tenir compte que dans beaucoup de pays d'origine les registres d'Etat civil sont soit incomplets soit inconnus.

Question 1.d

Les données transmises sont collectées par l'Office des Etrangers et le Service de Tutelle.

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Question 1

There were no cases of migrants and asylum-seeking children.

BULGARIA / BULGARIE

Question 1.a

By definition 'unaccompanied' is a minor or underage person – a foreign citizen, on the territory of the Republic of Bulgaria who is not accompanied by his/her parent or other adult person who is responsible for him/her by virtue of law or a custom. According to the data of the State Agency for Refugees (SAR) in the period 01.07.2015- 30.06.2016 the total number of registered persons seeking international protection is 20 888. The registered unaccompanied children are 2138, while the number of registered children accompanied by their parents or legal representatives is 3908.

Persons and children, who are still under procedure of international protection, shall be accommodated in SAR centers or in a designated location. The illegally residing people on the territory of the Republic of Bulgaria shall be accommodated in Special centers for temporary accommodation of foreigners. Unaccompanied children may not be housed in closed type institutions.

The Agency for Social Assistance (ASA) is also actively working on cases of unaccompanied children and foreigners, including children seeking international protection. In 2015, the Child Protection Departments (CPD) worked on nearly 200 cases of unaccompanied children - foreign nationals, including children seeking international protection.

The CPD also participates during the administrative procedure for granting status before the SAR.

When identifying an unaccompanied underage 3rd country national on the territory of Border checkpoint, firstly, police actions are conducted, under the Bulgarian legislation and procedures established by the General Directorate 'Border Police' (GDBP). When identifying, among the detainees on the border, of an unaccompanied underage 3rd country national, GDBP shall notify the competent territorial 'Social Assistance' Directorate (SAD), which shall register a signal of a child at risk and shall send a representative of CPD.

Social worker of CPD shall be present at the talks with the child, and together with the GDBP officials and other persons (translator, interpreter, etc.) shall consult and inform the unaccompanied child in a manner, consistent with their age and development, on the procedures for applying for international protection and for implementing a measure of protection, under the Child Protection Act, in case of refusal to seek international protection under the Asylum and Refugees Act (ARA).

Pursuant to the provisions of Art. 44, Para. 9 of Foreigners in the Republic of Bulgaria Act (FRBA), the accompanied minors or underage persons shall be housed in a Special Facility for Temporary Accommodation of Foreigners (SFTAF) for a period of 3 months. The foreigner shall stay in a SFTAF together with the minor or underage person, accompanied by him.

Involuntary accommodation shall not be applied to unaccompanied minors or underage persons. The authority issuing the order for imposing a compulsory administrative measure, under Art. 44, Para. 1 of the FRBA shall notify SAD, which will undertake measures of protection under the Child Protection Act (CPA).

Upon request by the unaccompanied underage 3rd country national for international protection under ARA, the SAR shall be informed and the relevant officials shall specify the place to which the child will be transported, date and time of the child's reception, as well as the documentation accompanying the child and information about his health status and other relevant information to ensure the interests of the unaccompanied minor. The unaccompanied minors, applying for international protection in the country shall be accommodated mainly in a registration and reception center, designated by SAR.

When urgent actions are needed for protection of an unaccompanied underage 3rd country national, he may be placed under 'police protection' (up to 48 hours) by the relevant Ministry of Interior (MoI) authorities. The child shall be accommodated in special premises in the Regional Police Department (RPD), in Homes for temporary accommodation of juveniles and minors to MoI or in specialized institutions, suitable for children.

For the targeted children group in question, measures for protection can be undertaken through accommodation with relatives or friends, foster families, social residential care services or specialized institutions, depending on the specifics of the case and the best interest of the child. The accommodation shall take place under the CPA.

The unaccompanied refugee children with a measure of protection, under the terms and conditions of the CPA, may be directed towards appropriate supporting social services in the community. They are provided by licensed social service providers, which are usually run by NGOs with experience and expertise in providing support to vulnerable people and children at risk.

Upon receipt in SAD of a signal for an, including a refugee child, this signal shall be registered, examined and evaluated, in line with the provisions of the current legislation on child protection.

For 2015, protection measures were undertaken for 21 unaccompanied underage 3rd country nationals. (19 children have benefited from social residential care service, 2 children – from a specialized institution).

For the period 01.01.2016 to 30.06.2016, no unaccompanied children seeking asylum or international protection have been accommodated, under the CPA.

Neither in the SAR centers, nor in the centers of Mol or social services are there registered cases of children - victims of sexual abuse. There is no research to indicate the probable number of victims of sexual violence.

Question 1.b

Vulnerability to sexual offenses is difficult to be identified because in most cases the victims are exposed to various forms of traditional and religious harmful practices. A particular difficulty is the discovery of sexual crimes committed outside the country, either as a harmful practice (early marriage and female genital circumcision) or other type of crime.

SAR defines the age of a person in accordance with Art. 61, Para. 3 of ARA, and in respect of the key principles of non-discrimination, respect for the child's best interests, the right to life, survival and development and respect for the child's views. Officials of the agency may set an expertise to determine the age of an unaccompanied minor during the application process, if they have doubts about the candidate's age. If, afterwards, the experts still have doubts about the applicant's age, they shall accept that the applicant is a minor. The expertise shall be carried out with the consent of the person and the representative, under Art. 25 of ARA, in full respect of human dignity, selecting the less invasive ways of medical examination, performed by a qualified medical practitioner, which allows the greatest degree of reliable result. When proceeding to conduct a medical examination, SAR shall ensure that:

- the unaccompanied minor shall be informed, prior to the examination of his/her application for international protection, in a language which he/she understands or there are enough grounds to be presumed that he/she understands, about the possibility to be subjected to medical examination in order to determine his/her age. This includes information on the method of examination and the possible consequences of the medical

examination result for considering the application for international protection, including the consequences in refusal by the unaccompanied minor to undergo the medical examination;

- the unaccompanied minor and/or his/her representative must agree for a medical examination to be conducted in order to determine the age of the respective minor.

Question 1.c

Collected information shall be used for preparing statistical and/or situational analyses and reports to offer a coordinated response from the various institutions responsible for protection and prevention of the fight against sexual exploitation and sexual abuse of children. It is a means for exchange of experience and knowledge between different institutions and NGOs in the country. This in turn helps to optimize collaboration and cooperation in the fight against sexual exploitation and sexual abuse of children and mobilize all responsible institutions, organizations and individuals to respect children rights, as required by the UN Convention on the rights of the child, its belonging optional protocols, international conventions, framework decisions and instruments for protection of children from offenses on them.

Question 1.d

Institutions that are responsible for collecting the above information are: Ministry of Interior (MI), Ministry of Justice (MOJ), Ministry of Foreign Affairs (MFA); State Agency for Child Protection (SACP), Agency for Social Assistance (ASA), State Agency for Refugees (SAR) that work in coordination and in close cooperation with the National Commission for Combating Trafficking in Human Beings (NCCTHB) and the International Organization for Migration (IOM).

CROATIA / CROATIE

Question 1

The *Act on International and Temporary Protection* (Official Gazette no. 70/2015) contains the following definitions:

An unaccompanied child is a third-country national or a stateless person younger than eighteen years of age who entered the Republic of Croatia unaccompanied by an adult person responsible for him/her in the sense of parental care, pursuant to the legislation of the Republic of Croatia, until placed under the care of such a person, and includes all children who are left unaccompanied after they entered the Republic of Croatia.

A child means an applicant, asylee, foreigner under subsidiary protection or a foreigner under temporary protection who is younger than 18 years of age.

Pursuant to the *Protocol on the Treatment of Unaccompanied Children – Foreign Nationals* (hereinafter: “Protocol”), adopted by the Government of the Republic of Croatia on 18 July 2013, an unaccompanied child – foreign national (hereinafter: “unaccompanied child”) is a person younger than 18 years of age who is not a national of the Republic of Croatia, is outside of his/her country of origin or residence unaccompanied by a legal representative (a parent or guardian) or another person who has been entrusted with the child by his/her legal representative in a legally valid manner, and who stays in the Republic of Croatia illegally or as an asylum seeker.

As of 27 July 2016, there were 12 minors in the Republic of Croatia who had arrived in the Republic of Croatia during the migration wave, and on behalf of whom an application for international protection was submitted in the return procedure, specifically 10 minors accompanied by their parents or legal representatives and 2 unaccompanied minors.

Question 1.a

In the period from 1 July 2015 to 30 June 2016, 33 unaccompanied children and 79 accompanied children expressed their intention to lodge an application for international protection.

In the said period, no cases of accompanied or unaccompanied children who were victims or presumed victims of sexual exploitation and sexual abuse were found among the applicants. In addition, no such cases were found in earlier periods with respect to applicants for international protection.

Question 1.b

The Act on International and Temporary Protection prescribes that, amongst others, children, unaccompanied children, as well as victims of rape or other forms of psychological, physical and sexual violence, are members of vulnerable groups. Further, it prescribes that applicants for international protection, in relation to their personal circumstances (age, gender, sexual orientation, gender identity, disability, serious illnesses, mental health or consequences of torture, rape and other serious forms of psychological, physical or sexual violence), shall be provided appropriate procedural and reception guarantees. The procedure of recognising (identifying) the personal circumstances is conducted by all government employees who participate in the procedure from the moment of expressing the intent to lodge an application for international protection until the service of the decision on the application for international protection, i.e. specially trained police officers, employees of the Ministry of the Interior and of other competent bodies.

Appropriate reception guarantees related to the personal needs of applicants for international protection are provided so as to take into consideration their special procedural needs. In that sense, additional information on the procedure itself, on the adjustment of interviews to special needs of applicants for international protection, as well as on the possibility of medical or psychological assistance to certain applicants.

For an unaccompanied child who expresses an intention to apply for international protection, the body competent for social welfare appoints a guardian *ad litem*, trained for work with children, of whose appointment the child must be immediately informed. Prior to accommodating a child in an appropriate facility (social welfare home), a guardian *ad litem* or a trained employee of the social welfare centre shall, assisted by a police officer, take the child to a paediatric or general practice for a mandatory (initial) medical examination. The examination also includes a mandatory full-body examination in order to determine any injuries, which, if identified, must be entered in the medical record. In addition to the physical status, the following shall be included in the medical record:

- Date and time of examination
- Record of any injuries (detailed description, with indication on a human figure drawing)
- Information on any chronic illnesses or specific conditions that may affect the examination and their consequences

- Medical history data on harmful habits: tobacco, alcohol, drugs
- Data on vaccination, infectious diseases, sexually transmitted diseases
- Family medical history data, if possible
- Provision of a prescription and/or post-coital contraception, as well as of broad spectrum antibiotics
- Recommendation (referral note) for further examinations in specialist and polyclinic hospital institutions

The purpose of such examination is, *inter alia*, identification of children who are victims of sexual exploitation and sexual abuse.

Pursuant to the Act on International and Temporary Protection and the Protocol, in case that a victim of sexual exploitation and sexual abuse is identified during the international protection approval procedure, police officers and the minor's guardian *ad litem* shall be immediately contacted.

In the reception and registration of unaccompanied children during the refugee crisis, specially trained police officers carried out the procedure of identifying vulnerable groups, with special regard towards the Protocol, and they delivered the collected data to the locally competent social welfare centres in order for unaccompanied children/foreign nationals to be assigned guardians *ad litem*.

Age assessment is carried out on the basis of the available data on unaccompanied children, including expert opinions of persons involved in working with the children. In the available data is insufficient, a medical examination shall be carried out with a prior written consent of the child and his/her guardian *ad litem*.

Question 1.c

The collected data on children were also delivered to the Ombudswoman for Children, who regularly visited the refugee camps, i.e. transit and reception centres in Opatovac and Slavonski Brod.

Question 1.d

Pursuant to the Act on International and Temporary Protection, a database of applicants for international protection is maintained by the Ministry of the Interior.

The collection of data on sexual exploitation and sexual abuse of children falls under the competence of the Ministry of the Interior, Ministry of Social Policy and Youth, Ministry of Health, Ministry of Justice and the Ombudswoman for Children.

CYPRUS / CHYPRE

Question 1.a.b

As a result of the refugee crisis, for the period 1 July 2015 to June 2016, the Asylum Service registered 704 children in new applications for asylum, out of which 165 were unaccompanied minors.

The Police of the Republic of Cyprus keeps a database of sexual abuse of children cases. However the data is not segregated according to ethnicity and therefore no information is

available on children victims or presumed victims of sexual exploitation and sexual abuse, who are migrant and/or asylum seeking children. There is also no statistical distinction between victims prior and after entry in the Republic of Cyprus.

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 interviews or due to a referral.

According to legislation, when the **age of a victim is uncertain** and there are reasons to believe that the victim is a child, or if that person states that he/she is a minor, article 31(3) of the L.91(I)/2014 provides that the Social Welfare Services ensure that, the above provision is adhered to so that the person presumed to be a child has immediate access to assistance, support and protection in accordance with the provisions of the above mentioned Law.

If there are reasonable doubts concerning the age of the minor, the age assessment procedure is activated which includes non-medical and medical examinations for age determination.

Question 1.c

At the point of entry there is a multiagency team for registering migrants. The coordinating agencies for registering all migrants are the Migration Department and the Asylum Service. The Social Welfare Services register unaccompanied minors and vulnerable families with children.

Question 1.d

The Migration Department is responsible to collect data on all migrants and the Asylum Service is responsible to collect data on asylum seekers.

The Police collect data on child sexual abuse.

CYPRUS / CHYPRE

Replies sent by “Hope For Children” CRC Policy Center

Question 1

According to article 2 of the Refugee Law of 2000 (L. 6(I)/2000) as amended, the definition of the term “unaccompanied minor” is the following “a minor who reaches the areas effectively controlled by the Republic of Cyprus, not accompanied by a responsible, by law or custom, adult for however time no such person undertakes in practice their care or a minor who becomes unaccompanied after they have entered the areas effectively controlled by the Republic of Cyprus.

Unfortunately, there aren’t any available statistics on the numbers of children who are present in Cyprus due to the migration crisis. There are statistics available by the Asylum Service and UNHCR on the number of applications for international protection. However, the applications do not indicate the number of children affected since an entire family, regardless of number of members, is considered one unit for the purposes of the statistics kept. Additionally, it is not indicated in the existing data which applications are directly related to the migrations crisis. It could be inferred by looking at the countries of origins but still this would have a large margin of error.

Question 1.a

In light of the lack of statistics, as described in the question above, even an estimation would bear a large margin of error that is not at all representative of the actual numbers.

Sexual abuse and exploitation is one of the elements that is/should be taken into account upon making the assessment of the child but no concrete evidence can be found on the manner and effectiveness of the assessment.

Question 1.b

Based on the data from the private shelter for Unaccompanied Minors of “Hope for Children” CRC Policy Center, there are no identified victims of sexual exploitation/abuse currently residing at the shelter or ex-residents. However, based on the procedures followed, the minors once they arrive at the private shelter pass through a two-stage comprehensive interview:

- 1) Care plan and 2) Psychological Assessment. In the first stage, all the necessary information on the minors individual and family history is gathered while specific questions on traumatic experiences are included. This information is used to form the minor’s individual care plan with short-term and long-term goals regarding the minor’s adjustment in several domains e.g. education, health, skill acquisition etc. Next, the psychological assessment is conducted during the first month after the minor’s admission in the private shelter. During this more specialised interview, the minor is assessed for various psychological symptoms including post-traumatic stress or symptoms of any type of abuse e.g. sexual, physical, emotional, and neglect. The private shelters’ specialised staff provide their daily observations and impressions regarding minors’ every-day behaviour and emotional state while the minor’s personal officer has weekly meetings where various issues and incidents are discussed. Through these observations and weekly meetings, the minor’s psychological state is systematically followed and any signs of abuse can become evident.

There are no identified victims of sexual exploitation/abuse prior to the entry in our country (Group 1) and therefore this distinction is not applicable.

Question 1.c

If the minor is identified as sexual abuse victim at the private shelter, the Director of the Social Welfare Services who is the legal guardian of all the unaccompanied minors in Cyprus, is notified. The appointed Social Welfare Officer is then responsible to contact the Police for further investigation in the case that the victim claims that he/she was subjected to sexual exploitation/trafficking or in case that the victim was sexually abuse during his stay in Cyprus. The Social Welfare Officer will also refer the minor at the Mental Health Services for psychological support or treatment.

Question 1.d

Social Welfare Services
Cyprus Police
Mental Health Services

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Question 1

General migration crisis almost has not influenced the Czech Republic yet, since the Czech Republic has not been considered as a suitable transit country by migrants (those related to the crisis) as well as country of destination. In 2015 there were 269 minors among asylum seekers in the Czech Republic. From them only 14 were unaccompanied minors. As regards the first half of 2016 (January – June) there were only 131 accompanied minors as asylum seekers.

No case of the above mentioned accompanied or unaccompanied minors was assessed as a presumed victim of sexual exploitation or sexual abuse.

There was no identification of such cases during 2015 and 2016. Czech Republic has a stabile system for the purpose of detection of presumed victims (including victims of sexual exploitation and sexual abuse) among asylum seekers and illegal migrants in general. This system is also based on cooperation with NGO's. Some of these NGO's are focused on minors (especially unaccompanied ones) and its assistance and support.

DENMARK / DANEMARK

Question 1.a

In Denmark, asylum seekers under the age of 18 are considered 'unaccompanied' if they enter Denmark without their parents or other adults who can replace the parents.

In the period from 1 July 2015 to 30 June 2016, 7,038 minors (accompanied and unaccompanied) lodged an application for asylum in Denmark.

The Danish Immigration Service does not collect data on victims of sexual exploitation and sexual abuse. Furthermore, the police and prosecution service do not collect data on victims of sexual exploitation and abuse that can be disaggregated by the victims status as an asylum seeker in Denmark.

However, in the specific period July 2015 to 30 June 2016, three minor girls⁶ were identified by the Danish authorities (the Danish Immigration Service) as victims of human trafficking forced into prostitution or sexual exploitation. The three girls were unaccompanied asylum seekers.

It is important to emphasize that these figures only include the officially identified victims of human trafficking. It is not possible for the Danish Centre against Human Trafficking to estimate or make a valid presumption of the total number of victims or presumed victims trafficked to sexual exploitation (or other forms of trafficking).

⁶ Statistical data from the Danish Centre against Human Trafficking

Question 1.b

Reception and accommodation centre operators are under contractual obligation to identify asylum seekers – including minors – with special needs and to initiate appropriate measures to address such needs. This obligation to identify vulnerable children in need of special support applies to all children regardless of the nature of their special needs. Special centres are provided for unaccompanied minor asylum seekers.

The Danish Immigration Service does not collect data on victims of sexual exploitation and sexual abuse.

According to the Danish Aliens Act Section 40 c (2), a medical examination may be conducted in order to determine the age of an asylum seeking or migrant child. Both the police and the Danish Immigration Service can decide to initiate such an age determination test.

Question 1.c

The Danish Immigration Service does not collect data on victims of sexual exploitation and sexual abuse.

Question 1.d

The Danish Centre against Human Trafficking collects national data on victims of trafficking in human beings, including children trafficked with the purpose of sexual exploitation and sexual abuse.

FINLAND / FINLANDE

Question 1.a

The Government notes that in Finland, all asylum seekers under 18 years of age who have arrived in Finland without their parents or a de facto custodian are considered as unaccompanied minor asylum seekers. This definition has its basis in the practice of (*inter alia*) Finnish Immigration Service.

During 2015 Finland received asylum applications from 3.024 unaccompanied and 4.610 accompanied minor asylum seekers. Between 1 July and 31 December 2015, in all 2.828 unaccompanied minor immigrants arrived in Finland.

Between 1 January and 31 August 2016 the amount of unaccompanied minor asylum seekers was 295. Between 1 January and 30 June 2016, the corresponding number of unaccompanied minor immigrants was 244.

Thus, a total of 3.072 unaccompanied minor immigrants arrived in Finland during the period under review.

There exists no exact data on the number of victims or presumed victims of sexual exploitation or sexual abuse as no statistics on asylum grounds is gathered. Estimations are also difficult to give. The asylum authorities are, however, worried about the amount of unaccompanied minor asylum seekers that have disappeared during the asylum process even though the numbers of these cases have still been relatively small - 70 cases between January 2014 and March 2016.

Between January 2014 and November 2016, a total of 27 minors have been referred to the National Assistance System for Victims of Trafficking, 25 of them entered Finland as asylum seekers. 10 out of these 25 minor asylum seekers were suspected to have been sexually exploited. The exploitation had taken place outside Finland. Only one non-asylum seeking minor has been identified as a potential victim of trafficking for sexual purposes. This exploitation had also happened abroad. The National Assistance System has expressed concern for the fact that potential victims of trafficking for sexual purposes, who have been trafficked in Finland, are not being identified, whether Finnish or foreign nationals.

Question 1.b

The Government notes that every interview by the Finnish Immigration Services of a minor asylum seeker includes also finding out about possible sexual exploitation. As part of the asylum procedure, the Finnish Immigration Service interviews all unaccompanied minors. During the interview, all minors are also asked about possible sexual abuse against them. Because all asylum matters are secret by law, the Finnish Immigration Service does not compile any statistics on the grounds presented for asylum applications.

There are suspicions that some minor asylum seekers have been victims of sexual exploitation prior to their entry into Finland. However, if the victims have not themselves disclosed this to the authorities, the identification of such exploitation has been problematic. A common feature in this respect is the shame that the victim feels and, thus, the reluctance to speak about the issue.

The Finnish Immigration Service aims to identify also any signs of trafficking in human beings at an early stage and to refer the possible victims to assistance and services they need. By referring the (possible) victims to such services further abuse can be prevented.

As to the age determination, according to the Aliens Act (301/2004), it is possible to carry out a medical age assessment to establish the age of an alien applying for a residence permit if there are reasonable grounds for suspecting the reliability of the information the person has given on his or her age. The medical age assessment is carried out by the University of Helsinki, Department of Forensic Medicine. Two experts shall draft a joint statement on the assessment. At least one of the experts shall be an employee of the University of Helsinki, Department of Forensic Medicine. An expert may be an approved medical practitioner or an approved dentist with the necessary competence. The most common methods include radiography and teeth and wrist age examinations performed by clinical research.

The performance of an examination requires that the person to be tested has given an informed consent in writing of his or her own volition. The written consent of his or her parent or guardian or other legal representative is also required. Before obtaining consent, the applicant and the applicant's parent, guardian or other legal representative shall be given information on the importance of age assessment, the examination methods used, potential health effects, and the consequences of having and of refusing an examination. Anyone who refuses to undergo an examination is treated as an adult if there are no reasonable grounds for refusal.

According to the NGOs, namely Central Union for Child Welfare experiences of abuse come up in connection with the normal operation of the reception and asylum system. No special arrangements are in place. **Central Union for Child Welfare** points out also that an initial interview with a social worker is organised at the unit for unaccompanied minors (see below). During this interview, the social worker records information on the child and their background that is needed for arranging their care and attention. The tasks of the representative, the social worker and the staff of the group home are explained to the child. Possible experiences of sexual abuse may come up at the initial interview with a social worker. In addition to this interview, a child's special needs or traumatic experiences may emerge in the course of the daily work or at the public health nurse's office. Telling someone about sexual abuse often requires a trustful relationship that is formed between a child and an adult over time, and sexual abuse does not necessary come up at a single meeting that maps the child's experiences.

In this connection, **the NGOs, namely Save the Children Finland** has also drawn attention to the experience of the children and youth that have arrived in Finland, which should be used to help identify the diverse problems and trauma, such as sexual exploitation and abuse, encountered by children.

Question 1.c.d

The Finnish Immigration Service as well as, for example, the police and the child welfare authorities obtain data concerning the above.

The National Assistance System for Victims of Human Trafficking collects data on minors who have been identified as potential or actual victims of trafficking in human beings.

FRANCE

Question 1.b

En ce qui concerne les données, chiffrées : il n'existe pas de statistiques nationales dédiées aux enfants migrants ou demandeurs d'asile victimes ou présumées victimes d'abus sexuels.

Concernant les mineurs non accompagnés (MNA), 8054 ont intégré le dispositif de protection de l'enfance en 2016. Cependant, ces MNA sont rarement des demandeurs d'asile. Pour rappel, le mineur est considéré comme isolé si aucune autre personne majeure n'en est responsable légalement sur le territoire national ou ne le prend effectivement en charge et ne montre sa volonté de se voir durablement confier l'enfant. Il existe des statistiques annuelles relatives aux mineurs isolés qui demandent l'asile, mais sans qu'il soit possible d'identifier dans les statistiques la raison pour laquelle ils sollicitent l'asile.

Au total, en 2015, 321 demandes d'asile ont été déposées par des mineurs non accompagnés, soit une hausse de 17,6% par rapport à 2014. La demande est à 70% masculine. Les mineurs proviennent majoritairement d'Afghanistan (14,6%), de République du Congo (12,5%), et de Syrie (11,2%).

Pour 2016, on note une hausse de cette demande, avec 471 demandes (chiffre provisoire) pour des mineurs non accompagnés.

Par ailleurs, en 2015, on comptait 15 133 mineurs accompagnants demandeurs d'asile (c'est-à-dire accompagnant des individus adultes demandeurs d'asile, que ces individus aient ou non déposé une demande au nom de leurs enfants), et en 2016, le chiffre provisoire est de 14 141. Il n'est pas possible d'identifier au sein de ces données quantitatives combien représentent des jeunes victimes d'abus ou d'exploitation sexuelle.

L'identification des victimes de l'exploitation et d'abus sexuel s'opère de différentes manières.

Il existe tout d'abord les dispositifs de droit commun de protection de l'enfance et d'identification des victimes de crimes qui s'appliquent à l'ensemble des mineurs quels que soit leur statut sur le territoire national.

Ainsi, le président du conseil départemental à la charge du recueil et du traitement de l'ensemble des informations préoccupantes indiquant que le mineur est en danger, quelle qu'en soit l'origine. L'exploitation et les abus sexuels sont bien entendus inclus dans ces signalements.

Par ailleurs, la loi fixe l'obligation à toute personne ayant connaissance de maltraitance physique, psychologique ou sexuelle infligée à un mineur d'en informer les autorités judiciaires sous peine de poursuites pénales. Le signalement est une obligation (art 19 de la Convention internationale des droits de l'enfant / art 40 et suivants du Code de procédure pénale). Ceci s'impose aux officiers publics mais aussi aux médecins et travailleurs sociaux qui travaillent avec les mineurs.

Par ailleurs une vigilance particulière est faite sur l'identification des victimes au moment de l'évaluation de la minorité et de l'isolement quand le jeune souhaite entrer dans le dispositif de droit commun de la protection de l'enfance. L'arrêté interministériel du 17 novembre 2016 pris en application du décret du 24 juin 2016 relatif aux modalités de l'évaluation des mineurs privés temporairement ou définitivement de la protection de leur famille prévoit que ce dispositif d'évaluation concerne toute personne se déclarant mineur isolé. Les entretiens conduits selon la trame d'évaluation présentée dans l'article 6 de cet arrêté relatif à l'évaluation de la minorité et de l'isolement familial permettent de recueillir les éléments qui seront intégrés dans un rapport de synthèse concluant ou non à la minorité et à l'isolement familial ou à la nécessité d'investigations complémentaires. Le repérage de la traite des êtres humains, l'exploitation ou l'emprise de ces jeunes est mentionné dans la trame de cette évaluation. L'enjeu aujourd'hui est d'arriver à sensibiliser les acteurs à ce danger et les aider dans l'interprétation de signes d'exploitation.

Un guide à l'attention des travailleurs sociaux vient d'être diffusé par la Mission interministérielle de protection des femmes contre les violences et de lutte contre la traite des êtres humains (MIPROF).

Lors de l'évaluation de la minorité et de l'isolement d'un jeune, si l'évaluateur constate une emprise, elle doit être signalée à l'autorité judiciaire afin que la cellule nationale d'orientation propose un lieu protecteur pour le mineur en danger (structures, éloignement géographique...)

Au-delà du droit commun, les mineurs demandant l'asile bénéficient de mécanismes spécifiques pour identifier ceux d'entre eux qui pourraient être victimes d'exploitation et d'abus sexuels.

Dans le domaine de l'asile, la loi du 29 juillet 2015 portant réforme de l'asile assure une meilleure prise en compte des vulnérabilités dans les demandes d'asile ; cela se traduit tout d'abord par une meilleure identification des vulnérabilités, celles-ci incluent toutes les vulnérabilités liées aux violences sexuelles. Ainsi, l'article L.744-6 confie à l'Office français de l'immigration et de l'intégration (OFII) un rôle important d'évaluation des vulnérabilités des demandeurs d'asile. L'article précise que « *l'évaluation de la vulnérabilité vise, en particulier, à identifier les mineurs, les mineurs non accompagnés, les personnes en situation de handicap, les personnes âgées, les femmes enceintes, les parents isolés accompagnés d'enfants mineurs, les victimes de la traite des êtres humains, les personnes atteintes de maladies graves, les personnes souffrant de troubles mentaux et les personnes qui ont subi des tortures, des viols ou d'autres formes graves de violence psychologique, physique ou sexuelle, telles que des mutilations sexuelles féminines.* »

Cela se traduit aussi au niveau de l'examen de la demande d'asile par l'Office Français de protection des réfugiés et apatrides (OFPRA). La loi prévoit que l'OFPRA peut pour les mineurs et des victimes de viols ou d'autres formes de violences sexuelles graves mettre en place des modalités particulières d'examen de la demande, nécessaires pour l'exercice du droit d'asile. Depuis 2013 l'OFPRA met en œuvre une action particulière pour renforcer sa capacité à identifier et, in fine, protéger lorsqu'elles relèvent de l'asile les personnes vulnérables, dont les mineurs isolés et les victimes des formes les plus graves de violence physique, psychologique ou sexuelle. C'est ainsi qu'ont été créés cinq groupes de référents thématiques dont la mission principale est l'appui à l'instruction des demandes d'asile ayant trait aux principales vulnérabilités au sens des directives européennes : les mineurs isolés, les victimes de la traite des êtres humains, de la torture, de violences faites aux femmes ou de violences à raison de l'orientation sexuelle ou de l'identité de genre - un même demandeur d'asile pouvant cumuler plusieurs formes de vulnérabilité. Jouant également un rôle dans la formation des officiers de protection, ils contribuent à mettre l'Office en situation de répondre, toujours mieux, à ces besoins de protection spécifiques en matière de doctrine, de procédures, de méthodes de travail, notamment l'entretien personnel.

FRANCE

Réponses envoyées par ECPAT-France

Question 1.b

ECPAT France a réalisé une étude intitulée *Mineurs et victimes de traite en France*, parue en juin 2016. Celle-ci dresse un état des lieux des dispositifs de prise en charge et de mesures de protection dont bénéficient les mineurs victimes de traite des êtres humains aujourd'hui en France. Vous trouverez ci-joint le dossier de presse de l'étude, qui pourra vous donner des informations/données.

<http://ecpat-france.fr/presse/dossiers-et-communiqués-de-presse/>

GEORGIA / GEORGIE

Question 1

It is worth noting, that Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia is (here and after MRA) has received 236 asylum applications of minors within the period of 1 June 2015 and 30 June 2016. Among them 19 children were unaccompanied. There has been identified no case of being victim of sexual exploitation and sexual abuse within this period of time.

The identification of the victim of sexual exploitation and sexual abuse is conducted by MRA during profile and status determination procedure. Within the considered period of time no such cases were identified.

In August, 2015 the Secretariat (Public International Law Department of the Ministry of Justice of Georgia) of the Inter-agency Council on Combating Human Trafficking (hereinafter – THB Council) set up in 2006 and operating under the Ministry of Justice developed integrated database, which also includes statistical information regarding the sexual exploitation of children. The single database consists of the following sections for 2010-2016 (August) period:

- 1) information on the human trafficking cases – number of investigations, prosecutions, cases sent to the court and convictions segregated by forms of exploitation;
- 2) information on alleged perpetrators (prosecuted persons) – number, citizenship, age, sex;
- 3) information on convicted traffickers – number, citizenship, age, sex;
- 4) information on THB statutory victims⁷ (status granted by the law enforcement under Criminal Procedure Code of Georgia) – citizenship, sex, age, type of exploitation, country where the person was exploited, the type of service provided from the State Fund for Protection of and Assistance to Statutory Victims of Trafficking in Persons (*hereinafter* – State Fund) (legal consultation, court representation, medical service, psychological assistance, shelter, compensation);
- 5) information on THB victims (status granted by the permanent group under THB council, when the person does not want to cooperate with the law enforcement) – citizenship, sex, age, type of exploitation, country where the person was exploited, the type of service provided from the State Fund (legal consultation, court representation, medical service, psychological assistance, shelter, compensation).

⁷ Georgian law differentiates status of victim of trafficking and status of statutory victim of trafficking. The status of victim of trafficking is granted to the person by the Permanent Group of THB Council within 48 hours based on the questionnaires of mobile group of the State Fund, while the status of statutory victim of trafficking is granted by law enforcement authorities in accordance with Criminal Procedure Code of Georgia. In spite of the different procedures of granting the status, there is no difference between their rights during the process of investigation and/or prosecution. Furthermore, the victims and statutory victims of human trafficking are enjoying the same services of the State Fund since the moment a person is granted the status of victim/statutory victim.

6) Police Cooperation and cooperation within the framework of mutual legal assistance (MLA) on criminal matters – statistics segregated by number and countries of incoming and outgoing MLA and extradition requests, statistics segregated by number, countries and form of exploitation of outgoing police cooperation requests.

The above-mentioned database is based on the information collected from the Ministry of Internal Affairs, Chief Prosecutor's Office and the State Fund, which also collects the statistic within their field of competence.

Furthermore, as the Government of Georgia acknowledges the importance of statistics and impact of its analysis, the Secretariat of THB Council analyzed existing statistics to identify the current trends and gaps in order to further develop national Anti-Trafficking policy. The analysis of THB database focused on the findings and further follow-up steps taken by each relevant governmental agencies (Ministry of Internal Affairs, Ministry of Foreign Affairs and State Fund).

Also, the Secretariat analyzed the profiles of the prosecuted and convicted persons, victims and statutory victims, as well as the services of the State Fund provided to them, means and methods of exploitation in and outside of Georgia.

GERMANY / ALLEMAGNE

Question 1

Foreign children and adolescents, i.e. persons under the age of 18 years, are considered to be unaccompanied if, at their arrival in Germany, neither any persons possessing the right of care and custody for them nor any persons entitled to bring them up are also in Germany (section 42 (1), first sentence, No 3, section 42a (1), first sentence, of Book VIII of the Social Code (*Sozialgesetzbuch – SGB*)). The attached table shows the number of children seeking asylum for 2015 and the first half year 2016. In addition, unaccompanied minors immigrate to Germany who do not seek asylum. No further data are available regarding the number of unaccompanied under-age children who have come to Germany as refugees.

	minor asylum seekers	<i>of which: accompanied</i>	<i>unaccompanied</i>
2015	149,619	127,356	22,263

	minor asylum seekers	<i>of which: accompanied</i>	<i>unaccompanied</i>
2016, Jan-Jun	134,615	116,706	17,909

- a) Please provide estimates, if exact data is not available, for the period between 1 July 2015 and 30 June 2016,⁸ and specify how many of these children are victims or presumed victims of sexual exploitation and sexual abuse;

Over the course of the year 2015, the crime statistics compiled by the police (PKS) recorded a total of 13,733 cases of children (under the age of 14 years) becoming victims of sexual abuse and 1,147 cases of adolescents (14 to under 18 years) in Germany. Of these, 1,166 were non-

⁸ If figures for this period are not available, please provide the most recent annual data.

German victims (8 %). For 2016, the figures for the first half year indicate that the number of cases has increased in the single-digits.

It is not possible to make any statements regarding the proportion of under-age refugees among the victims of sexual abuse of children and adolescents registered by the police for the year 2015. The residence status of victims has begun to be recorded only in the year under report 2016. It will be possible to provide specifics in this regard in all likelihood in mid-2017.

Inasmuch as the Federal *Länder* provided information in this regard, the tendency was that rather few cases of sexual abuse of children, respectively the sexual exploitation of children, tended to be known to the law enforcement authorities. On this, a few notes by way of providing an example:

In *Brandenburg*, a total of three cases of sexual abuse of five non-German children aged between 6 and under 14 years became known in the period from 1 July until 31 December 2015, of which three children were Syrian nationals and one child held Serbian and one child held Macedonian citizenship. In the period from 1 January 2016 until 30 June 2016, there was a total of four cases of sexual abuse, respectively sexual coercion (sections 174, 176, 177 of the Criminal Code (*Strafgesetzbuch* – StGB)), of which two were children aged from 6 to under 14 years and two were adolescents aged from 14 to under 18 years. Three victims originated from Syria and one from Serbia.

In *Lower Saxony*, the means have been introduced since 1 March 2016 to record, in the specialist application of the public prosecutor's offices of Lower Saxony (*Niedersächsische Fachanwendung der Staatsanwaltschaften*), crimes involving refugees (both in the sphere of perpetrators and in that of victims). An evaluation of these data has obtained the following results for *Lower Saxony* for the period from 1 March 2016: 6 injured parties in proceedings for the sexual abuse of children pursuant to section 176 of the Criminal Code (StGB), 2 injured parties in proceedings for aggravated sexual abuse of children pursuant to section 176a of the Criminal Code (StGB), 3 injured parties in proceedings concerning sexual coercion/rape pursuant to section 177 of the Criminal Code (StGB), 1 injured party in proceedings for the sexual abuse of persons who are incapable of resistance pursuant to section 179 of the Criminal Code (StGB).

The Federal *Land* of *Saxony* researched in its Police Information System for Saxony (*Polizeiliches Auskunftssystem Sachsen*) crimes against sexual self-determination in the perpetration period from 1 January 2016 until 30 June 2016 involving victims under the age of 18 years, for whom the entry field "specifics regarding the victim" records the value "asylum seeker/refugee." Since it was possible to record this value only from 2016 onwards, no such data are available for the year 2015. Accordingly, the prosecution of cases of sexual abuse was recorded of 4 boys aged 7, 8 (2x) and 11 years and of 2 girls aged 11 and 5 years. One case involved aggravated sexual abuse of children against three boys aged 6, 9 and 12 years. Finally, one criminal offence of sexual coercion of a 14-year old girl and a further criminal offence concerning the dissemination, acquisition, and possession of pornographic material involving adolescents, with the victim being a 14-year old girl, were recorded.

In the *Land* of *Hesse*, this type of information regarding the victims currently is not being reliably recorded in the statistics kept by the public prosecutor's offices, but one case was recorded involving a sexual attack of two under-age persons against each other, which

occurred in a youth welfare centre; such welfare centres are under obligation to notify unusual incidents.

In *North Rhine-Westphalia*, the category recording the specifics of a victim “refugee” has been introduced to the police statistics since 1 January 2016; since then, 35 under-age refugees have been recorded as purported victims sexual violence.

In the *Rhineland-Palatinate*, a total of 24 criminal investigation proceedings have been launched since the recording of such cases in the police statistics, beginning on 1 September 2015 until 30 June 2016, in which the purported victims were under-age refugees.

At present, no information is available regarding the outcome of these proceedings.

Question 1.b

Whether an under-age refugee was a victim of sexual exploitation or of sexual abuse prior to entering Germany will become known to the police only if the crime is reported to it. This also applies to under-age refugees who become victims of sexual exploitation / of sexual abuse in Germany – this fact will become known to the police only if charges are filed. The public prosecutor’s offices do not maintain any statistics that would allow an analysis to be performed broken down by the criminal offences involved, as sought by this question. Likewise, the police offices of the *Länder* do not distinguish between persons of Group 1 and Group 2 such that this would be suited for a statistical analysis. Inasmuch as sexual exploitation is involved, one *Land* has reported that the victims are identified by police controls performed in the red-light district milieu, respectively in the course of the police evaluating websites for indications of children and adolescents working as prostitutes.

In some instances, the *Länder* reported that the social workers active in the collective accommodations will also identify victims of sexual crimes. Thus, for example, the victims of sexual exploitation and sexual abuse may be identified in the context of the first interview, for example, which the social services as a general rule will hold with every refugee immediately upon admittance. Depending on the circumstances, this may be done in the context of the initial medical check-up. However, where no indications of violence or abuse are apparent, then an identification of such cases will generally only be possible if the victims or their relatives provide the corresponding information. The early and prompt recognition of victims poses a particular challenge since in most cases, this type of intimate and painful experience will be reported only in a context in which intensive relationship-building has already taken case.

As concerns the determination of the age of victims, a procedure has been introduced for the authorities that addresses the involvement of under-age persons. Where there are doubts as to a refugee still being a minor, it is possible to promptly initiate an age analysis from a physician or a dentist.

Question 1.c

The decisive factor, in particular with a view to unaccompanied minors, continues to be the improved recording of data. A major step has been taken in this direction by the Act on the Improvement of the Exchange of Data (*Datenaustauschverbesserungsgesetz*), which entered into force on 5 February 2016 and which created the statutory basis in the Asylum Act

(*Asylgesetz*) for establishing the identity also of the persons under the age of 14 by taking a photographic image.

Furthermore, upon anyone stating that he or she is seeking asylum, filing an application for asylum, illegally entering the country, or illegally taking abode in the country, and where this involves unaccompanied under-age children and adolescents (persons under the age of 18 years), the youth welfare office (*Jugendamt*) responsible for taking these minors into preliminary care and the youth welfare office that will be finally responsible are recorded in the Central Register of Foreigners (*Ausländerzentralregister*) (cf. section 3 (2) No 9 of the Act on the Central Register of Foreigners (*Gesetz über das Ausländerzentralregister* – AZRG)).

The specific aid and assistance offered to persons affected by sexual abuse is determined by the municipalities in which these persons are housed – these offerings are shaped depending on the specific needs given in the individual municipalities.

It is to be noted at this juncture that in processing these cases, as a matter of principle the origins of the victims are not distinguished. The law enforcement authorities will ensure, as a matter of principle, that for each and every individual case, the authorities involved (investigation bodies, youth welfare offices, and the foreigners' authorities) will proceed in a coordinated fashion. On the basis of the Police Acts of the *Länder*, there is the opportunity, subject to the pre-requisites set out in these Acts, to transmit personal information to youth welfare offices and to other governmental bodies. Depending on the circumstances, interpreters/translators will be involved or the competent foreigners' authorities. In other words, the tried and proven mechanisms serving to protect victims as are established in the individual *Länder* will be set in motion. In this context, the police, respectively the public prosecutor's offices, will work together intensively with the bodies that conceivably will be responsible such as the youth welfare offices, administrations of cities or municipalities, and the foreigners' authorities in order to ensure that suitable and targeted measures protecting the best interests of the child can be taken.

Question 1.d

The Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*), the reception centres, and the foreigners' authorities are responsible for recording under-age asylum seekers. The competence for pursuing investigations under criminal law based on charges being filed lies with the public prosecutor's offices of the *Länder*.

Moreover, the Federal Government reports annually to the Bundestag on the implementation of the Act on the Improvement of the Accommodations, Provision for and Care of Foreign Children and Adolescents (*Gesetz zur Verbesserung der Unterbringung, Versorgung und Betreuung ausländischer Kinder und Jugendlicher*), in the context of which data are likewise collected.

At the level of the *Länder*, the cases are recorded in the police crime statistics pursuant to a standardised procedure. The data provided as an answer to Question 1 are transmitted by the public bodies designated in section 6 of the Act on the Central Register of Foreigners (*Gesetz über das Ausländerzentralregister* – AZRG).

GREECE / GRECE

Question 1.a

Estimates of figures of unaccompanied minors:

- i. Official data on unaccompanied minors are collected and managed by the National Centre for Social Solidarity (NCSR or “EKKA”), a governmental welfare organization under the supervision of the Ministry of Labour, Social Security & Social Solidarity (MoLSSSS). According to EKKA’s more recent report (15/2/2017) the number of unaccompanied minors in Greece is 2.100, based on the referrals for accommodation. According to the same report, the number of already placed unaccompanied minors in shelters is currently 1310, while 1076 are in wait for placement. That represents a substantial change in capacity for placement of unaccompanied minors compared to conditions applying even at the beginning of 2016: in March 2016 there were available only 423 places for unaccompanied minors (where in the beginning of 2015 capacity was even more decreased) while today there are 1310 in 51 shelters, most of which were developed recently under the coordinated effort of the MoLSSSS, EKKA, the “Social Welfare Centres” public entities in the Greek regions and NGOs. Additional shelters with an expected capacity of 170 places are under development.
- ii. On the other hand, there have been other reports that show the probable gap on the capacity of the current resources to meet increased needs. . According to data published by UNHCR, 170,586 people have crossed the Greek borders in 2016 (from January 1st up to November 10th), out of which 37% are children, while 61,087 people still remain in Greece. According to the same source almost 890,000 people arrived in Greece in 2015, out of which 34% were children. If such estimates are close to real numbers, the figures of refugee and immigrant children in the period under scrutiny might be considerably higher than registered ones.

Question 1.b

There are still no official aggregated data on the victimization of refugee and migrant children in Greece and there are several reasons and causes for that.

- i. First of all, this should be understood in the context of the real events in the specific time under inquiry: massive incoming flows of people under life threatening conditions were daily arriving in the Greek coastline; among them many children, some with parents, some having lost them in the journey, some initially departing from their countries alone to escape war and other atrocious circumstances; almost all of them without any official documentation or a country to recognize them as citizens; many of them already facing extreme hardships in their journey from their homelands to Europe. Within that context, most of the arriving refugees or immigrants adults and minors usually have to strive for securing their life and safety and usually are less prone in testifying on violations of their rights in past tense. Children hardly report to the authorities their victimization prior to their arrival in Greece or are not aware that they have been smuggled with the purpose of being exploited. Moreover, sometimes children who are about to be exploited have been told by their traffickers to state to be adults. The fact of actually being underage is only detected when they are identified as victims. As far as children’s victimization while being in Greece is concerned, these are more likely to be reported in case there is a supportive network for children in place at the specific region. Again there are no aggregated data regarding the phenomenon, though there are

published records of specific cases of children victimized, in camps, sites specifically for children, shelters, in the neighbourhood around the shelter, parks where children lived, and certain areas that according to NGOs unaccompanied boys and girls were forced to prostitution. In reception facilities children are often victimized by people hosted in the facilities as well (peers or elder; as in several cases minors and adults had to stay for a period of time in the same facilities).

ii. According to the Greek Penal Code, among others the crimes of slavery, human trafficking, sexual tourism against minor, rape or other forced engagement in sexual acts, pornography, pornographic performances, seduction of children are always punished in Greece regardless the nationality of the perpetrator or the country that these crimes took place (article 8). Therefore, in terms of law provision there is no distinction between having been committed prior or after arrival in Greece. Moreover, persons identified as victims enjoy protection without distinction of any kind (see also Law 4251/2014 as amended, article 1).. So far Hellenic Police is the competent authority to do so, but data are not available to the public. A newly enacted ministerial decision 30840 (B/3003/20.09.2016) provides that a National Identification and Referral Mechanism for victims of Human Trafficking will be established in order to keep all identified and presumed victims registered and “visible”. This will be run by the National Centre for Social Solidarity again under the supervision of MoLSS and Ministry of Foreign Affairs. In case of doubt about the victim’s age, if there are reasonable grounds to believe that he/she is under age, the victim is regarded a minor and is granted the provided protection until the age is defined (Law 3875/2010 amending presidential decree 233/2003). The uncertainty over the victim’s age does not impede the penal process (Law 3625/2007, article 5, as amended). Thus far there are two occasions where the legal regulations explicitly foresee a procedure of age assessment, with regard to a) third country nationals or stateless persons detected and registered by the First Reception Service (Orestiada, Leros, Chios, Samos, Lesvos, Kos) and b) asylum seekers. In the first occasion, under article 6 of the 92490/29.10.2013 Ministerial Decision, age assessment will be carried out during first reception. In cases where there is justified doubt over a person’s age the examination is conducted by the medical and psychosocial support unit inside first reception centres and mobile units in a gender and cultural sensitive manner, with respect to the best interests of the child and after the person has been informed in a language that he/she understands. Firstly, a paediatrician examines the person; if he/she cannot draw any safe conclusions then an assessment of cognitive function and perception, behaviour and psychological development is conducted. If age assessment is still not possible, then as a last resort the person is referred to a public hospital for specialized examinations. In the second occasion, according to article 6 of 1982/16.02.2016 ministerial decision, at any time during the asylum procedure of an applicant, for whom there is doubt about his/her age, the person is referred to a public health clinic where a paediatrician, psychologist and social worker are available to conduct the relevant examinations. If no safe conclusion can be drawn then the person is considered a minor.

Question 1.c

As aforementioned, a newly enacted ministerial decision 30840 (B/3003/20.09.2016) provides that a National Identification and Referral Mechanism for victims of human trafficking will be established in order to keep all victims and presumed victims of human trafficking registered. This aims at the better protection of victims by offering a coordinated response between the different agencies and by designing evidence-based strategy for the prevention of and fight

against trafficking in persons. At the same time, separate databases have been developed, though not yet applied, for the registration of child victims of abuse and neglect. Sexual abuse is here included. The latter have been developed by the Institute of Child Health, Department of Mental Health and Social Welfare, in the context of a) the National Strategic Reference Framework (NSRF) and b) DAPHNE III Programme of the European Union. Finally, the same organization in the context of a project co-funded by the Internal Security Fund of the European Union has developed a database for registering third country nationals and stateless minors who arrive in Greece, with specific variables and alerts for notifying the professional entering data that the minor may be a victim of trafficking. An effort will be made for the interoperability of these various data bases.

Question 1.d

The Hellenic Police is the competent authority to register all third country nationals or stateless adults and children entering the Greek territory, while the Asylum Service registers and processes asylum applications. The National Centre for Social Solidarity operates the system for managing accommodation requests for asylum seekers and unaccompanied minors. Finally, the Hellenic Police is responsible for the collection of the aforementioned data regarding minor victims of sexual exploitation/abuse, while at the same time judicial authorities keep record of all cases in which penal procedure has been initiated.

HUNGARY / HONGRIE

Question 1

On 07/07/2016 **241 minors** were present at the reception facilities run by Office of Immigration and Nationality, the competent authority dealing with asylum and immigration matters (henceforward referred to as OIN). In addition, on 11/07/2016 **3 children** in the company of their parents were kept in detention for aliens policing purposes according to Police data.

Definition of 'Unaccompanied minor' set out in Section 2 point e) of Act II of 2007 on entry and stay of third country nationals and also in Section 2 point f) of Act LXXX of 2007 on Asylum is as follows: *a third country national (foreigner) under the age of 18 years, who entered the territory of Hungary without the company of an adult responsible for his/her supervision whether by law or custom, or who is left without supervision following entry; as long as (s)he is not under the care of such a person.*

Accompanied minors are accommodated together with adults responsible for their supervision in *open* reception facilities operated by OIN, so they in every case have their parents, an adult sibling or other relative with them, who are their legal guardians and take care of them.

Families may be kept in detention centres (closed reception facilities) only in exceptional cases for up to the maximum of 30 days. Legal conditions under which the competent authority may take an asylum-seeker into custody in the course of a refugee status determination procedure are defined in Section 31/A of Act LXXX of 2007 on Asylum, where stated that detention shall not be longer than 30 days in case of families with a child under the age of 18 years.

Unaccompanied minors may be accommodated only in child protection centres. If the asylum-seeker is a minor, the asylum authority enters in contact with the guardianship authority as a matter of urgency in order to have a guardian appointed to represent the interests of the minor concerned.

The abovementioned Acts do not provide a definition for accompanied minors however the legal definition of unaccompanied minor implies that the adult who arrives with the minor or the adult whose care the minor is taken into after entering the territory of Hungary shall be considered as a person accompanying the minor in terms of the statutory provisions of law if he/she is responsible for the minor by law or custom.

Between the period of 1 July 2015 and 30 June 2016, **2.978 unaccompanied minors in total were temporarily placed in children's homes**. Only a small number (8 to 280 minors) of them were present in the children's homes at the same time, the rest were left without permission after a few days or weeks.

Question 1.a

In the period from 01/07/2015 to 30/06/2016 **36 729** minors (ie. children below the age of eighteen) sought for asylum in Hungary, with **5890** unaccompanied minors among them. In the given period a total of 9619 minors arrived at open reception facilities operated by OIN.

In the same period, within the frame of fulfilling their border policing and aliens policing duties, the Police took measures against 21 283 minors accompanied by adult family members and 387 unaccompanied minors.

As regards data on children among them who were (or presumed to have been) victims of sexual exploitation and sexual abuse, let us point out legal changes taking effect on 15/09/2015 which have influence on the methodology of collecting corresponding statistical data, as well: amendments to Act C of 2012 on the Criminal Code (hereinafter referred to as Criminal Code) have introduced three new criminal offences related to the Border Barrier (Criminal Code, Section 352/A-352/C). As a consequence, a new criterion 'Legal title of stay in Hungary' has been added to the data collection system used by investigative authorities and public prosecutors offices ["The Unified System of Criminal Statistics of the Investigative Authorities and of Public Prosecution" (Egységes Nyomozóhatósági és Ügyészési Bűnügyi Statisztika), hereinafter referred to as ENYÜBS], thus it is now possible to collect disaggregated data on criminal offences committed to the detriment of third country nationals who stay in the country unlawfully or by virtue of an asylum procedure decision, lawfully.

ENYÜBS has been collecting data about the different categories of victims' staying in Hungary since 15 September 2015. It should be highlighted that according to the information provided by the Ministry of Interior and the Office of the Public Prosecutor General's concerning the period of 15 September 2015 and 12 July 2016 no criminal offences relating to sexual exploitation or sexual abuse committed against immigrant or refugee persons under the age of 18 (minors) in Hungary were registered.

No data is available at OIN on children who were (or presumed to have been) victims of sexual exploitation and sexual abuse prior to their arrival on the territory of Hungary. OIN

have not registered such incidents at any of their open reception facilities, and none of the minors have reported sexual abuse or asked for the help of the personnel.

No data has been officially collected in the child protection system concerning the sexual exploitation and sexual abuse of unaccompanied minors. During the last two years only two cases were reported to the staff of the children's home, in both cases the criminal offences had been committed in the country of origin of the victims.

Question 1.b

Whereas no information referring to sexual exploitation/abuse has come to officials' notice so far, we could speak only in general terms about difficulties that might arise in unveiling their occurrence.

If a criminal offence is committed by non-Hungarian citizens abroad, provided that additional requirements under Section 3 paragraph 2 of the Criminal Code are met, the Prosecutor General has the power to order criminal investigations which are to be conducted in Hungary pursuant to Section 3 paragraph 3 of the Criminal Code.

Between the period of 1 July 2015 and 20 July 2016 there was no ongoing criminal case of sexual crime committed against an immigrant or refugee (accompanied or unaccompanied) minor by a non-Hungarian citizen abroad into which the Prosecutor General would have had to order a criminal investigation as described above.

However, it should be pointed out that personal interviews during the asylum procedure could give the opportunity for minors to reveal such cases, or they can be discovered by means of systematic monitoring of their behaviour at the place of accommodation.

Personal interview of a minor necessarily takes place if the minor is unaccompanied. Accompanied minor under the age of fourteen may be heard if his/her personal interview is indispensable to clarify the facts of the case. However, as it is reflected by our answer to question 1a), it is not common that during a personal interview such abuses are reported.

Under normal circumstances children's behaviour is monitored from the time of first contact with them and their family. During this, attention is paid on the way they behave, on their relations within the family, also the drawings they make during common activities, their relationships with other children, their moods. In case of suspicion the authority would ask for the help of a child psychiatrist. Furthermore, it should also be noted that the asylum authority (or to be more precise the professionals at the /temporary/ reception centres) participate as a member of the Child-care Warning and Alarming System as defined under Section 17 of Act XXXI of 1997 Protection of Children and the Administration of Guardianship (hereinafter referred to as Child Protection Act). It means on the one hand that they are obliged to report to the child welfare service if there is any reason to believe that the child is abused or there is any hint of serious threatening; and on the other hand that they are also obliged to cooperate with each other and mutually inform each other, in order to prevent and terminate children's vulnerability. Latter may also include consultations regarding further investigations.

As to probable distinctions regarding whether a minor has become victim of sexual exploitation/abuse prior to or after arrival on the country territory, this would have relevance in a criminal investigation.

Age determination in case of doubt

If a third country national claims himself/herself to be a minor, but he/she is not able to prove this fact with an original document, and the *immigration authority* has reasons to question that he/she is a minor, a preliminary age assessment examination may be initiated concerning the third country national's age, which in practice is carried out by a doctor within a couple of hours after the measures taken by the immigration authority. In principle, the medical expert examination may be carried out only with the consent of the minor. If the consent is not given and this way the age-test cannot be done, then respective favourable provisions which otherwise would be applied to minors shall not apply.

Based on this examination the doctor does not determine the exact age of the person who claims himself/herself to be a minor due to this time constraint (24 hours), but if possible, he gives a decisive result about whether the examined third-country national is a minor under the age of 18 or has reached the age of 18.

If the preliminary age assessment examination finds the examined person to be above 18, he/she shall be treated as an adult until he/she is proven to be a minor.

If the age assessment medical examination ordered in the course of an *immigration proceeding* finds the person concerned to be a minor, the practice is that in case of doubt an age assessment examination of unaccompanied minors is also ordered in the *asylum proceeding*, so that his/her precise age could be determined.

Provisions of national law require that age assessment in asylum proceedings should be carried out in the form of a medical expert examination. Pursuant to Section 44 paragraph 1 of Act on Asylum if any doubt emerges concerning the minor status of a person seeking recognition who claims to be a minor, a medical expert examination may be initiated for the determination of his/her age.

If the necessity of a medical expert examination has arisen, the asylum authority shall inform the person seeking recognition, in his/her native language or another language understood by him/her, in simple and understandable terms about the examination procedure to be carried out by the medical expert, the importance of the result of that examination, as well as about the consequences of his/her refusal to consent to that examination as defined by law [Section 78 (1) of Government Decree no. 301/2007 on the implementation of the Asylum Act].

The medical expert examination may be carried out only with the consent of the person seeking recognition, or, if that person is in a state of inability preventing him/her from making legally acceptable declarations, with the consent of his/her representative by law or guardian [Section 44 (1) of Asylum Act].

An application for recognition may not be refused solely on the ground that the person seeking recognition, the representative by law or the guardian has not consented to the examination. However, if the person seeking recognition, the representative by law or guardian does not consent to the expert examination aimed at determining the minor status, the provisions regarding minors, with the exception of the provisions concerning the involvement of a legal representative or the appointment of a guardian, may not be applied to the person seeking recognition [Section 44 (2)–(3) of Asylum Act].

Age assessing methods used by medical experts include the following:

- examination aimed at testing the physical well-being of the person concerned and consisting of general internal medicine and anthropometry examinations (testing height, physical development, weight, stature, nutritional status, malformations, primary and secondary sexual characteristics). This examination in itself is not able to determine the person's age.
- general dental examination (the extent of physiological tooth surface loss and tooth surface loss caused by normal chewing, traces of dental treatment, development of wisdom teeth etc.) and dental scanning (examining tooth mineralization level). With the help of these examinations the age of the person concerned can be assessed relatively precisely, with an error margin of 1.8 – 2.6 years.
- X-ray examination of the carpal bones, wrists joints (occasionally of the ilium, the sternum end of the clavicle) which is carried out by a medical expert radiologist.

No appeal can be lodged against the result of the age assessment examination, but if the person seeking recognition disputes the outcome of the examination, he/she may request the asylum authority to assign another expert. If expert opinions contradict each other, based on the assessment of the expert opinions the asylum authority shall decide whether to assign a new expert [Section 78 (2) of Government Decree no. 301/2007 on the implementation of the Asylum Act].

If based on the outcome of the age assessment examination procedure, the age of the person seeking recognition can still not be precisely determined, the asylum authority always decides in favour of the examined person; in other words, he/she is presumed to be a minor by the asylum authority, and rules which are more favourable to unaccompanied minors are applied by the authority in the asylum proceeding.

Unaccompanied minors placed in children homes can inform about any criminal offence (including sexual abuse and sexual exploitation) the child protection guardian or the caretakers. In this regard, linguistic diversity means a great difficulty, as many children cannot communicate in the absence of any private interpretation, nor an intermediary language (English). It is helpful if another child, or a professional interpreter is translating, but children usually do not speak about such topics in the presence of a third person, and thus therapy also has difficulties.

Question 1.c

With reference to answers given to the questions above, we cannot provide any reply to this one, since it assumes unveiled individual cases of sexual exploitation/abuse. If such cases were reported by a minor or abuse occurred in the place of their accommodation and this way officials gained knowledge about them, the Child-care Warning and Alarming System would be activated and respective provisions of Child Protection Act would apply. In any case of suspicion of a crime, report should be made to the Police.

It should be highlighted that all participating members of the Child-care Warning and Alarming System gain their experience according to their own data collection procedures and child protective thematic conferences are dedicated to share information in every 2 months, where questions and problems are also could be discussed and addressed. Taking into consideration that participating members of the Child-care Warning and Alarming System work closely together on a daily basis, they can arrange ad hoc consultations in any case of necessity.

The Office of the Prosecutor General as a member of the Official Statistical Service (see: Act XLVI of 1993 on Statistics) and being involved in the National Statistical Data Collection Program collects data and information.

The types of data collection and the sets of data are specified by Annex 10 of Government Decree No. 288/2009 (XII.15.), which shows that data collection primarily concerns different data associated with criminal conducts.

Crime statistics data are data of public interest. The Prosecution Service, when acting as one of the chief data protection officers in relation to data collection, provides data on request.

Question 1.d

As it turns out of the above replies the Police, Public Prosecutor's offices as well as child protection services and guardianship authority collect data.

However, it should also be highlighted, that figures and some other data (sex and age groups) of unaccompanied minors are daily presented to Ministry of Human Capacities by Social and Child Protection Directorate as the maintainer of the children's home designated for caring the unaccompanied minors. Data of all children and young adults cared in the child protection system are also daily registered by the care provider in a Central Electronic Register on the Service Recipients.

HUNGARY / HONGRIE

Replies sent by "Hope For Children" CRC Policy Center

Question 1

In the given time period 36735 asylum-seeking children have been registered in Hungary, among them 9656 UAMs (see the table below for periodic breakdown). We have no information about how many of them are in the country at the moment, since the number fluctuates heavily.

01.07.2015-31.12.2015

0-13 years	20998
14-17 years	9886
<i>Total</i>	30884
Among them UAMs (<i>data not available for the specified period, provided data refers to the entirety of 2015</i>)	8791

01.01.2016-30.06.2016

0-13 years	3434
14-17 years	2417
<i>Total</i>	5851
Among them UAMs	865

Total number of children applying for asylum 01.07.2015-30.06.2016	36735
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We have no information on how many of them have been or have been presumed to be victims of sexual exploitation and sexual abuse.

Question 1.b

As of now, we have no such policy in effect but it is being developed.

Question 1.c

The Hungarian Helsinki Committee (HHC) provides data on a monthly basis to UNHCR and UNICEF, which then use the data provided to develop their own responses. The HHC also relies on first-hand-experiences in assessing the number of asylum-seeking children currently in the country which can lead to the expansion of their capacities in the given location.

Question 1.d

Office of Immigration and Nationality (OIN) is in charge of collecting the data, but they do not identify victims of sexual abuse, have no policy relating to the assessment of their numbers and have no plans of expanding their capacities in this direction.

ICELAND / ISLANDE

Question 1.a

According to the data provided by the Directorate of Immigration, the total number of children moving to Iceland was 118 of which 13 were unaccompanied. Since the beginning of 2016 unaccompanied children are referred to Barnahus for joint investigative interview arranged by the Directorate of Immigration and the Child Protection services. No disclosures of sexual exploitation or sexual abuse have been made by the 7 unaccompanied children that have been interviewed so far. However 5 of them disclosed having experienced physical abuse. Neither the Directorate of Immigration, The Police authorities nor the Government Agency for Child Protection have received notification on possible sexual exploitation or sexual abuse concerning child migrant as a result of the refugee crisis to Iceland.

Question 1.b

- The Directorate of Immigration and the Government Agency for Child Protection have made agreement on interviewing all children in Barnahus with the aim of enhancing the probability that the child will disclose as well as preventing the re-traumatisation of the child. No distinction is made between child victims in Group 1 or Group 2 and according to work procedures as all child victims should receive appropriate therapeutic services.
- In cases where there are doubts as to the age of the child, the Directorate of Immigration may decide on an age assessment which then is conducted by a dentist who is specialised in dental age assessment. It should be noted that no one is coerced to undergo such a procedure.

Question 1.c

The different agencies that have a role to play with regard to the identified topics stated in this question have agreed upon collective work procedure with the aim ensuring the appropriate response.

Question 1.d

The agencies involved are the Directorate of Immigration, the Government Agency for Child Protection and the local child protection services.

ITALY / ITALIE

Question 1

Effectively managing the pressure of migratory flows on some parts of the shared external Schengen border requires both responsibility and solidarity on the part of all Member States. It is of crucial importance that two key measures are fully implemented: the 'hotspot' approach and the relocation scheme – with the fingerprinting of all migrants, the prompt selection and relocation of asylum applicants and establishment of adequate reception capacities. The other essential component is action to secure swift return, voluntary or forced, of people not in need of international protection and who do not therefore qualify for relocation.

According to Eurostat data, during the second quarter of 2016 (from April to June 2016), 305,700 first time asylum seekers applied for international protection in the Member States of the European Union (EU), up by 6% compared with the first quarter of 2016 (when 287,100 first time applicants were registered).

With nearly 90,500 first time applicants between April and June 2016, Syrians remained the main citizenship of people seeking international protection in the EU Member States, ahead of Afghans (50,300 first time applicants) and Iraqis (34,300). They represent the three main citizenships of first time asylum applicants in the EU Member States over the second quarter 2016, accounting for almost 60% of all first time applicants. These quarterly data on asylum in the EU come from a report issued by Eurostat, the statistical office of the European Union.

During the second quarter 2016, the highest number of first time applicants was registered in Germany (with almost 187,000 first time applicants, or 61% of total first time applicants in the EU Member States), followed by Italy (27,000, or 9%), France (17,800, or 6%), Hungary (14,900, or 5%) and Greece (12,000, or 4%)

Regarding Italy, almost 150,000 people have arrived in Italy by sea this year. The scale of arrivals is huge and the European Commission is working very closely with the Italian authorities to assist them in this challenge.

Children account for 51% of refugees in the world in 2015, according to data collected by UNHCR (the authors of the report did not provide complete demographic data). Many of them were separated from their parents or traveling alone, a matter of great concern. In all there were 98,400 asylum applications by unaccompanied or separated from their families. This number, the highest ever recorded by UNHCR, tragically shows how big the impact of forced migration in the world have of these young lives.

Concerning Italy, according to the data collected by the Ministry of Labour and Social Policy, at the date of 30th June 2016 there were **12,241 unaccompanied foreign children**. This is a phenomenon which is increasing rapidly (at the date of 30th April 2016 the Ministry identified a rise of 41% in relation to the same date in 2015). The overwhelming majority are male (94,7) and most of them are adolescents (54,3% are 17 years old, while only 7.7% are under 15). The most represented nationalities are Egypt (21%), Gambia (12,3%) and Albania (11,4%) followed by other African countries of (Eritrea, Nigeria, Somalia, Senegal).

Data of the Ministry of the Interior indicates that in 2015 a total of 153,842 migrants arrived by sea out of which **16,362 minors** (out of which **12,272 unaccompanied minors**).

Data of the Ministry of the Interior states that during the month of June 2016 out of a total of 10,006 asylum seekers, there were 395 unaccompanied minors and 605 accompanied minors requesting asylum. In **2015** out of a total of 83,970 asylum seekers there were **3,959 unaccompanied minors and 7,168 accompanied minors requesting asylum**.

As regards the motivations of unaccompanied foreign children, they can be very different depending on their nationalities. For instance Albanian children typically come with a specific migratory project of studying normally in agreement with their families or Egyptian children come to work with family members or through national network. Differently children coming from war or crisis countries flee in order to save their life and find new opportunities in Europe.

Unaccompanied foreign children identified at reception centers are typically assigned to group housing with about 5-10 children, and enrolled in vocational schools. However, some of them leave in order to look for a job or to join relatives in other European countries (due also to restrictions in the European regulations – Dublin III). For this reason, it is feared that some may become vulnerable to involvement with criminal organisations and are at risk of sexual and other forms of exploitation, however it is difficult to establish how many become actual victims. At the date of 30th April 2016, **5,099 unaccompanied foreign children were irretraceable** and most of them were **Somali** (23.5%), **Egyptian** (23.3%) and **Eritreans** (21.1%).

LATVIA / LETTONIE

Question 1.a

According to the information provided by the Ministry of Interior, 97 minors (88 of them accompanied by parents and 9 of them unaccompanied) requested asylum in the Republic of Latvia (hereinafter - Latvia) during the period of time between 1 July 2015 and 30 June 2016.

During the reference period 38 minors (11 of them accompanied by parents and 27 of them unaccompanied) were registered as immigrants who had crossed the border illegally.

According to the information provided by the Office of Citizenship and Migration Affairs (hereinafter - OCMA), the State Border Guard and the State Police, none of these minors (immigrants who have illegally crossed the border or asylum seekers) were identified as victims of sexual abuse or sexual exploitation.

According to the Asylum Law Section 1, Paragraph 7 an unaccompanied minor is defined as: *"a third-country national or a stateless person who is less than 18 years of age and has arrived or resided in the Republic of Latvia without being accompanied by such person who is responsible for him or her in accordance with the laws and regulations of the Republic of Latvia in the field of family law (father, mother, guardian) until the moment when the responsible person resumes the fulfilment of the obligations in relation to him or her"*⁹.

Question 1.b

Sexual exploitation or sexual abuse of minors is identified in the early stage of the procedural actions - as soon as the person encounters the State Border Guard officials. Examples could be as followed: during the border checks, at the time of the interview, during an in-depth examination or during the asylum procedure. Most of asylum seekers submit an application for asylum in Latvia while at the state border. Thus identification of children as victims of sexual exploitation or sexual abuse during the asylum procedure is carried out in accordance with a specific methodology followed by the State Border Guard officials.

If during the minor's identification process the State Border Guard official has any doubt regarding person's age, the State Border Guard official has the right with the person's parents or guardian's agreement to designate a medical examination for age determination. If after the medical examination for age determination the State Border Guard official still has doubt regarding the asylum seeker's age, the person who claims to be a minor shall be treated as such during the application process.

Up to now Latvia has no experience with children submitted to sexual exploitation or abuse affected by the refugee crisis. Thus there is no distinction made between victims of sexual exploitation and abuse prior to entry in the territory of Latvia and after entry.

Question 1.c

If a child is an unaccompanied minor seeking asylum in Latvia the Asylum Law shall be applied. In the case of unaccompanied minors, the State Border Guard official immediately contacts the Orphan's Court. During the asylum procedure the personal and property relations of the unaccompanied minor shall be represented by the Orphan's Court (child protection authority) or a guardian appointed thereby, or the head of a child care institution (Section 6 Paragraph 5 of the Asylum Law). With regard to the specifics of working with children asylum seekers, the Asylum Law Section 25, Paragraph 1, article 5 provides that the initial and personal interview with a minor asylum seeker is conducted by an official, who has the necessary knowledge regarding needs of minors, in the presence of a representative. In case the official suspects that the minor could be a victim of sexual exploitation or sexual abuse, the State Border Guard

⁹ Asylum Law, adopted 17.12.2015. ("Official Gazette", 2 (5574), 05.01.2016.) [into force since 19.01.2016.]; <http://likumi.lv/ta/id/278986-patveruma-likums>.

official inform the State Police which takes the necessary measures within the limits of its competence for the alleged victim to be legally identified and to receive the statutory protection.

Protection of the Rights of the Child Law Section 73 provides the duty to safeguard the safety of person's own and other children and to inform the police, the Orphan's court or other institutions for the protection of the rights of a child in regard to any abuse of a child and criminal offence or administration violation against a child, violation of the rights of a child or other threat to a child, as well as in case the person suspects that the child has articles, substances or materials, which may be a threat to life or health of the child himself or herself or of another person. The information must be submitted no later than the same day.

Health care, pedagogical, social field or police employees, and elected State and local government officials, who have received information regarding violations of the rights of a child and who have failed to inform the respective institutions, shall be held liable as laid down in law for such failure to inform.

Question 1.d

Statistical data on asylum seekers, including asylum seekers who are minors and unaccompanied minors, are collected by OCMA, while delinquency detection and prevention, as well as data on victims of child sexual exploitation or sexual abuse is competence of the State Police.

LIECHTENSTEIN

Question 1.a

34 migrant and asylum-seeking children have applied for asylum between 1 July 2015 and 30 June 2016. Out of these 34 children, 6 were unaccompanied.

According to the definition by the competent authorities in Liechtenstein, children are considered as unaccompanied if they travel without persons who are closely related to the child (parents, adult brother/sister, grandparents, uncles or aunts) and who are responsible for the child.

In addition, the Dublin regulation (Regulation (EU) No 604/2013) is binding for Liechtenstein.

In article 2 (j), the regulation contains a definition of accompanied/unaccompanied children which fully applies to Liechtenstein. The article reads as follows:

“‘Unaccompanied minor’ minor means a minor who arrives on the territory of the Member States unaccompanied by an adult responsible for him or her, whether by law or by the practice of the Member State concerned, and for as long as he or she is not effectively taken into the care of such an adult; it includes a minor who is left unaccompanied after he or she has entered the territory of Member States; [...]”.

So far, there is no indication that any of these children are victims or presumed victims of sexual exploitation and sexual abuse.

Question 1.b

See answer to 1a)

In case of doubt, the age may be determined with scientific tests, psychological assessment as well as interviews by the Asylum Division of the Migration and Passport Office.

Question 1.c

The data is collected by the Asylum Division of the Migration and Passport Office, if necessary in cooperation with the "Institut für Rechtsmedizin" (Institute for Forensic Medicine) in St. Gallen, Switzerland. The data is shared with the responsible authorities for the care of migrant and asylum-seeking children, the Flüchtlingshilfe Liechtenstein (refugee assistance), the Children and Youth Service Division of the Office for Social Services as well as the Court of Justice which appoints a legal curator for unaccompanied minors.

Question 1.d

The Asylum Division of the Migration and Passport Office is responsible for the collection of the above data. If there is no asylum application, the Legal Division will collect the data in cooperation with the National Police.

LITHUANIA / LITUANIE

Question 1

More than 450 foreigners granted asylum, the majority of whom are women and children, have been currently residing in Lithuania.

During the period from 1 July 2015 to 30 June 2016, 73 children (35 of them unaccompanied teenage refugees) were settled at the Refugee Reception Centre (hereinafter referred to as the "Centre"). No cases of sexual abuse and sexual exploitation were established during the said period. It should be noted that the Centre employs social workers, a psychologist and medical personnel who are working with children and their families, and this staff would provide qualified support and consultations to children at any time if they had been subjected to sexual abuse and sexual exploitation.

The Centre has informed that qualified workers, in order to establish any cases of sexual abuse and sexual exploitation, constantly observe the children and analyse their behaviour looking for the following signs:

- too much knowledge about sex (given the child's age);
- continuous sexual games that are not characteristic of a child of a given age and the development level;
- expression of sexual attachment and behaviour;
- prevalent stimulation of one's own genitals;
- imitation of sexual intercourse with one's own siblings or demonstration of sexual affection to animals;
- kissing parents or friends on the lips;
- unusual interest in sexual matters given the child's age;
- compulsiveness (touching breasts or genitals, compulsive undressing) or aggressive sexual behaviour;
- not understanding or recognising the acceptable boundaries of physical contact;
- changes in feelings related to a certain person or place (for example, I hate uncle John);

- sudden drop in concentration, inability to concentrate, especially when one is reminded about the experienced situation,
- frequent insomnia or strong feeling of fear;
- a fear of a certain person; a fear to return home, a fear to go to an all-day school or the opposite – unwillingness to stay alone, a fear of real or imaginable persons or objects (a monster, mask, uniform) that lasts longer than usual;
- a child's statements about being involved in an unusual, secret and weird relationship with an adult person, especially if this relationship is based on coaxing, luring and giving presents;
- self-destructive behaviour, such as abuse of alcohol, drugs or toxic substances, prostitution, self-harm, threatening or attempting to commit suicide;
- regression to infantile behaviour (urinary incontinence, thumb sucking, unexplained loud and persistent crying, throwing a tantrum) or the opposite – pseudo-mature behaviour.

An important indicator showing that a child experienced sexual abuse is an attempt to express it in words or paintings, stories or references to some publications or photos. A child's confession about sexual abuse can be direct (for example, to a mother or teacher), indirect (to friends hoping that they will tell someone about it) or masked (*I know a person who...*).

When these signs are observed, the case is referred to a psychologist or medical workers. A case of sexual abuse and sexual exploitation must be reported to responsible institutions as provided for by Lithuanian and international laws.

LUXEMBOURG

Question 1.a

Between the 1st of July 2015 and the 30th of June 2016, 766 minors have sought asylum. 111 on these 766 minors were unaccompanied minors.

None of these children are victims or presumed victims of sexual exploitation and sexual abuse.

Question 1.b

If the Direction of Immigration detects clues or indications of exploitation and sexual abuse, the police is directly contacted. The police refers to the public prosecutor. Denunciation or complaint of people taking care of the minors can be addressed to the police.

No distinction is made between victims of sexual exploitation/abuse prior to the entry on our territory and after entry.

Please also explain how the age is determined in case of doubt.

When there are reasons for serious doubts about the person concerned being minor, we may decide to conduct an age assessment. That concerns only asylum seekers and unaccompanied minors. In practice, the applicant is invited to go to the hospital in order to undergo X-rays. Skeletal age is determined from the development stage of bones. First of all, a wrist X-ray is carried out and if the bones maturation is noticed, then 2 other X-ray pictures will be done:

collar bone X-ray and an dental X-ray (orthopantomogram). Besides, a medical expert examines physically the applicant, and issues a medical report stating an estimation of the age of the applicant.

Question 1.c

Interaction exists between all the actors to act in the best interest of the child.

Question 1.d

The “Direction de l’Immigration” collects data on immigration, asylum seekers and unaccompanied minors.

MALTA / MALTE

Question 1.a

During that period, one unaccompanied minor was identified as a victim of sexual abuse (she has now turned 18)

Question 1.b

All unaccompanied minors are allocated a legal guardian and a social worker who work on an individual care plan. Social workers engage with and assess minors in order to identify indicators of sexual abuse. Challenges are primarily issues of trust and fear of speaking out due to stigma. In cases where age is in doubt, a psycho-social approach is adopted to determine age. Medical tests may be used but only as a last resort.

Question 1.c

AWAS identifies and assists victims and refers to Appogg and the police for further specialised action.

REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA

Question 1

According to the Law 270/2008 on asylum in the Republic of Moldova:

- minor - foreign citizen or stateless person below the age of 18 and does not have full legal capacity;
- unaccompanied minor - a foreign citizen or a stateless person below the age of 18 entering / entered or was left on the territory of Republic of Moldova without being accompanied by an adult who is responsible for him/she by the law and as long as he/she is not actually taken in the care of such a person;

On the 1st September, 2016 on the territory of the Republic of Moldova were *registered 74 children as recognized refugees* (Convention 1951) *or beneficiaries of humanitarian protection*, and *16 children as asylum seekers*. All the children are accompanied with the parents or responsible adults. At the moment, there are NOT registered on the territory of the Republic of Moldova any unaccompanied minors as refugee or asylum seeker

Question 1.a

In this period there were registered 18 minors asylum seekers. In all cases they were accompanied by their parents. In that period there weren't registered any unaccompanied

minor. Also, there weren't registered any case where children were victims or presumed victims of sexual exploitation and sexual abuse.

Question 1.b

Unknown data.

Question 1.c

Unknown data.

Question 1.d

Unknown data.

MONACO

Question 1

La Direction de la Sûreté Publique de Monaco signale toutes personnes pouvant répondre à la qualification de migrants de passage en Principauté, les mineurs faisant l'objet d'une prise en charge spécifique.

Depuis 2016, 14 mineurs en provenance d'Afghanistan, de Côte d'Ivoire, d'Egypte et du Soudan ont été recensés.

Le Parquet Général émet un avis sur leur prise en charge, au cas par cas. Elle consiste à leur apporter un soutien alimentaire et sanitaire et à les confier, dans les meilleurs délais, au Foyer de l'Enfance Princesse Charlène, lequel relève de la Direction de l'Action et l'Aide Sociales (DASO) du Département des Affaires Sociales et de la Santé de Monaco (DASS).

Dans le cadre de leur identification formelle, les Services de la Sûreté Publique font face à de sérieuses difficultés s'agissant d'obstacles linguistiques et d'absences de documents d'identité. Toutefois, durant la prise en charge, aucun cas de maltraitance manifeste n'a été détecté. En outre, aucun enfant ne s'est déclaré victime de tels faits.

Il convient de rappeler que l'observation et l'évaluation des phénomènes d'exploitation et d'abus sexuels sont facilitées par le faible nombre d'affaires et le dialogue permanent entre chaque autorité.

MONTENEGRO

Question 1.a

The Law on Asylum defines that an unaccompanied minor is an alien younger than 18 years of age who has been left without the attendance of either parent or guardian either before or after his or her arrival in Montenegro, until he or she has been placed under guardianship.

From 1 July 2015 to 30 June 2016 there have been 10 minors with attendance of either parent or one parent who has submitted an asylum application. There were not a single one unaccompanied minor who requested an asylum in Montenegro within the stated period.

The Centre for Asylum Seekers accommodated and took care of five minor persons accompanied by either or one parent in the period from 1 July 2015 to 30 June 2016. There were no victims of sexual exploitation and sexual abuse in the Centre for Asylum Seekers among accommodated and taken care of minors.

Question 1.b

Persons who are experts for identification and work with disadvantaged and vulnerable groups realize direct contact and discussions that take place with asylum seekers at the Centre. The team that establishes communication, assesses and monitors all relevant behavioural changes during the stay of asylum seekers in the Centre is composed of 1 psychologist, 4 social workers, 1 teacher and 4 medical workers.

If a person who belongs to a vulnerable group comes to the Centre, as it would *inter alia* be a person who is a victim of sexual exploitation and sexual abuse, the team is required to devote their extra attention on a daily basis in order to provide them with adequate medical and psychosocial assistance.

The very **process of identification** is difficult because foreign nationals generally do not have identification documents. The identification is made even more difficult by the **lack of prescribed procedures and/or protocols for assessing the age of the minor**, causing frequent cases that adult migrants declare themselves as older minors to avoid misdemeanour prosecution for illegally crossing the state border and ensure favourable treatment applicable to minors. The practice so far, however, confirmed that the police officers, in most cases, respected the testimony of minors, which is in line with international standards, which provide that, in cases where it is not possible to determine their exact age, accepts as valid the information that is communicated by the minor.

When it is apparent, or when it is probable that a foreigner is under the age of 18, unaccompanied, police officers contact the guardianship authority or centre for social work in order to achieve co-ordinating functions, to participate in the proceedings against that person, and decision-making from the jurisdiction of the social authority, all with the aim of protecting the rights of the minor migrant.

Identification and determination of the age of a minor is done with full respect of the right to human dignity and integrity of the child, it does not approve inappropriate and intrusive nature of the medical techniques for age estimation, and the controversial nature and large deviations of some methods based on skeletal maturity or teeth mineralization.

The Protector of Human Rights and Freedoms of Montenegro is in constant touch with the Centre for Asylum Seekers and PI Centre "Ljubovic". In addition, the Ombudsman cooperates with the Office for Fight against Trafficking in Human Beings and takes common measures to prevent and protect children from sexual abuse.

Question 1.c

When it comes to asylum seekers and people with approved status, with a special focus on vulnerable groups for which is applied intensified and meaningful treatment, all agencies in charge for the safety of these persons have a networked, coordinated and, now, exactly defined principle of functioning. National authorities, international institutions and non-governmental organizations are involved in dealing with these persons. Each of these institutions has its own jurisdiction, which is obliged to fulfil both legally and morally. In

addition to competencies of which is the duty to execute in the context of their own, no institution is working alone when this group of persons is in question, but it is a team and coordinated work, to avoid the possibility to omit any part of the procedure and to eliminate the possibility to breach the rights or jeopardize those persons in any way.

Question 1.d

Institutions primarily responsible for the collection and the establishment of further cooperation with other relevant institutions are the Ministry of Interior and Ministry of Labour and Social Welfare. This kind of cooperation has not been established so far, because cases of sexual exploitation and sexual abuse of minors have not been identified yet.

NETHERLANDS / PAYS-BAS

Question 1.a

To answer your question on the amount of asylum-seeking children that have entered the Netherlands between 1 July 2015 and 30 June 2016 we have prepared the chart below. The presented numbers represent all children that have applied for asylum (1st time applicants) and those who have applied for family reunification.

We are not able to present separate numbers on accompanied and unaccompanied children. These numbers include persons from countries within the EU.

	2015				2016									Total
	1st time applicants and family reunification	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	
Total children, all nationalities		1735	2110	2610	3270	2320	1720	1300	955	595	530	565	620	18.330

Source: CBS (Statline), 4-10-2016

Please find below the numbers on asylum-seeking children that were placed in a protected shelter because they were victims of human trafficking and/ or human smuggling, or because of their vulnerability for human trafficking and/or other vulnerabilities. The reason why they were placed in a protective shelter is not registered. For more information on this protected shelter see other answers.

	2015				2016									Total
	Influx protected shelter	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
Unaccompanied minor asylum seekers (AMA's)		10	10	10	10	10	<5	10	10	<5	10	10	<5	90

Source: COA, 4-10-2016, rounded to nearest 10. Numbers 1 to 4 are shown as <5.

Question 1.b.c

In the following question 1.b and 1.c are answered.

The Netherlands identifies (possible) victims in the following manner: Signs of (possible) exploitation (human trafficking) could be signaled by various actors within the chain of

organizations that together make out the immigration chain. All co-workers within this chain of organizations are therefore trained to identify signs of human trafficking.

In the asylum center of Ter Apel various organizations have also developed a protocol on how to act if one of them identifies a possible victim of human trafficking. Crucial within this protocol is the sharing of information with one another. In the protocol the Police (AVIM), Immigration and Naturalization Office (IND), Nidos Foundation (Dutch guardianship institution for unaccompanied minor asylum seekers), the Central Agency for the Reception of Asylum Seekers (COA), Legal Aid Board, Dutch Council for Refugees, Repatriation and Departure Service (DT&V), and CoMensha (the coordination center for victims of human trafficking) all join forces.

All signs of human trafficking are also reported to Team Trafficking and Migration Crime (TMM). TMM is part of the department Aliens Police, Identification and Trafficking (AVIM) of the police. TMM assesses whether there are sufficient leads for a criminal investigation and subsequent conviction. In addition, the signals are reported to the Expertise Centre for Human Trafficking and Human Smuggling (EMM).

Concerning the identification of situations or victims of child abuse, including sexual abuse: professionals working in sectors such as health care, youth care, education and justice, including those working in the immigration chain, have to work according to the statutory 'Reporting Code Domestic Violence and Child Abuse'. If these professionals identify signs of sexual abuse, they should successively follow these five steps:

- 1- Identifying the signs;
- 2- Peer consultation and, if necessary, consultation with the Advice and Reporting Centre for Domestic Violence and Child Abuse or an injury specialist;
- 3- Interview with the persons involved;
- 4- Assessing the violence and child abuse;
- 5- Reaching a decision: arranging or offering assistance, or, if the professional is not able to do this, reporting a case (to the Advice and Reporting Centre for Domestic Violence and Child Abuse or to the police).

When a report has been filed to the Advice and Reporting Centre for Domestic Violence and Child Abuse, this agency may undertake further research into the situation of the child(ren) concerned. Eventually it may decide to organize voluntary assistance or care to the involved child(ren) and family members, to request the Dutch Child Care and Protection Board to undertake further research, or to file a report or complaint to the police.

Since 1 July 2013 a mandatory reporting protocol for domestic violence applies to all locations of the Central Agency for the Reception of Asylumseekers. This protocol is in line with the national reporting code on domestic violence and child abuse. Each location has a responsible functionary who supervises an adequate application of the code.⁴⁰ In addition, the juvenile court is empowered to take a protective measure under the Hague Convention for children who do not (yet) have asylum status.

¹⁰ Inspectorate of Security and Justice (2015). 'Meldcode voor huiselijk geweld en kindermishandeling'. The Hague, p. 11.

The Netherlands does not make a distinction between victims of sexual exploitation/abuse prior to the entry on our territory (Group 1) and after entry (Group 2). The Dutch residence permit for victims of human trafficking is open to both, victims that were exploited outside the Netherlands and victims that were exploited within the Netherlands. Hence, no data is available on the size of both groups of victims.

The age of possible victims is determined in the following manner: If an unaccompanied minor has no documents to prove its age the IND, together with the Marrechausse/Police, can carry out a visual inspection. They might conclude to follow the minor in its declared age (minor); or they might conclude majority and offer the possibility to the minor to determine its age. This means undergoing a radiological examination (photo of wrist and if necessary of the collar bones). If the unaccompanied minor refuses such an examination, then the IND will conclude majority.

Legal provisions of age assessment are laid down in the Aliens Act Implementation Guidelines. Age assessment is possible since 1999. In addition, the Asylum Procedures directive states that Member States are expected to assume minority if doubts about the age of the applicant remain after the examination.

The data collection: The signals of human trafficking from COA are centrally collected and shared once a month with the EMM. With the help of various information systems the EMM attempts to analyze the collected information. This could lead to research proposals for investigative services. If there are insufficient indications that could lead to a research proposal or investigation, the signals are registered in a theme registry, where they are kept for five years. Because of this registration of signals, information from one signal could be associated with other signals in the future.

Moreover, CoMensha gathers data on all victims of human trafficking in the Netherlands. The police and other investigative agencies are required to report all alleged victims to CoMensha. Also other various parties who come into contact with alleged victims are asked to report these victims to CoMensha, for instance youth care providers.

These and other data are used by the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children. The National Rapporteur reports to the government about the nature and extent of trafficking and sexual violence against children in the Netherlands. She monitors the effects of the policies conducted in these areas and makes recommendations to improve the approach to human trafficking and sexual violence against children. The following reports of the National Rapporteur contain more information on (the policy towards) vulnerable migrant and asylum-seeking children in the Netherlands:

- [Vulnerability up close. An exploratory study into the vulnerability of children to human trafficking \(2016\)](#)
- [Mensenhandel. Naar een kindgericht beschermingssysteem voor alleenstaande minderjarige vreemdelingen \(2015\)](#) [Dutch].

For an overview of the Dutch policy and practice in tackling sexual violence against children:

- [On solid ground. Tackling sexual violence against children \(2014\)](#).

Question 1.d

Institutions that are responsible for the collection of the data above are: Team Trafficking and Migration Crime (TMM), the department Aliens Police, Identification and Trafficking (AVIM) of the police, the Immigration and Naturalization Office (IND), Nidos Foundation, the Central Agency for the Reception of Asylum Seekers (COA), Legal Aid Board, Dutch Council for Refugees, Repatriation and Departure Service (DT&V), Identification and Human Trafficking (EVIM), JADE Foundation, and CoMensha.

NETHERLANDS / PAYS-BAS

Replies sent by the Police Union - Netherlands

Question 1

In 2015 there are 3.860 unaccompanied children have to be accompanied. 70% comes from Syria or Eritrea.

In the first 6 months of 2016, 641 unaccompanied children are seeking for protection in The Netherlands

In July 2016 there are 8484 children (0-17 years) in the refugee centres in The Netherlands.

In the Netherlands there are about 250 child- marriages a year

No specific data found about children, in 2015 there were 55 reports of a sex offence in or around refugee centers.

The data is from the Dutch police

POLAND / POLOGNE

Question 1.a

As regards the number of migrant and asylum-seeking children in Poland, in the period between 1 July 2015 and 30 June 2016, there is no specific data base providing the exact number. According to the Office for Foreigners, the number of minor foreigners **who applied** for international protection of refugees in the referenced period of time is 7,193 (including 159 minor foreigners without guardians). The number of minor foreigners who applied for legalization of stay is 10,206. The table below illustrates how the numbers changed in between July 2015 and June 2016:

	2015						2016					
No of applications	July	August	September	October	November	December	January	February	March	April	May	June
International protection-all minors who applied	500	661	851	677	596	555	269	394	547	574	748	821
International protection-minors without guardians	12	19	8	24	11	13	7	7	19	7	15	17
Legalization of stay	844	953	976	991	889	870	688	823	847	818	673	834

Source: Office for Foreigners data base

The aggregate number of children who were victims of sexual exploitation and sexual abuse in Poland, for the period between 1 July 2015 and 30 June 2016, is 1,808 – of which only 2 children were foreigners (citizens of Kazakhstan and Germany). Regarding presumed victims, 6 children (citizens of Vietnam) could potentially be the victims of sexual exploitation and sexual abuse in 2015. However, it should be emphasized that this is not a result of the refugee crisis, but was related to human trafficking. Those children were illegally transported to Poland and then to the Germany. Sexual exploitation and sexual abuse took place in their home country or in transit countries, not in Poland.

Question 1.b

Please also explain how the age is determined in case of doubt;

Victims of sexual exploitation and sexual abuse usually report the crime themselves. However, the Border Guard has a special “Program of support and protection for potential victims of human trafficking and sexual abuse” to offer them professional assistance. All information about this type of crime is collected in the Police Information System and at the General Statistic Office.

There is no distinction between victims of sexual exploitation/abuse prior to their entry into Polish territory and after entry. It is however important to determine where the crime took place for the purposes of the asylum procedure. If the crime took place prior to entry, this is an important circumstance in receiving asylum-seeker status.

In case of doubts about the age of the victim, it is recommended to perform medical research, especially general examination, left wrist X-ray and dental examination. This kind of examination can be performed only with the permission of the child's guardian. All information about the method of examination, consequences of refusal and results of examination are communicated in the mother tongue of the victim. Presumption of minority applies until the results of examination are obtained.

Question 1.c

To offer a coordinated response from the different agencies in charge of the protection from, the prevention of, and the fight against sexual exploitation and sexual abuse of children a special program was put in place. "The Algorithm of identification and proceeding concerning the minor victim of human trafficking" is specifically addressed to Police and Border Guard officers. It was adopted on 28.09.2015. Moreover, in 2008 the Border Guard created a special group responsible for permanent monitoring and coordination of Border Guard actions in charge of prevention and elimination of human trafficking.

Question 1.d

The chief institutions responsible for the collection of the above data are the Police (Intelligence and Criminal Office) and the Border Guard (Department for Foreigners' Issues and Operational-Investigative Department). This kind of data is also collected by the Head of the Office for Foreigners and the General Statistic Office.

PORTUGAL

Question 1.a

Until now, Portugal has not been targeted as destination / crossing point in what concerns to the recent refugee crisis. In this context, Portugal has not an influx of irregular migrants. Concerning regular asylum applications¹¹ and asylum seeking children, Portugal does not register an influx as well.

According to the Immigration and Border Service (SEF), Portugal registered officially for the period 01.01.2015/31.12.2015, 49 unaccompanied minors asylum applications.

Non governmental organizations provided also the following numbers:

According to the Portuguese Council of Refugees (CPR), for the period 31.07.2015/30/06/2016, 54 unaccompanied minors and 62 accompanied minors have asked directly to the Portuguese authorities for international protection in Portugal (spontaneous demands); According to the Plataforma de Apoio aos Refugiados (PAR) for the period 01.06.2015/30/06/2016, and within the scope of the relocation program to PAR- Families (only accompanied children), 90 asylum-seeking accompanied children , including 71 from Syria, 17 from Iraq and 2 from Eritrea . From these 90 children, 38 are girls, and 52 are boys.

¹¹ The Portuguese Asylum Law 26/2014 of 5 May 2014 amended the Asylum Law adopted in 2008 that sets out the conditions and procedures for granting asylum or subsidiary protection and the status of asylum, refugee and subsidiary protection to applicants

Definitions for minors and unaccompanied minors are foreseen in the Qualification Directive¹² that was implemented through national law 27/2008 (article 2, § 1 l) and m)) as follow :

Minor: third-country national or stateless person under 18 years of age;

Unaccompanied minor: any third-country nationals or stateless persons below the age of 18 years who come into the national country unaccompanied by an adult who, by law or custom, take responsibility for them, for as long as they are not effectively taken into the care of that person, or who have been abandoned after entry into national territory.

Question 1.b

No victims of sexual exploitation and sexual abuse exploitation have been identified.

To determine the age of unaccompanied minors, the SEF can resort to medical expertise, through non-invasive examination (dental and wrist x-rays), assuming that the applicant is minor if founded doubts remain.

In those cases unaccompanied minors must be informed that their age will be determined through a forensic examination. The respective representative should give consent for that purpose. The refusal to conduct expert examination does not determine the rejection of the application for international protection.

Question 1.c

No cases of sexual abuse or exploitation of refugee children are registered

Question 1.d

SEF, Serviço de Estrangeiros e Fronteiras, (Immigration and Border Services) www.sef.pt. Its mission is to implement Portuguese policy for immigration and asylum in agreement with the provisions of the Constitution and the Law, and the Government's guidelines

PAR, Plataforma de Apoio aos Refugiados ,(Platform for the support of refugees) established by several civil society organizations, with the support of hosting refugees and asylum seekers in Portugal and promoting the integration of minor and families, <http://www.refugiados.pt/> . The "PAR families" program was created by PAR, consisting on a project for the reception and integration of refugees families in Portugal, in a Community context, in different regions throughout the country with the involvement of families of refugees. Within this program there are no unaccompanied children.

CPR, Conselho Português para os Refugiados, (Portuguese Council for refugees) is a non-governmental organization for development non-profit organization, which aims at the reception and integration of refugees, the promotion of humanitarian asylum and sustainable policies, training and awareness of this issue and to human rights in General. Is the operating partner of the United Nations High Commissioner (UNHCR) to Portugal.

¹² Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or person who otherwise need international protection and the content of the position granted.

ROMANIA / ROUMANIE

Question 1.a

215 asylum applications from children were registered by the Romanian Immigration Inspectorate (**the period between 1 July 2015 and 30 June 2016**); among them 29 children were unaccompanied.

No data on children who are victims or presumed victims of sexual exploitation and sexual abuse.

Question 1.b

Pursuant to Law no. 122/2006 on asylum in Romania, as further amended and supplemented, the category of vulnerable persons or persons with special needs includes minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with mental disorders, persons who have been subjected to torture, rape or other serious forms of psychological, mental or sexual violence or persons in other special situations, similar to the ones mentioned above. In the asylum procedure benefit of doubt is a guiding principle for cases where is a doubt regarding the age of the applicant.

Question 1.c

A mechanism for the identification of vulnerable persons among asylum seekers is implemented. There are the observation sheet forms that contain columns to be filled in with possible indications as to the possibility that the asylum seeker in question is part of a vulnerable category.

Question 1.d

The identification mechanism mentioned above is implemented by the Romanian Immigration Inspectorate together with the UNHCR, the NGOs, and other institutions as the authority for child protection.

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Question 1

It is necessary to mention that currently Russia is not involved in European refugee crisis taking into consideration the political, economic, and geopolitical factors. Such problems have not affected Russia.

Question 1.a

In this regard in 2015 the number of migrant children applied for refugee status on the territory of the Russian Federation amounted to 231 children, 186 children got the positive decision.

During the first half of 2016 year the number of positive decisions concerning the recognition migrant children as refugees amounted to 105. These are not significant figures, allowing the public and law enforcement agencies to establish a rigorous and careful monitoring of each refugee child, a temporary shelter was provided to 67177 children.

Almost all children entered Russia with their parents or other relatives. No complaints have been received from either the children or other persons so far.

Question 1.b

These categories of children are identified as victims on basis of their personal testimony, medical examination, witnesses` evidence, and operation investigations.

According to current international standards, the government has no legal right to interfere in the private lives of citizens of other states. Respectively, the consideration of possible victims of sexual violence takes place after their entry onto the territory of the Russian Federation.

Accordingly, statistical data is processed with regard to only the above group of persons (Group 2).

Refugees as potential underage victims of sexual violence enjoy all the rights provided for such situations by the legislation of the Russian Federation.

The age of victims is identified on basis of their current documents, medical records, the evidence of the parents and accompanying persons, official databases.

Question 1.c

This data is collected and used to counteract sexual violence against refugee children and their protection (the Russian Interior Ministry divisions), to provide for medical care to this group of people (divisions of the Ministry of Health) and to do preventive work (territorial government divisions)

Question 1.d

A united system of data has been created using IT resources of the Department for Field Operation and Investigation Information of the Interior Ministry of Russia (only for official use in criminal investigations) with the aim of enhancing activities to collect and generalize the information on persons who have committed crimes of sexual character concerning minors, as well as to obtain information and analytical material on children affected by the actions of pedophiles.

Given the urgency of the matter the Department for Struggle against Pedophilia is in operation as part of the Department for Disclosure of Crimes against Sexual Inviolability and Sexual Freedom of Person of the Interior Ministry General Administration of Criminal Investigation.

In order to improve the efficiency of ministerial control the special statistical reporting form has been renewed to produce the results of field operation and investigative activities regarding minors.

SAN MARINO / SAINT-MARIN

Question 1

Actuellement, 3 mineurs se trouvent à Saint-Marin, tous accompagnés.

Aucun ne semble être ou avoir été victime d'abus sexuels.

Les mineurs accompagnés ont été identifiés dans les camps de réfugiés au Liban par des ONG sur place, puis acheminés à Saint-Marin par le biais d'un couloir humanitaire.

Un quatrième mineur était arrivé en Italie non accompagné, a été identifié par les autorités italiennes, puis à 18 ans, contraint de laisser la maison d'accueil pour mineurs non accompagnés où il séjournait, il a été accueilli à Saint-Marin.

Les données sont collectées par le Bureau des Étrangers de la Gendarmerie, qui reçoit les demandes de permis de séjour pour des raisons humanitaires. Le Congrès d'État envoie la délibération qui délivre le permis à la direction des services sanitaires et sociaux – de laquelle dépend le Service des Mineurs - et au Bureau du Travail.

SERBIA / SERBIE

Question 1.a

According to Ministry of Interior (Boarder Police) statistics, in most intensive period of migrations (2015-2016): 10 500 accompanied children (children without legal guardianship) crossed Serbian borders. The majority of these unaccompanied children were in-group of grownups, that were of same origin: relatives, or neighbors, treating child/children as member of a family, and were due to this facts let trough toward their final destinations. Above figure represents 25% from total number of persons that enter Serbian territory as migrants at that time. Smaller group of accompanied children stayed for a while in prepared facilities, under supervision of social services and with NGO's services. In 2015, the numbers of children in reception centers were 64. In first hundred days of 2016, the numbers in reception centers were also 64. Countries of origin were: Afghanistan 55; Syria 6; Pakistan 2 and Iraq 1 (in 2015); and Afghanistan 47; Morocco 17; Algeria 1; Pakistan 2; and Bangladesh 1 (in 2016). The number of asylum seekers among them is unknown. UN Commissioner for Refuges and several (state) structures (health, social) providing services for migrants agreed with this statistics. Among them, no one had reported that child/children are identified as victims of sexual abuse. The problem of migrant is not new in Serbia. According to a statistic of a State Shelter, which is established to host young accompanied migrants in 2009, some 650 were hosted. For the period of 7 years (2009/2016), not a single case of sexual abuse among young migrants was reported.

On the other side, NGO "Atina" (Athens) have reported (or put remarks), that while working on the field "noticed some number of children", whose behavior was indicating "possible sexual abuse". As a concrete example, field worker identified a group of seven children (age between 8-12), which were escorted by their "17 years older brother". Indicators for such conclusions were that children (girls) were performing "erotic dance", discussing "marriage issues and how to please a man", talking about "body shapes" etc. Their brother explained their behavior is result of "maltreatment" they experienced from extremists. Some remarks were also made that these children were manifesting "anxiety".

The same NGO is claiming that among children they met, few girls were wearing a "sign" on the forehead. This mark (sign) was, according to "cultural mediators" (people originating from the same countries/culture, and which are translating), was interpreted as "custom" among certain "tribes". It speaks those girls (age of 12) are "married", which brought field workers to assumption many of these girls are, in fact, married for a grownup man.

Question 1.b

A brief period of maintenance in Serbia was influencing that children were not asked if they have (or previously had) some negative experience with sexual abuse. Focus was put on their basic safety (while passing through Serbia); on their existential needs (food and medical protection); personal and legal protection. Officially, cases of sexual abuse were not reported to State Shelter.

On the other hand NGO "Atina" also runs a shelter, which is predominately for protecting the victims of trafficking. Among them, in unidentified period of time (and length of the placement), NGO has identified few victims of sexual abuse. They are claiming to have uncertain number of both: boys and girls, which were victims of sexual abuse in their country of origin. Perpetrators were parents/relatives (father and uncles, mostly). They have also reported a few cases of sexual abuse (from "entering into a child private space", up to "making pornographic images" and "rape"), where the perpetrators were "smugglers" (in Macedonia and in Turkey).

Question 1.c

As mentioned above, while migrant-children were crossing through Serbia, focus was put on their basic safety. There are no data available about specific kind of psycho/social (or other kind of support) related with experience of sexual abuse. As "basic preventive measure" girls were divided from boys in separate (State) facilities.

NGO "Atina" confirms that "preventive measures" were not organized systematically. Most of the spaces within the "shelters" were adjusted to the needs of women with smaller children (age of five), while "confidential spaces for teenagers" are missing. Also insufficient numbers of "experienced and trained professionals" on the field were obstacle for more organized and targeted reaction.

Question 1.d

Ministry of Interior (Border Police); State Shelter in Belgrade; NGO "Atina" (Athens).

SLOVENIA / SLOVENIE

Question 1

At the moment, there are 79 child applicants for international protection, out of these 79, 16 are unaccompanied children.

Question 1.a

In the period from 1. 7. 2015 to 30. 6. 2016 there were 250 child applicants for international protection, among them 106 unaccompanied minors. None among them was identified as a victim of sexual abuse.

Question 1.b

None among the child applicants for international protection was identified as a victim of sexual abuse.

Question 1.c

If an child applicant for international protection is identified as a victim of sexual abuse, an expert action programme is designed, comprising of an estimate of a further risk of endangerment, a safety plan, options for safety lodging, a plan of advocacy, legal aid and other forms of help, such as psychotherapeutic help, expert psychosocial counseling, inclusion in workshops for personal growth, keeping company and free time activities, individual help and directing the victim to adequate institution in order to receive help and support. If needed, taking into account circumstances of individual case, experts from the Asylum center, Social work center, Police as well as experts from the field of education and health service, can take part in the treatment of a sexual abuse victim.

SLOVAK REPUBLIC / REPUBLIQUE DE SLOVAQUIE

Question 1

The question cannot be answered comprehensively due to the fact that with respect to the extent of the refugee crisis in the Slovak Republic it is difficult to differentiate migrant and asylum-seeking children who are present in the territory of the Slovak Republic as a result of the refugee crisis from other migrant and asylum-seeking children.

Act No. 305/2005 Coll. on Social and Legal Protection of Children and Social Guardianship defines an unaccompanied minor as a child who is not a citizen of the Slovak Republic and is present in the territory of the Slovak Republic unaccompanied by his/her parent or other adult person to whose personal care he/she may had been entrusted.

There is no definition of “accompanied children” in the legislative framework of the Slovak Republic. However, an accompanied child is understood to be a migrant and/or an asylum-seeking child other than an unaccompanied minor (i.e. the child is accompanied by his/her parent(s) or other adult person to whose personal care he/she had been entrusted).

Question 1.a

In 2015 there were 304 child migrants, out of which 34 were unaccompanied minors. As for the first half of 2016, there were 101 child migrants, out of which 17 were unaccompanied minors.

Within the period between July 1, 2015 and June 30, 2016, none of the migrant and asylum seeking children was identified as a victim or a presumed victim of sexual exploitation and sexual abuse.

Source:

Bureau of Border and Alien Police of the Presidium of the Police Force, Ministry of Interior of the Slovak Republic
Central Office of Labour, Social Affairs and Family

Question 1.b

No distinction is being made between victims of sexual exploitation/abuse in terms of Group 1 and Group 2 as indicated in the enquiry.

In line with the Aliens Act no. 48/2002 Coll., the police department is authorized to initiate, if necessary, a medical examination to determine the age of an unaccompanied minor in case of doubt (i.e. not applicable in cases when the person is obviously a minor). The result of the medical examination to determine the age of the person is drawn up by a doctor as an expert opinion. If the result of the medical examination is not sufficient enough to determine whether the person is an adult or a minor, the person is deemed a minor in further proceedings under the Aliens Act. Provided the person in question refuses to undergo a medical examination, he/she is considered an adult for the purposes of further proceedings.

Border police officers are being trained in trafficking in human beings identification, hence, indicators that a child may be a victim can be identified during the initial proceedings and actions at the particular department of Bureau of Border and Alien Police.

A more thorough examination is carried out in the facility migrant children are placed in. In case the child is an unaccompanied minor, the Bureau of Border and Alien Police or the local Police Force department without further delay reports to the authority of socio-legal protection of children and social guardianship in order to place the child in the Children's Home for Unaccompanied Minors Medzilaborce. Every unaccompanied minor has access to social personnel and a psychologist and a case conference is organized in the presence of an interpreter to communicate with the child in a language he/she understands and speaks. Besides language barrier, reluctance of the child to confide (caused by fear, shame, etc.) has been identified as the main challenge in identification.

Question 1.c

With regard to information above, none of the migrant children in the Slovak Republic has been identified as a victim of child abuse/exploitation. In addition, the extent of the refugee crisis in Slovakia compared with other state parties remains small.

Protection of victims of human trafficking is provided in accordance with distinct regulations. If the victim of human trafficking is an unaccompanied minor, the authority of socio-legal protection of children and social guardianship in cooperation with other entities ensure that the child is placed in the Programme for Support and Protection of the Victims of Human Trafficking.

In case of extensive increase in the number of cases of sexual exploitation and abuse, measures will be taken within the policy framework, in particular the National Strategy for the Protection of Children against Violence to reinforce coordinated response in cases of migrant children and if needed create distinct programmes of assistance for this particular target group of children.

Question 1.d

The National Unit for Combating Illegal Migration of the Bureau of Border and Alien Police of the Presidium of the Police Force is responsible for collecting data about all victims of trafficking in human beings in the Slovak Republic.

As to collecting data on migrant and asylum seeking children in the Slovak Republic, the Alien Police Department of the Bureau of Border and Alien Police of the Presidium of the Police Force and the Migration Office of the Ministry of Interior are the responsible bodies.

Additional data within the scope of the implementation of measures of social and legal protection of children and social guardianship by state entities for the unaccompanied minors, as well as information on providing care and education to children in the Children's Home for Unaccompanied Minors Medzilaborce are collected by the Ministry of Labour, Social Affairs and Family of the Slovak Republic.

Data on crimes related to sexual exploitation and sexual abuse are collected by the Presidium of the Police Force. Currently proceeding updates of data collection system promise to include information about the migrant and/or asylum-seeking status of the child victim in the future.

SPAIN / ESPAGNE

Question 1.a

In 2015, 3.754 applicants for international protection were considered to be minors (3.728 accompanied and 26 unaccompanied). In 2016 (data available on 29 August), this number has reached 2.083 (1.115 accompanied and 968 unaccompanied). A Nigerian minor has been identified as an alleged trafficking victim during the reference period.

As regards the concepts of accompanied and unaccompanied children in Spain, they are defined as follows:

- Accompanied minor: non-EU national or stateless person below the age of 18 accompanied by an adult who has illegally entered the Spanish territory or crossed a border post claiming to be the birthparent, a relative or another adult responsible for the minor.
- Unaccompanied minor: foreign minor below the age of 18 who arrives on the Spanish territory unaccompanied by an adult responsible for him or her whether by law or by the practice, and for as long as he or she is not effectively taken into the care of such a person. It includes a minor who is left unaccompanied after she or he has entered the Spanish territory.

Question 1.b

The protocol to identify trafficking victims, which has been developed with NGO input since 2013, applies to applicants for international protection. It establishes indicators to detect the victims of trafficking for the purpose of sexual exploitation, which are applied by specialised trained police officers in cooperation with specialised entities. Interviews with the victims are carried out by specialised professionals; the victim may be accompanied by other persons or professionals.

With respect to the age assessment procedure, article 35.3 of Organic Act 4/2000 on the Rights and Freedoms of Foreigners in Spain and their Social Integration states that: "In the event that the State Security Forces locate an undocumented foreigner for whom it cannot be firmly established that they are a minor, they will give them, by way of social services trained in the protection of minors, the immediate attention they need, in accordance with the established legislation on the legal protection of minors. They will immediately alert the Public Prosecutor's Office, who will provide age assessment, for which appropriate health institutions will conduct any necessary tests with priority."

In addition, Royal Decree 557/2011, which establishes a new regulation implementing Organic Act 4/2000, sets forth the obligation to put under the guardianship of the protection services unaccompanied foreigners located by the State Security Forces for whom it cannot be determined with certainty if they are a minor. The Public Prosecutor's Office will be alerted about the incident too.

Furthermore, a framework protocol on unaccompanied foreign minors was adopted in July 2014. It is an agreement between the Public Prosecutor's Office and the Ministries of Justice, Employment and Social Security, Health, Social Services and Equality, Home Affairs and Foreign Affairs and Cooperation. The purpose of this Protocol is to coordinate the intervention of institutions and administrations concerned once the minor or alleged minor is found (identification, age assessment, placement under the care of the social services and documentation). It is also aimed at successfully operating the Unaccompanied Foreign Minors Register.

The procedure to assess the age involves medical examinations conducted by specialised medical professionals. Prior to rendering her/his consent, the minor is informed by the police officer and the professional about the scope and the nature of the tests respectively.

The decree by the Public Prosecutor's Office determines the minor's age and decides on her/his placement. Both the identifying data and the decree are registered in the Unaccompanied Foreign Minors Register that is coordinated by the Public Prosecutor's Office.

On another point, the Civil Guard created a special anti-trafficking unit in 2014. Besides, the Family and Women Unit of the National Police was created a year later to investigate and prosecute gender-based violence offences and sexual offences and ensure a child-sensitive conduct of actions under the best interest of the child principle.

This Unit monitors the operation of the database of missing children and coordinates the investigations conducted by regional units to identify children at risk. It has contacted UNHCR to collaborate in protecting refugee children from criminal organisations. It is also working to improve the quality of the protection services granted to refugee children assuring their non-discriminatory access.

Question 1.c

Once a child victim is detected, the Protocol on unaccompanied foreign minors is implemented: the State Security Forces report the fact to the Public Prosecutor's Office and contact NGOs involved to provide her/him any assistance required (interpreter, psychologist, accommodation centres). All relevant actors collaborate smoothly to ensure that actions are carried out in the best interest of the child and taking due account of her/his particular vulnerability.

Question 1.d

The Office for Asylum and Refuge and the Sub-Directorate General for International Police Cooperation (both Units are attached to the Ministry for Home Affairs).

SPAIN / ESPAGNE

Replies sent by the SICAR.CAT programme - Spain

Question 1.a

Our organisation has been observing an increasing number of minor victims of THB during the past few years. In 2015, 38 child victims of THB were reported in the region of Catalonia, including potential victims and victims duly identified by the police authorities.

Unfortunately, there is few official data accessible for us regarding the presence of migrant and asylum-seeking children in Spanish territory. The official data available refers to applicants for international protection on one side and unaccompanied minors on the other side. Therefore, it excludes other migrant and asylum-seeking children – both accompanied and unaccompanied - that were not granted duly registered due to detection and identification failures, which will be specified in the following questions. For the same reason, there is scarce detection and collection of specific data of presumed victims of sexual exploitation.

Question 1.b

Identification of victims of sexual exploitation prior to the entry

Our replies are focused on arrivals or entry by air since our organisation has regular presence at the airports but not at other entry spots (for example, Ceuta and Melilla fences, coasts or ports).

a. Accompanied minors

Regarding the identification of victims among accompanied minors, our organisation has observed arrivals of children accompanied by their alleged relatives. In some cases, their entry to territory is denied because of the false documentation they are carrying. However, it seems there is no specific mechanism to confirm the (family) bond between the child and the adult accompanying him or her. To the contrary, police officers tend to focus on the irregularity of the entry, not detecting potential situations of trafficking of children for the purpose of sexual exploitation.

From our point of view, the lack of a specific protocol to assure a real and secure relationship between children and the accompanying adult may be used as an advantage by trafficking networks, if it is not already being used to introduce victims of THB for sexual exploitation to Spanish territory.

b. Unaccompanied minors

Once an unaccompanied minor is detected at Spanish borders (including airports), he or she will put in charge of the Public Prosecutor's office for his/her age to be assessed by several medical tests according to Framework Protocol on unaccompanied minors (2014). If he/she is proved a minor, the child will be put under the legal guardianship of the competent public authority. The aforementioned protocol is also implemented when the child is an asylum-seeker or may be a victim of THB for the purpose of sexual exploitation. The content of this protocol does not include any specific provisions regarding the needs of child asylum-seekers and victims of sexual exploitation. More information about problematic situation will be provided in the following paragraphs.

If the child is proved to be an adult, he/she will return to the airport. Any procedure to claim for asylum or to deny his/her entry is to be continued. However, the age assessment procedure presents various problems in terms of accuracy and reliability of its results. Therefore, we can observe frequent cases of denial of entry or removal in which the child is being treated as an adult. Obviously, these procedures do not take into account the best interest of the child principle and the child's vulnerability to a potential situation of sexual exploitation since he/she is considered to be an adult by public authorities.

c. General challenges for identification

In general, several systemic failures in identification of victims of THB for the purpose of sexual exploitation arriving by air have been detected:

a) In 2014, the Civil Guard created a special anti-trafficking unit (UCRIF) which is responsible for identification of victims of THB, including those trafficked for the purpose of sexual exploitation. However, UCRIF does not have direct and permanent presence at the airports or any other national borders. Their intervention depends on a previous communication by border guards. Therefore, the first-line detection of victims of sexual exploitation does not depend on specially trained officers but "ordinary" border officers. In any case, UCRIF is unlikely to intervene before the age assessment procedure has taken place, which has many negative consequences for minor victims of sexual exploitation (more information will be provided in the following questions).

b) Specialised training provided to border guards may not be sufficient since it has not turned into a higher number of identified victims of sexual exploitation. This specialised training is basically focused on the questionnaire that is to be asked to the potential victim. Therefore, police officers at the airports expect the potential victim to give detailed information of his/her situation without taking into consideration he/she might not be aware of his/her victim status. From our point of view, border police officers should be trained to detect indicators of trafficking for sexual exploitation and not to rely on the information provided by the potential victim – specially, if he/she is a child – or other adults, if he/she is accompanied.

c) Generally speaking, there is not sufficient presence of specialised non governmental organisations which could collaborate in detection of potential victims of sexual exploitation at the airports. In the case of El Prat-Barcelona airport, our organisation may be requested to intervene along with UCRIF when a victim of trafficking is detected. However, detection still relies on border guards who are responsible for warning UCRIF officers. As pointed out above, border police officers are not sufficiently trained in observing indicators of trafficking for sexual exploitation. Thus, they do not always request UCRIF's intervention and therefore, the intervention of any specialised NGO. In our opinion, a more permanent and direct presence of specialised police officers and NGO's professionals at all airports is absolutely needed. This intervention should cover asylum procedures and procedures of denial of the entry in which a potential child is involved (even if the age assessment procedure has proved him/her to be over 18 years old).

Identification of victims of sexual exploitation after entry

According to 35.3 of Organic Act 4/2000 on the Rights and Freedoms of Foreigners in Spain and their Social Integration, any unaccompanied minor must be provided with accommodation within the child protection services. The competent public institution must be appointed for his or her legal guardianship. In Catalonia, the institution responsible for this

is the General Directorate for Childhood and Adolescence (DGAIA, for its acronym in Catalan). Nevertheless, the Framework Protocol on unaccompanied minors provides that, in case of doubt, his/her age is to be assessed by various medical examinations. In practice, this protocol results in the child undergoing the age assessment procedure before being provided with immediate attention to his/her needs.

As pointed out above, the protocol also applies to potential asylum-seekers, victims of THB and victims of sexual exploitation but does not include any specific provisions to detect their situation and cover their needs. If the child is proved to be less than 18 years old, he/she will enter into the competent regional protection system. Then, their detection and identification as victims of sexual exploitation or victims of THB for that purpose will depend on social workers or educators working at child protection services. In most of the cases, these professionals are not trained on THB or sexual exploitation. Therefore, many victims are not being detected until they get in touch with a specialised NGO somehow. Obviously, those children who are never assisted by a specialised NGO are unlikely to be detected and identified as victims of sexual exploitation during their childhood/adolescence.

After some complaints to the Catalan ombudsperson, our organisation and the Catalan General Directorate for Childhood and Adolescence are currently working on a specific protocol and short-period facilities for these children/teenagers. We expect this collaboration will raise the detection of victims of sexual exploitation or trafficking for that purpose amongst unaccompanied minors. However, this protocol will exclude those children that never enter into the child protection system since they are considered to be adults according to the age assessment procedure.

Determination of the age in case of doubt: the age assessment procedure

As mentioned above, Organic Act 4/2000 and the Framework Protocol on unaccompanied minors provide that, in case of doubt, a child's age must be assessed by several medical examinations. In theory, the whole procedure consists on the aforementioned examinations and an individual interview conducted by the competent Public Prosecutor. The Public Prosecutor's Office is responsible for the whole procedure and the determination of the age in the light of the results.

Among others, the age assessment procedure is considered to be problematic for the following reasons:

- Various health institutions have stated that the results of the procedure are not sufficiently concluding and accurate. To the contrary, these medical examinations present a significant margin of error¹³. Thus, it is likely that some children are considered to be over 18 years old and excluded from the child protection system due to the lack of accuracy of this age assessment procedure. In some cases, these children/teenagers end up in detention centers

¹³ GARAMENDI GONZÁLEZ, Pedro M.; BAÑON GONZÁLEZ, Rafael; PUJOL ROBINAT, Amadeo; AGUADO BUSTOS, Fernando F.; LANDA TABUYO, María Irene; PRIETO CARRERO, José Luis y SERRULLA RECH, Fernando, *Recommendations on the methods for assessing the forensic age of unaccompanied foreign minors. Good practice Consensus Document by the Legal Medicine Institutes of SPAIN (2010)*, Revista Española de Medicina Legal. 2011; 37(1): páginas 22-29: (accessed by November 14th 2016).

for adult migrants or are removed to their countries of origin without an individual assessment of their situation.

In addition, these medical examinations are considered to be highly intrusive and harmful for the child's psychological integrity. In some cases, the age assessment procedure may be repeated several times during the child's stay in Spanish territory.

- Even though Organic Act 4/2000 establishes the age assessment procedure for those cases in which the age of the child cannot be determined with certainty, the procedure is being carried out systematically by the Public Prosecutor's offices. Children carrying an official passport or being capable to obtain it also undergo the aforementioned medical examinations. The Spanish Supreme Court has prohibited implementing the age assessment procedure indiscriminately¹⁴ but it is still being applied this way so far.

- Thirdly, some bad practices regarding the implementation of the age assessment procedure have been detected. In general, the procedure is not carried out with sufficient guarantees and according to the best interest of the child principle. Frequently, there is no presence of an interpreter to obtain an informed consent by the child. In addition, the procedure or the results are often not duly notified to a lawyer or a specialised NGO that could assist the child.

Question 1.c

See answers above.

SWEDEN / SUEDE

Question 1

- During the second half of 2015, more than 134 000 asylum seekers came to Sweden. More than 30 000 of them were unaccompanied minors. Under the first half of 2016 1 200 unaccompanied minors applied for asylum in Sweden. The number of children who came to Sweden with their parents or other legal custodial parent was 29 700 in the second half of 2015, and 4 450 children until July 2016.

- As a result of this development, in average 58 156 children, per month, were staying in Sweden as asylum seekers during the mentioned period. Out of whom an average of 26 768 per month, were unaccompanied minors. The statistics for each month are as follows:

¹⁴ Supreme Court's judgment num. 452/2014. September 24th 2014.

Month	Total number of children	Unaccompanied children
June 2015	22 199	6 566
July	24 000	8007
August	26 000	10 338
September	33 000	14 394
October	46 000	22 180
November	60 000	30 149
December	72 700	33 634
January 2016	71 000	33 568
February	70 000	33 112
March	69 000	32 534
April	68 000	31 969
May	66 000	31 290
June	64 500	30 626
July	63 632	29 851

- Of the unaccompanied minors who sought asylum in 2015, 90 percent were boys. Nearly all were young people aged 13-17 years (90 percent) and one-third was aged 16-17 years. Afghanistan has long been the most common country of origin, from which 60 percent came in 2015. Syria was the second most common country of origin of 10 percent. Other countries of origin are Somalia, Eritrea and Iraq.
- During the second half of 2015, there were 39 reported cases of suspected trafficking of asylum-seeking children. Twelve of these asylum-seeking children were suspected of having been subjected to sexual exploitation. Two of these asylum-seeking children were suspected of having been subjected to the sexual exploitation in Sweden, while the 10 remaining suspected cases had occurred in the country of origin or en route to Sweden. The remaining 27 cases of suspected trafficking during the period involving asylum-seeking children were for the purpose of forced labour or other purposes.
- During the first half of 2016, there were 53 suspected cases of trafficking involving asylum-seeking children. 19 of these asylum-seeking children claim that they have been subjected to sexual exploitation. Five out of 19 of these incidents are suspected to having taken place in Sweden, while 14 incidents are suspected to having taken place in the country of origin or en route to Sweden. The remaining 34 cases of suspected trafficking during the period involving asylum-seeking children were for the purpose of forced labour or other purposes.
- The suspected cases were detected or identified by the Swedish Migration Agency and relates to cases where sections within the Migration Agency have taken measures in accordance with the Migration Agency's Handbook. The staff of the Migration Agency are trained and sensitized to identify suspected cases of sexual exploitation in the context of registration, asylum, reception and other processes. Since 2014, the Agency has a National Coordinator for the work against Trafficking in Human beings and a working party which included Agency officials with special child competence. The working party shall continuously

develop the Agency's work on these issues. Contact persons that specialize in human trafficking issues are placed in over 90 sections throughout the country. Standards and routines were improved during 2015 to focus on identifying children at risk and how to handle such cases. Internal reporting mechanisms and identification tools are in place. As regards challenges, the biggest obstacle is linked to the fact that victims are not always forthcoming with their experiences.

- One of the lessons learned is that stronger coordination is required to enable the actors taking part in dealing with the refugee situation – including central government agencies, municipalities, county councils, non-governmental organisations, faith communities and private actors – to work effectively together. The Government has therefore tasked the Swedish Civil Contingencies Agency with coordinating the management of the current refugee situation at national level. The Agency is to produce national situation reports, with information on areas in need of measures that have not yet been adequately taken. The Agency is also to identify and report on other circumstances that the Government should know about in order to assess the Government's need to take action.

- Within the Swedish Government, a State secretary at the Ministry of Health and Social Affairs was appointed as the coordinator on the issue of unaccompanied children who have applied for asylum.

- If an asylum-seeker, an adult or a minor does not have any identification documents to prove his or her age the staff must have a conversation with the person about how old s/he is. The case officer at the Swedish Migration Agency will currently inform the person about the option to go to a doctor and do a medical age assessment (in practice a wrist or dental X-ray). The doctor will then estimate the person's approximate age. The medical assessment is voluntary. The Swedish Migration Agency can change its assessment of the person's age if the person submits approved identification documents or shows how old the person is in some other way.

- We have to mention that the national procedures on age assessment are currently under review: the National Board for Health and Welfare was instructed in 2016 to deepen the knowledge of methods of medical age assessment. As well, in May 2016, the government commissioned the National Board of Forensic Medicine to conduct medical age assessments based on current research and proven experience in the medical age assessments in the context of applications for residence permits. The National Board of Forensic Medicine will review methods for age assessment and will be studying how the neighbouring Nordic countries and some other EU countries, working with medical age assessments. By 15 November 2016, the National Board of Forensic Medicine will report for the government, among other things how medical age assessments are made.

- In Sweden, the Migration Agency is the authority that considers applications from people who want to take up permanent residence in Sweden, come for a visit, seek protection from persecution or become Swedish citizens. The Migration Agency is the authority in charge of collecting and publishing facts, statistics and projections on migration. The Swedish Migration Agency has also the responsibility to detect and report suspected instances of human trafficking to the national police authority. Moreover, the Swedish Government has delegated the coordination responsibility for combating and preventing

human trafficking crimes to the Stockholm County Administrative Board in Stockholm who in this capacity work closely with the Swedish Migration Agency and partners.

SWITZERLAND / SUISSE

Question 1.a

Estimations concernant exclusivement les demandeurs d'asile non accompagnés : du 1^{er} janvier 2015 au 30 juin 2016, 2'945 demandes d'asile ont été déposées en Suisse par des requérants se déclarant mineurs et non accompagnés. Pour cette période déterminée, **7 requérants d'asile non accompagnés** ont été identifiés au cours de la procédure d'asile comme ayant été potentiellement victimes de traite des êtres humains, sans qu'il ne soit fait de distinction à cet égard entre l'exploitation sexuelle et les autres types d'exploitation couverts par la notion de traite des êtres humains.

Estimations concernant de manière générale les enfants migrants et demandeurs d'asile : du 1^{er} janvier 2015 au 30 juin 2016, 12'392 mineurs accompagnés ont été enregistré en Suisse dans le domaine de l'asile (accompagnés dans la grande majorité des cas par leurs parents). Pour l'année 2015 (les données concernant l'année 2016 ne sont pas encore connues), **5 mineurs** ont été reconnus victimes de traite des êtres humains selon l'article 182 du code pénal suisse, sans qu'il ne soit fait de distinction à cet égard entre l'exploitation sexuelle et les autres types d'exploitation couverts par la notion de traite des êtres humains. Parmi ces 5 mineurs, 1 était demandeur d'asile et 1 était au bénéfice d'une autorisation courte de séjour en tant qu'étranger. Il n'existe pas d'estimations concernant, outre les victimes d'exploitation sexuelle, les mineurs victimes d'abus sexuels au sens large.

Définition d'« enfants accompagnés » et « enfants non accompagnés » en Suisse : le « mineur non accompagné » est un mineur n'étant pas « accompagné » selon le droit international ainsi que la pratique et la jurisprudence suisses. Sont considérés comme « accompagnés » les enfants mineurs arrivant en Suisse avec leurs parents (la notion de parents comprenant non seulement le père et la mère biologiques, mais également les parents adoptifs). Sur la base d'une jurisprudence constante, un enfant mineur arrivant en Suisse avec un proche parent adulte ne devra être considéré comme accompagné que si ce celui-ci vivait en ménage commun avec l'enfant dans le pays d'origine et à la condition d'en avoir la charge et d'en être responsable. Il se peut aussi que, dans certaines circonstances, l'étranger mineur qui rejoint un autre proche parent en Suisse ou qui arrive en même temps que lui sans toutefois avoir vécu en ménage commun avec ce dernier puisse être considéré comme accompagné. Il faudra pour cela que ce proche accepte d'en assumer la responsabilité et de l'encadrer durant son séjour en Suisse, que cette solution préserve au mieux l'intérêt supérieur de l'enfant et que le proche en question ait officiellement été désigné comme représentant légal par l'autorité compétente. S'agissant des mineurs gagnant la Suisse avec d'autres personnes ne présentant aucun lien de parenté, ils seront en règle générale considérés comme non accompagnés.

Question 1.b

Processus d'identification dans le cadre de la procédure d'asile : dans le cadre de la procédure d'asile en Suisse, les victimes mineures présumées d'abus et d'exploitation sexuels sont susceptibles d'être identifiées à différents stades de la procédure, selon et par différents types de personnes, à savoir :

- Identification par les déclarations des enfants eux-mêmes, ou des parents ou d'une tierce personne, au cours de la première audition (sommaire) sur les données personnelles ou au cours de l'audition sur les motifs d'asile ;
- Indices d'abus ou d'exploitation qui sont investigués lors de l'audition ou à l'occasion d'une audition complémentaire ;
- Informations du mandataire avant, au cours ou après l'audition ;
- Indications par le représentant légal (personne de confiance, tuteur ou curateur) du mineur non accompagné ;
- Indications d'abus ou d'exploitation sexuels perçues par le personnel d'encadrement au sein du centre d'enregistrement et de procédure géré par la Confédération, notamment par le personnel responsable de la sécurité du centre ;
- Indications d'abus ou d'exploitation sexuels perçues par le médecin du centre d'enregistrement et de procédure géré par la Confédération, notamment suite à un examen médical ;
- Indications par le personnel religieux au sein du centre d'enregistrement et de procédure géré par la Confédération ;
- Indications par le personnel d'encadrement du mineur (ex. enseignant) lorsque celui-ci est attribué à un canton.

Parmi les difficultés de l'identification des requérants d'asile mineurs victimes d'abus et d'exploitation sexuels, il faut relever:

- Le sentiment de honte et de culpabilité de la victime ;
- La peur de la victime de représailles par sa famille ou à l'encontre de sa famille ;
- Le fait que les requérants mineurs accompagnés âgés de moins de 14 ans ne soient en principe pas auditionnés dans le cadre de la procédure d'asile ;
- Le fait qu'une relation de confiance entre la victime et la personne conduisant l'audition ou le personnel du centre d'enregistrement et de procédure soit difficile à établir au vu du temps limité d'une audition ou du séjour du requérant dans le centre d'enregistrement et de procédure.

Concernant l'infraction de l'exploitation sexuelle (traite des êtres humains), il est tenu compte, pour la suite de la procédure d'asile, du lieu de commission de l'infraction pour la détermination de la qualité de réfugié. En effet, si l'exploitation sexuelle a eu lieu dans le pays d'origine du mineur, les conséquences sur la reconnaissance de la qualité de réfugié seront autres que dans le cas où le mineur aurait été exploité après son arrivée sur le territoire suisse. Par ailleurs, dans le cas où l'infraction d'abus ou d'exploitation sexuels aurait été commise dans un autre territoire que le territoire suisse, il est précisé au requérant d'asile lors de son audition que la compétence pour poursuivre cette infraction appartient en principe au pays dans lequel l'infraction a eu lieu.

Estimation de l'âge du requérant en cas de doute : la jurisprudence constante du Tribunal administratif fédéral suisse (plus haute instance administrative en Suisse, statuant en dernier ressort s'agissant de la procédure d'asile, sauf dans le cas où une demande d'extradition serait pendante en parallèle) indique que l'application du « principe du faisceau d'indices sérieux » est la méthode d'appréciation de la vraisemblance de la minorité alléguée par un requérant se déclarant mineur et non accompagné. Il convient ainsi de procéder à une appréciation globale des indices plaidant aussi bien en faveur qu'en défaveur de l'âge déclaré.

Le fardeau de la preuve de la minorité incombe au requérant. Les éléments permettant d'apprécier la vraisemblance de la minorité (faisceau d'indices) sont les suivants : documents d'identité authentiques (indice fort), appréciation des déclarations sur l'âge avancé (indice fort), appréciation des déclarations portant sur les raisons de la non-production de documents d'identité (indice fort), appréciation du résultat d'une radiographie osseuse de base (indice faible) et appréciation de l'apparence physique du requérant (indice très faible). L'évaluation de la minorité d'un requérant dénué de tout document d'identité valable est effectuée si ses doutes apparaissent d'emblée lors du dépôt de la requête. Lorsque la minorité est *de visu* crédible, des investigations ne sont pas opportunes. La méthode scientifique dite « des quatre piliers » (examen morphologique, radiographie osseuse du poignet, statut dentaire et tomographie des clavicules) constitue une alternative pour l'appréciation de la minorité. Actuellement, la jurisprudence ne lui reconnaît cependant pas une valeur supérieure à la radiographie osseuse de base. À partir du moment où la minorité alléguée n'est pas vraisemblable au regard du principe du faisceau d'indices sérieux, un droit d'être entendu est donné au requérant, lequel peut en tout temps déposer des documents d'identité ou des moyens de preuve afin d'appuyer ses allégations. Il peut également contester les conclusions de l'autorité dans le cadre du recours contre la décision finale. Quoiqu'il en soit, en cas de doute persistant, ce dernier profite au requérant.

Dans le cas où un enfant demandeur d'asile serait identifié au cours de la procédure d'asile comme étant une victime présumée d'abus ou d'exploitation sexuels, les différentes autorités compétentes (l'autorité cantonale de protection de l'enfance ; la police fédérale ou cantonale selon le type d'infraction, en cas de traite des êtres humains – exploitation sexuelle notamment – les cas sont directement transmis à la police fédérale, particulièrement lorsque l'exploitation a eu lieu ou a lieu en Suisse ; l'autorité cantonale de la migration chargée de l'hébergement et de l'encadrement du mineur pour la phase de la procédure d'asile la plus longue qui fait suite au séjour dans le centre d'enregistrement et de procédure géré par la Confédération ; éventuellement le centre d'aide aux victimes sur la victime est exploitée en Suisse ou si les faits ont été commis à l'étranger mais que la victime est domiciliée en Suisse) sont informées. Dans le cas où la situation serait urgente, des mesures ciblées sont rapidement prises en termes d'hébergement et d'assistance en coopération avec l'autorité cantonale chargée de la protection de l'enfance.

Question 1.c

L'Office fédéral des statistiques est chargé en Suisse d'établir les statistiques des victimes reconnues de traite des êtres humains (exploitation sexuelles). Le Secrétariat d'Etat aux migrations possède des estimations (qui ne sont pas des statistiques officielles) des cas d'exploitation commis sur des enfants demandeurs d'asile.

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”/ «L'EX-REPUBLIQUE YOUGOSLAVE DE MACEDOINE»

Question 1.a

The analysis of the situation and trends in the past 2 years indicates increased migration characterized by mixed migration flows of migrants and refugees, a large part of whom come into vulnerable categories of persons as unaccompanied children, potential victims and victims of trafficking in human beings. In this context, a significant increase of the number of illegal migrants has been noted and this tendency is expected to continue in the next several

years. Most of them are migrants who transit through the Republic of Macedonia along the so-called Western Balkan route, along which over one million migrants and a large number of illegal migrants passed in the past two years alone.

From 19 June 2015 to 10 January 2016, certificates of intention to seek asylum were issued to a total of 406,945 foreign nationals, 120,342 were children. In the period from 1 January to 8 March 2016, certificates of intention to seek asylum were issued to a total 89,628 migrants, including 34,628 children.

Therefore, the DBAM assesses that over 150,000 minors transited through the territory of the Republic of Macedonia in the period from 1 July 2015 to 30 June 2016.

As regards potential victims of trafficking in human beings, in 2015 two minor migrant children (unaccompanied minors) from Syria were detected/identified among illegal migrants transiting through the territory of the Republic of Macedonia.

In 2016, a total of 18 potential child victims of trafficking in human beings were identified among migrants.

In the same period, 3 minor victims of trafficking in human beings who had been sexually exploited were identified. 2 criminal reports were filed for child trafficking (Article 41.8-d of the CC).

2015

Total child victims identified in 2015		3
Macedonian nationals		3
Foreign nationals		/
Gender	Male	/
	Female	3
Type of exploitation	Sexual exploitation	1
	Sexual exploitation and forced marriage	2
Country of identification	Republic of Macedonia	3

Question 1.b

In the Republic of Macedonia, victims of human trafficking are treated in compliance with **the Standard Operating Procedures for Treatment of Victims of Trafficking in Human Beings**, whereas the identification is conducted according to the general **Indicators for Identification of Victims of Trafficking in Human Beings**.

The National Commission for Combating Trafficking in Human Beings and Illegal Migration, in cooperation with experts from the IOM, has prepared **Indicators for Identification of Victims of Human Trafficking during Mixed Migration Flows**. This document serves for preliminary identification and is an auxiliary tool of the persons responsible that come into contact with

presumed victims of trafficking in human beings in order to take measures for their further formal identification.

Under the **Standard Operating Procedures (SOP) for unaccompanied foreign children, the assessment of the age of an unaccompanied foreign child** that does not possess identification documents is a key question that should be answered through an interview because the child's status and the future actions that need to be taken depend on it.

If, during age assessment, the guardian and the professional team have a dilemma about whether the person is a child or an adult, in accordance with the best interests of the child, it is always assumed that the person is a child until proven otherwise.

The identification of potential victims of sexual exploitation is done according to the Standard Operating Procedures for Treatment in Case of Trafficking in Human Beings, which also incorporates the indicators for identification of potential victims of trafficking in human beings. In the context of the migrant crisis, border police officers act in compliance with these SOP and the general indicators for initial/preliminary identification of presumed and potential victims of trafficking in human beings during mixed migration flows in the Republic of Macedonia.

During the large migrant wave (in 2015 until the closing of the route at the beginning of March 2016), there was a large influx of migrants that transited on a daily basis (over 10,000 migrants on some days). A problem in identifying potential victims of sexual exploitation was posed not only by the large influx of migrants, but also by the insistence of the persons that they continue towards their desired destinations as soon as possible. In most cases, they stayed on the territory of the Republic of Macedonia very briefly, most often less than a day, a period in which they were supposed to be received, registered, provided with medical assistance and humanitarian aid etc. Migrants only provided the mandatory data and were mainly not cooperative during interviews. Even if they had been abused prior to entering the territory of the Republic of Macedonia, they did not inform the police officers or representatives of other services and organizations, who were also constantly present on the ground, thereof when entering the state.

Police officers process all reports, regardless of whether they have been submitted by citizens of the Republic of Macedonia or foreign nationals, and if there is doubt over a person's age, the person is treated as a minor until proven otherwise.

Most often, the victims of sexual exploitation and sexual abuse were identified by the police officer to whom the persons reported first. Police officers are trained to profile the persons appropriately.

If the person is not detected during the initial contact, he or she is most often identified as such a victim during the interview, upon submitting an asylum application. Victims may also be identified at the Asylum Seeker Reception Centre, which employs a psychologist and a social worker, who is obliged to monitor them.

Question 1.c

The National Commission for Combating Trafficking in Human Beings and Illegal Migration operates on the national level. A National Referral Mechanism, which constitutes a system of cooperation among relevant institutions and organizations (Ministry of Labour and Social Policy, Ministry of the Interior, non-governmental organizations) that undertake activities related to prevention, protection and referral of victims of trafficking in human beings on the territory of the Republic of Macedonia, has also been established. The Office of the National Referral Mechanism operates within the Ministry of Labour and Social Policy.

The data at the National Commission are collected through tools developed for monitoring and analyzing the situation regarding trafficking in people, and coordinating the activities of relevant governmental institutions and relevant international organizations and civil society organizations for a more comprehensive insight into the work done.

The collection of data on the identified victims is made through a prepared Form for monitoring the victim according to Standard operating procedures for monitoring the cases of victims of trafficking with information on activities carried out by institutions/organizations under the SOP and it is filled by the Ministry of the Interior (MOI) - Sector for human trafficking and illegal migration, and the Ministry of Labor and Social Policy (MLSP) - National referral mechanism; with regard to additional data on reintegration, the relevant Association of citizens provides information; these pieces of information are further submitted to the responsible officer at the National commission for combating trafficking in people and illegal migration.

The adoption of SOP for dealing with vulnerable categories/foreigners, of SOP for dealing with unaccompanied minors/foreigners, as well as of Indicators for identifying victims of human trafficking in mixed migratory flows is aimed at improving the recognition/initial identification of victims of trafficking among illegal migrants and catering their needs for protection and integration.

Question 1.d

Responsible institutions are listed in point c).

The National Commission for Combating Human Trafficking and Illegal Migration is responsible for collecting, storing, and analysis of the data sent by competent institutions.

TURKEY / TURQUIE

Question 1.a

As of 04.08.2016, the number of those Syrians who are under the age of 18 and Temporary Protection in our country is 1,213,289. According to the records, 49 Syrian children became victims of "sexual exploitation/abuse" between 01 July 2015 and 30 June 2016. Apart from this, 247 children who were victims of the remaining offences were brought to the Child Follow-up Centers ("ÇİMs")¹⁵.

¹⁵Detailed information related to the Child Follow-Up Centers will be given below.

Question 1.b

It is possible to identify those children who are victims of sexual exploitation/abuse through different ways. While the victim or his/her family may directly apply to the law enforcement agencies or judicial authorities, observations of the healthcare or educational institutions are immediately reported to the law enforcement agencies or judicial authorities. Under the Turkish Penal Code, where they have been informed of such an offence, it is compulsory for the public officials to report it to the competent authorities without any delay.

From the perspective of providing protection to those children who are victims of sexual exploitation/abuse, whether the act at stake has been committed within the country or abroad makes no difference. Necessary measures are taken in both cases, which will be explained in detail below.

Question 1.c

Where necessary, in order to ensure the inter-institutional cooperation during the courts' implementation of those protective and supportive measures as prescribed in Article 5 of the Juvenile Protection Law numbered 5395 (measures to be taken with respect to consulting, education, care, health and shelter) for the purpose of protecting the children's best interests; a Central Coordination Meeting is held under the presidency of the Undersecretary of the Ministry of Family and Social Policies or a Deputy Undersecretary to be designated by him/her and with the participation of the Deputy Undersecretaries of the Ministry of Justice, the Ministry of Interior, the Ministry of National Education, the Ministry of Health, the Ministry of Labor and Social Security, the Director General for Child Services and the Director General for Criminal Affairs of the Ministry of Justice. In addition to this, in the provincial implementation of the protective and supportive measures, the liaison, harmony, organization and cooperation between the institutions are ensured under the presidency of the governors or deputy governors and via the chief public prosecutors or deputy chief public prosecutors or public prosecutors to be designated by them, the provincial police chiefs, the provincial gendarme commanders, the provincial directors of national education, the provincial directors of health, the mayors of metropolitan, provincial and district municipalities, the regional directors of the Ministry of Labor and Social Security or, in their absence, the provincial directors of the Turkish Labor Institution, the provincial directors of youth and sports, the provincial directors of the Ministry of Family and Social Policies, the secretary generals of the Provincial Special Administrations or their assistants or deputies to be designated by them, the chiefs of the Probation and Assistance Centers and the bar association agents. The inter-institutional coordination in the district implementation of the protective and supportive measures is ensured by the district governorates.

Furthermore, the Child Rights Monitoring and Evaluation Board has been instituted under the Prime Ministry Circular numbered 2012/9 and published in the Official Gazette dated 04 April 2012 and numbered 28254 for the purposes of making proposals with respect to the administrative and legal regulations related to the Child Rights, preparing and approving strategy papers and action plans, ensuring the inter-institutional cooperation and the coordination on the Child Rights.

The Board convenes under the presidency of the Minister of Family and Social Policies or, where necessary, the Undersecretary of the Ministry of Family and Social Policies and is composed of senior officials from the Ministry of Justice, the Ministry of Family and Social

Policies, the Ministry of Labor and Social Security, the Ministry of Environment and Urbanization, the Ministry of Foreign Relations, the Ministry of Youth and Sports, the Ministry of Interior, the Ministry of Development, the Ministry of National Education, the Ministry of Health, the Ministry of Transportation, Maritime Affairs and Communications, the Presidency of Religious Affairs, the Radio and Television Supreme Council, the Information and Communication Technologies Authority, the Council of Higher Education, the Union of Turkish Bar Associations as well as the Head of the Human Rights Institution under the Prime Ministry, the General Director for Child Services, the national coordinators of Child Rights Committees and a sufficient number of representatives from other institutions and non-governmental organizations that are active in the field of child rights and which will be designated by the Minister of Family and Social Policies.

Besides, the Victim Rights Department has been conducting the preliminary works of the Draft Law on Victim Rights which aims at the establishment of coordination committees under the presidency of the chief public prosecutors or deputy chief public prosecutors to be designated by them in those places where a justice commission is available and with the participation of the representatives from the public and non-governmental institutions offering services for children for the purposes of making proposals for the settlement of those problems confronted in the provision of support and assistance services to the victims by the public institutions and organizations and the non-governmental organizations, helping the victims solve the economic and psychosocial problems they have faced, and ensuring the coordination between the public and non-governmental institutions providing support and assistance services to the victims.

Moreover, the Victim Rights Department supports the Observatory of Child Friendly Justice for Marginalized Victims of Sexual Abuse and Exploitation in Turkey Project, run by the International Children's Center, which will contribute to the improvement of the judicial system in the matter of sexual exploitation/abuse of children in Turkey and which aims at establishing an observatory for the purpose of bringing those regulations and practices prevailing in this field in Turkey into line with the international standards so that the children could have access to a justice system that is conform to the international standards.

Furthermore, the Regulation on Combating Human Trafficking and Protection of Victims was published in the Official Gazette of 17 March 2016 numbered 29656 in an effort to regulate those works and procedures which fall under the scope of the protection of victims of human trafficking and the prevention of human trafficking without making any distinction between the Turkish citizens and foreigners. According to this regulation, the potential victims of human trafficking are directed by law enforcement officers to the Provincial Directorates for Migration Management. In those units, extensive interviews are held and efforts are exerted with a view to identifying the victims.

Besides, for the purposes of determining those policies to be implemented in combating human trafficking, a coordination committee has been instituted under the afore-cited Regulation, which is composed of senior officials from the relevant institutions.

Of those challenges encountered during the identification process, the leading one is that the victims are either not willing to talk as they are afraid or not even aware of their victimhood.

Question 1.d

The Directorate General for Migration Management is responsible for collecting and analyzing the information supplied by the public institutions and organizations, non-governmental organizations as well as other organizations providing services to the victims at local or international level. Other institutions that are responsible in this field can be enumerated as the Disaster and Emergency Management Presidency (AFAD) of the Prime Ministry, the Directorate General for Criminal Records and Statistics of the Ministry of Justice, the Directorate General for Child Services of the Ministry of Family and Social Policies.

UKRAINE**Question 1**

The situation with migrants children during 2015 and partly in 2016 was not much different than before. There were only 10 children (boys of 16-17 years old).

And no information about sexual abuse and exploitation. We have no special data concerning crimes against migrants. Common legislation is working.

II – Other States and other Stakeholders / Autres Etats et Parties prenantes

ARMENIA / ARMENIE

Replies sent by the Police and State migration service

Question 1

The rights of asylum-seeking child are defined by law 'On Refugees and Asylum' adopted by National Assembly on November 27, 2008 (appointment of a guardian, provision of temporary accommodation).

In 2015 the law 'On making amendments and addenda to the RA Law On Refugees and Asylum' was adopted in which were clarified the notions of 'unaccompanied child' and 'separated from the family asylum-seeking child'. Additional rights have been given to the unaccompanied children and separated from the family asylum-seeking children. For example, within the period of the examination of their application they are placed in the temporary accommodation centre and their best interests are taking into consideration.

The statistics on asylum seekers (including the accompanied children) (01.01.2014-31.07.2016.)

Country of residence	Total		Including persons by age and sex									
	applications	person(according to the case)	0-13		14-17		18-34		35-64		65+	
			M	F	M	F	M	F	M	F	M	F
Total	321	594	66	59	20	10	113	90	98	88	18	18
			125		30		203		186		36	
Azerbaijan	1	5	2	1				1	1			
USA	1	2							1			
Afghanistan	2	2					2					
Bahrain	1	1					1					
Benin	2	2					1					
Guinea	3	5	2				1	2				
Turkey	3	3							2	1		
Iran	50	59	2	4	1		18	4	16	9	2	
Iraq	43	100	14	12	6	2	22	16	15	10	3	
Lebanon	6	7						1	2	1		2
Cameroon	1	1						1				
Côte d 'Ivoire	1	1						1				
Republic of South Africa	1	1										1
Mali	1	1					1					
Yemen	1	3	1				1	1				
Nigeria	1	1					1					
Ukraine	107	210	34	31	6	5	28	36	27	34	3	4
Czech Republic	1	1							1			
Russian Federation	1	1								1		
Syria	88	180	11	11	7	3	36	27	31	29	10	11
Stateless Person	6	6					1		2	3		

Question 1.a

None of children applied for asylum were victims of sexual exploitation and/or sexual abuse.

Replies sent by the UNHCR-Armenia

Question 1

As of December 2015, according to UNHCR statistics there are 518 children in Armenia (asylum seekers and refugees) of whom 246 are female and 272 are male. Currently, there are no unaccompanied refugee/asylum-seeker children currently identified in Armenia.

There are also many children among the approximately 15,000 persons displaced by the conflict in Syria to Armenia who are in a refugee-like situation in Armenia and have displacement-related needs. However, on numerous occasions, UNHCR has noted with some concern that disaggregated data for this group is not readily available.

Question 1.a

According to our estimates, the data will be approximately the same as mentioned above, considering departures versus new arrivals/births. No reports of sexual exploitation or sexual abuse are available. However, UNHCR is of the opinion that there may be such cases among displaced children in Armenia, who are not identified.

Question 1.b

As far as UNHCR Armenia is aware, there were no child victims identified either by State actors or by international organizations and NGOs working with refugee and migrant children.

In terms of challenges faced, to identify such cases, there is a) no legislative basis defining the roles and responsibilities of State actors in the identification of victims of sexual exploitation and sexual abuse among refugees and migrants, either at the border or on the territory and during the asylum procedure; furthermore, b) there is limited awareness among the respective authorities as to the crimes and in terms of practical expertise and skills in identification of victims, and c) there is an observed societal perception that children are safe in Armenia and cannot fall victim of sexual exploitation and sexual abuse due to the protection offered by families, communities etc. Since many of the refugee children are also ethnic Armenians, they would be perceived also as equally well protected.

There is no legal basis for the age determination of refugee and asylum-seeking children and in practice there have been no cases where any age determination process was tested or applied. In the past five years, the State Migration Service has identified and processed only one unaccompanied minor. In that case, the obstacle was to engage the local Guardianship and Trustee Commission and an age assessment was not made.

Question 1.c

UNHCR is not aware of any data collection in this respect and therefore is not aware of any inter-agency coordination and response

Question 1.d

UNHCR is not aware which State institution is responsible for the collection of the above data. Data on refugee and asylum-seeking children in Armenia is maintained by the State Migration Service, while data on child protection incidents would be held by the Ministry of Labour and Social Affairs.

AZERBAIJAN / AZERBAÏDJAN

ESTONIA / ESTONIE

No reply to this question / Aucune réponse à cette question

IRELAND / IRLANDE

NORWAY / NORVEGE

Question 1

Norway has registered 9 600 asylum-seeking children during the mentioned period of time, from July 2015 till June 2016. 4 456 of these were registered as unaccompanied minors (UAM) and 5 144 as accompanied children seeking asylum with their parents or other persons with custody of the child.

Question 1.a

The Norwegian Directorate of Immigration (UDI) does not have legal access to collect data on children who are victims or presumed victims of sexual abuse or exploitation. UDI has some manual anonymous registrations, but the numbers are insecure and only for internal use.

During the refugee crisis, UDI established a Child Marriage Project, to, among other things, identify married children and prevent them from further sexual abuse in Norway. The Child Marriage Project will produce a report based on their findings.

Question 1.b

The National Police Immigration Service (NPIS) register all asylum seekers. Representatives (legal guardians) are appointed to all (self-declared) unaccompanied minors (UAM). After being registered they are offered a place to stay in reception centers. UDI provides unaccompanied minors with separate reception centers. UAM that are registered to be 15 years old are offered to stay in reception centers made especially for those between 15 and 18 .UAM below 15 years are offered to stay in care centers for children. The Norwegian Directorate for Children, Youth and Family Affairs is responsible for the care centers, while UDI is responsible for the reception centers for UAM between 15 and 18 years old.

After registration and before the asylum interview, UDI offers age assessment in cases where there are doubts of a person's age. The age assessment procedures consist of medical age assessment, observations of the minor through the asylum process and other information such as ID documents. The medical age assessment consists of dental examination with x-ray, radiological examination of left wrist and a conclusion on age made by pediatrician.

UDI is responsible for collecting information in the minors' asylum case. UDI has a special unit for children with trained caseworkers. The special unit is responsible for all UAM cases, and also gives advice in asylum cases that include accompanied children. Some children give information about abuse or exploitation, in their homeland or during the flight, to the Special Unit for Children as part of their application for asylum.

Within all of these institutions, including NPIS, the reception centers and within the UDI, there are routines for identifying vulnerable, victims of trafficking and victims of sexual abuse (group 1). A challenge is that the topic is taboo and sensitive and therefore some children do not give information. In the special unit for children within in the UDI, the case workers are trained in different interviewing methods developed for communicating with children, such as the Dialogical Communication Method (DCM). If a child is identified as a victim or is in risk of being a victim (group 2) to any form of sexual abuse or exploitation, all the institutions are

obligated to inform the child care services. The child care services are responsible for appropriate action in each case. Good cooperation between the different institutions and the best interest of the child is a primary consideration during the process.

After the refugee crisis last fall, UDI initiated a project to better the routines for identifying and follow up married children. The project consisted of representatives from UDI, NPIS, and the Norwegian Directorate for Children, Youth and Family Affairs.

During the fall of 2015, UDI also became aware of a lack of routines to identify children at risk in the reception centers. This awareness resulted in a new focus on identification, and a plan was made to secure more competence on children in the reception centers. There is a general requirement that each reception center has at least one employee with special competence on children, but during the refugee crisis UDI has offered more specialized training to increase the awareness on vulnerable children with the purpose identify more victims.

Question 1.c

UDI does not have legal access to collect data on children who are victims or presumed victims of sexual abuse or exploitation. UDI has certain manual anonymous registrations, but the numbers here are insecure and only for internal use.

Question 1.d

The Coordinating Unit for Victims of Trafficking (the National Police Directorate) is mandated to prepare an annual status report of the situation concerning human trafficking in Norway.

UNITED KINGDOM / ROYAUME UNI