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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 5 of the Focused Questionnaire

Compilation des réponses à la Question 5 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

ANY OTHER ADDITIONAL INFORMATION

- 5) Please provide any other additional information which may be useful to identify areas for targeted cooperation aimed at ensuring that children affected by the refugee crisis are effectively protected from sexual exploitation and sexual abuse and in guaranteeing their human dignity and physical and psychological integrity.

TOUTE AUTRE INFORMATION COMPLÉMENTAIRE

- 5) Veuillez fournir toute autre information qui pourrait être utile pour identifier des domaines dans lesquels une coopération ciblée pourrait être établie afin d'assurer une protection effective des enfants touchés par la crise des réfugiés contre l'exploitation et les abus sexuels et de garantir leur dignité humaine ainsi que leur intégrité physique et psychologique.

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COMPILATION of replies / des réponses

I – States to be assessed / Etats devant faire l'objet du suivi¹

ALBANIA / ALBANIE

No reply to this question / Aucune réponse à cette question

ANDORRA / ANDORRE

No reply to this question / Aucune réponse à cette question

AUSTRIA / AUTRICHE

No reply to this question / Aucune réponse à cette question

BELGIUM / BELGIQUE

Question 5

Toute autorité doit signaler au Service des Tutelles (faisant partie du Ministère de la Justice, Direction de la Législation, Libertés et Droits Fondamentaux) la présence sur le territoire ou à la frontière d'une personne qui correspond à la définition d'un mineur étranger non accompagné (MENA), ainsi qu'à l'Office des Etrangers.

Quand un MENA se présente à l'Office des Etrangers afin de demander l'asile, une fiche d'identification sera remplie comprenant les informations nécessaires sur le MENA, telles que la date de naissance ou le lieu de naissance, ainsi que les éléments qui pourraient montrer un risque de traite des êtres humains.

Le Service des Tutelles a la compétence d'identifier le jeune qui se prétend MENA, en vérifiant l'âge, les liens parentaux, l'origine du jeune, sur base des lois qui régissent l'accès au territoire. Dans le cas où le Service des Tutelles, l'Office des Etrangers ou le Commissariat Général aux Réfugiés et Apatrides ont un doute sur l'âge déclaré du jeune, un test d'âge peut être organisé.

Le Service des Tutelles a aussi pour mission de trouver un logement durant la phase d'identification.

Dans le cas de traite des êtres humains ou de soupçon de traite, le jeune est pris en charge dans un centre spécialisé centres d'accueil spécialisés pour les victimes de la traite des êtres humains.

Un tuteur est immédiatement désigné quand un jeune correspond aux critères d'un MENA, déterminé par la loi ou lorsqu'il y a un soupçon de traite des êtres humains.

Le tuteur peut avoir différents profils. Il peut être tuteur employé au sein d'une association, volontaire ou indépendant.

¹ Unless otherwise specified, the replies below were sent by the authorities / sauf indication contraire, les réponses ci-dessous ont été envoyées par les autorités.

La personne qui désire devenir tuteur doit passer un entretien de sélection. Une fois que le tuteur est agréé, il doit prendre part à une formation de base de 5 jours où différents aspects de la fonction sont abordés : la procédure, l'aspect psycho-social, le retour volontaire, la procédure de tracing, l'intérêt de l'enfant,... ainsi que la problématique des victimes de la traite des êtres humains.

Les tuteurs doivent également prendre part à des formations continues. En 2015, la problématique de la traite des êtres humains a été abordée.

Un tuteur doit avertir sans délai le Service des Tutelles lorsqu'il détecte un problème de traite des êtres humains.

Le Service des Tutelles a créé des pools de tuteurs ayant une expertise spéciale dans certaines situations spécifiques, comme par exemple la tutelle des mineurs arrivant dans un aéroport belge ou dans un port, où la situation requiert la présence immédiate d'un tuteur.

Il y a plus de 3436 tutelles en cours en 2016 et le Service des Tutelles a procédé à 1748 désignations dans le courant de cette année.

En effet, moins de 177 jeunes sont dans l'attente d'un tuteur en 2016.

Actuellement il y a 529 tuteurs actifs reconnus, dont 345 Néerlandophone et 184 Francophones.

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

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

BULGARIA / BULGARIE

Question 5

The main problem is the difficult access to appropriate social services, in terms of ensuring the necessary conditions and specialists to respond adequately to the needs of the unaccompanied children- foreign citizens and refugee children in a short and long term.

For accommodation of minors at risk, the already built capacity of the existing social services for children throughout the country is being used.

There is need to open a temporary center with appropriate conditions for children, where the unaccompanied children- foreign citizens will be temporarily housed for a short term. During this accommodation violence identification, needs assessment and vulnerability assessment will be performed, until a more permanent solution is found in a long term.

CROATIA / CROATIE

No reply to this question / Aucune réponse à cette question

CYPRUS / CHYPRE

No reply to this question / Aucune réponse à cette question

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

No other comments.

DENMARK / DANEMARK

No reply to this question / Aucune réponse à cette question

FINLAND / FINLANDE

The Government notes that no trends can be distinguished at least in the sexual exploitation and sexual abuse of children. The situation today seems to be the same as during earlier years. Some minor asylum seekers have experienced such violence in their home countries and some others possibly during their travel to Finland. These incidents are taken into account as possible grounds for international protection. However, the minority of the interviewed asylum seekers report such incidents.

FRANCE

No reply to this question / Aucune réponse à cette question

GEORGIA / GEORGIE

No reply to this question / Aucune réponse à cette question

GERMANY / ALLEMAGNE

Question 5

In order to improve the protection accorded to children and adolescents who have fled their home countries, the Federal Ministry for Family, Senior Citizens, Women and Youth (BMFSFJ) has commissioned a risk analysis in the context of the activities under the Action Plan for the Protection of Children and Adolescents from Sexual Violence and Exploitation (*Aktionsplan zum Schutz von Kindern und Jugendlichen vor sexueller Gewalt und Ausbeutung*). In this analysis, the risk that refugee children run of becoming victims of sexual violence is analysed. Additionally, the corresponding protective measures are to be derived from the analysis. The interview partners are experts from a wide range of fields who have contacts to child refugees, but also girls and boys from the age of 12 years (in which context the “story-telling” method is applied). The first results are expected to be presented in October 2016.

The *Länder* regard the collaboration of all bodies to be important that deal with children affected by the refugee crisis, since the protection of children and adolescents against sexual exploitation is a task involving every single sphere of society. The following areas are conceivable for this cooperation: *Land* reception authority (*Landesaufnahmebehörde*) (with collaborative efforts transcending the boundaries of divisions), volunteers both “on the ground” and at a remove from the actual location, youth welfare office, police, counselling centres / women’s shelters, child protection league “*Kinderschutzbund*,” psychiatric hospitals for children and adolescents, paediatricians, therapists specialising in the treatment of children and adolescents, schools, associations. The parties operating refugee accommodations, the staff providing care as well as volunteer helpers and private legal guardians must be made aware of the phenomenon of sexual exploitation and sexual abuse of children. This includes raising the awareness of staff in the accommodations, of the parents and other relatives of children, as concerns efforts by strangers to contact the children that might pose a risk, as well as information and awareness-raising efforts with the children themselves, in a manner adequate for their age, to allow them to properly assess risk situations and to provide them with strategies that may serve them in obtaining help.

GREECE / GRECE

No reply to this question / Aucune réponse à cette question

HUNGARY / HONGRIE

Question 5

The specialists working in the child protection system, whose professional personality maintenance and development of competencies is a key issue for the functioning of the protection system. The training of professionals in the 2014-2020 period highlighted by the EFOP project code 3.8.2 "Social development of human resources" and VEKOP same title code 7.5.1, providing the framework for free-of-charge training at various locations in the country. The priority projects are planned to include training programs for recognition and prevention of child abuse, as well as the abuse topic of thematic training programs (eg. the victim types of children, sexually abused children, different sexual identities, and child victims of cyber-bullying).

Specialists in specific child care needs, including caring for unaccompanied minors will be surely benefited in their professional competency and strengthening of their professional personality by completing on these trainings.

ICELAND / ISLANDE

Question 5

It is important that the mechanism in place to prevent and protect children from sexual abuse and exploitation should be entrusted the extended responsibility to ensure the safety of asylum-seeking and unaccompanied children in a non-discriminatory manner. Therefore the existing system of child protection should be provided with the necessary mandate and resources, including training, to address these issues.

ITALY / ITALIE

No reply to this question / Aucune réponse à cette question

LATVIA / LETTONIE

Question 5

In close cooperation with all involved actors Latvian legal system, is organized in a way that children victims of sexual exploitation and sexual abuse that could be affected by the refugee crisis will receive all the necessary assistance and social rehabilitation services.

It is important to mention that till 1 October, 2016, Ministry of Justice in cooperation with other line ministries should develop Strategic planning document on the "*Prevention of sexual offenses against minors for the period 2017-2020*". The document will contain information on the concrete mechanism of institutions involved in case there is a suspicion of victims of child sexual exploitation or sexual abuse.

Improvement of the support of children who are refugees, asylum seekers etc. depends of a successful cooperation with the State Border Guard authorities, because it is crucial that the responsible professionals would be able to identify the victim and to provide support in due time.

LIECHTENSTEIN

No reply to this question / Aucune réponse à cette question

LITHUANIA / LITUANIE

No reply to this question / Aucune réponse à cette question

LUXEMBOURG

Question 5

A specific service of the Ministry of Education, Children and Youth is taking care of the schooling of immigrant children, to make sure they learn one of the official languages of Luxembourg and thus become able to express themselves and to make use of their rights.

MALTA / MALTE

No reply to this question / Aucune réponse à cette question

REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA

Question 5

Unknown data.

MONACO

No reply to this question / Aucune réponse à cette question

MONTENEGRO

No reply to this question / Aucune réponse à cette question

NETHERLANDS / PAYS-BAS

No reply to this question / Aucune réponse à cette question

POLAND / POLOGNE

Question 5

As regards additional information which may be useful to improve children protection from sexual exploitation and sexual abuse, it is highly recommended to organize specialized trainings addressed to Board Guard workers. Those officers “have first contact” with migrant children, that is why they should be particularly attentive. They must know how to get information why child lived home country and with whom is travelling. Furthermore they should be able to interpret child emotions and behavior during interview. Especially effective in this area could be psychological course.

Furthermore, it is recommended to organize trainings or prepare educational materials for camp workers. Those people have daily contact with migrant families so they could notice every alarming signal. According to the statistics in majority of cases about the crime inform medical personnel, social workers, school workers. That means that the closest circle does not react to sexual exploitation and sexual abuses. In reference to that it is needed to train camp staff.

Of course, it is also very important to take care of sexual education of children. They should be conscience what are their rights and how to react to acts of sexual exploitation and sexual abuse and also how to receive help. The possible way to achieve that aim could be social campaign addressed to children and to their closest circle. In cooperation with social media the scope of the campaign could be impressive and very effective.

PORTUGAL

Question 5

In the present context of mass arrivals of refugees in Europe, Portugal has shown dedication to struggle against this humanitarian crisis, by committing to receive a high number (4574) of refugees, considering the total population of the country (10,5 million according to 2011 Census). Portugal is going beyond what has been asked by the European Union, recognizing the importance of a successful integration in the receiving country, even though it is still struggling with the impact of the crisis in the last few years.

Acknowledging the change in migration flows in Portugal over the past few years and the need to define a national integrated vision on migration through a whole-of-government approach, in 2014, the Portuguese Government decided to expand the action plans focused only on the integration of immigrants. It started to define a national strategy for migration flows globally, including measures to target not only immigrants, but also Portuguese emigrants and refugees.

Although enlarging its target group to a broader sense of migrants, this new strategy took in consideration the importance of reinforcing the variety of sectors where integration should occur (employment, health, education, justice, housing, culture and language, civic participation, human trafficking), as well as keeping crosscutting themes such as gender issues, racism and discrimination and also the promotion of diversity and intercultural dialogue.

This Migration Strategic Plan 2015-2020 (the English version can be consulted in http://www.acm.gov.pt/documents/10181/222357/PEM_ACM_final.pdf/9ffb3799-7389-4820-83ba-6dcfe22c13fb) reinforces the former Plans for the Integration of Immigrants and contains more than 100 measures in 5 fundamental axes:

Immigrant integration policies;

Policies to promote the integration of the new Portuguese;

Policies of migration flows coordination;

Policies strengthening the migratory legality and quality of migration services;

Incentive policies, monitoring and supporting the return of national emigrant citizens.

Following the European Agenda on Migration from 13th May 2015, Portugal created on the 3rd September 2015 a Working Group for the European Agenda on Migration, coordinated by the Immigration and Borders Service and with the participation of the following authorities: Ministry of Foreign Affairs, Social Security Institute, Institute for Employment and Professional Training, Ministry of Health, Ministry of Education and ACM. When necessary, this Working Group can also be advised by the Municipalities and NGOs.

Portugal is coordinating the integration of refugees based on the relocation and resettlement schemes in different fields, such as:

Integration in the labour market;

Providing language training;

Access to school for children;

Access to health care;

Access to food;

Providing housing.

Within the Working Group for the European Agenda on Migration, the mission of ACM is focused in three axes.

The first axis is public opinions awareness regarding refugees` issues. It is being put in practice through campaigns that can both answer the existing inquires and mitigate prejudice regarding refugee populations. One of the examples was the creation in partnership with the Refugees` Support Platform (an online platform that aggregates NGOs, Social Solidarity Institutions, Universities, Media Companies and other economical groups) of the magazine “Myths and Facts about the Refugees”, a one week special free issue with the Portuguese newspapers and newsmagazines of higher circulation. Other axes that the ACM is responsible for within this Working Group is the articulation between both the civil society and local councils and hosting proposals that may respond to housing, food, health, education, Portuguese language classes and employment needs.

Given the experience that the ACM has in the field of migrants integration through its Immigrant`s National Support Centres (also known as one-stop-shops) the latest goal of the ACM`s work is the opening of its services to the refugees. With this regard, the ACM created a special office to deal directly with those questions and to provide the best possible support in an integrated way.

A national strategy for the full integration of refugees in Portugal was drawn up within the Working Group of the European Agenda on Migration, where hosting proposals have been defined based on the following principles:

- Institutional, by giving preference to the reception being handled by institutions instead of private individuals;
- Decentralised, by valuing the potential for reception in mid and low density territories, avoiding large concentrations of individuals;
- In consortium, by mobilizing institutions` local consortiums which, together, can ensure the various necessary requirements for a full integration of refugees;
- Integrated, by considering all items contemplated in the reception questionnaire (housing, food, employment, education, health, Portuguese language learning);

- Autonomy, by presenting solutions that allow for gradual autonomy of refugees, namely housing solutions founded on small scale solutions.

It is the role of ACM, within this Working Group, to be responsible for the public opinion in the area of refugees, the articulation between civil society and the Municipalities in the gathering of proposals for the reception of refugees in resemblance to what happens in the Operative Group, making the National Immigrant Support Centres Services available, as well as the Telephone Translation Service and the support given by the Portuguese for All Programme aiming at learning the Portuguese language.

Due to the high numbers of children and unaccompanied children among the refugees arriving to Europe recently and the added challenge to the EU and its Member States, the situation of children and their needs for integration is another relevant priority. This situation requires particular attention to the physical and mental wellbeing of the children, providing in the EU a safe and secure home for their future. With this regard it is important to mention that in Portugal all migrants have the right to access education (if minors) and healthcare, regardless of their legal status.

Furthermore the “Choices Programme” (www.programaescolhas.pt) developed by the High Commission for Migrations, promotes the social inclusion of children and young people (6 to 30 years) from vulnerable socio-economic contexts particularly descendants of immigrants and ethnic minorities. In this Programme, local projects are designed to match the specific needs of the people to whom it is directed and have a strong emphasis in school support to increase academic success. The Programme aims to fight against early school leaving by promoting non-formal education, vocational training, employability towards the labor market, community participation, digital inclusion and empowerment. In the end of 2015, the sixth generation of the “Choices Programme” was launched. This sixth generation will run from 2016 until 2018.

From 2014 until the end of 2015, and in order to promote their social integration, the Programme reached 48.896 children and young people, from disadvantaged social backgrounds, many of whom are immigrant descendants living in vulnerable places. It has involved 1154 different partners, both with local authorities and civil society organizations, with the participation of 1026 technicians, in 141 intervention places.

On the 3rd December 2014, the “Choices Programme” received an award on the 3rd edition of the “Juvenile Justice without Borders” International Award organized by the International Juvenile Justice Observatory which aims to recognize the progression and achievements in the defense of children`s rights in the legal and psychosocial fields, as well as in research and direct intervention with young offenders.

Although not specifically targeting refugee children, in order to promote the 18th November as the European Day on the Protection of Children Against Sexual Exploitation and Sexual Abuse, the High Commission for Migration (www.acm.gov.pt) integrated the consortium of national entities to raise awareness about this question. As such, the Choices Programme (www.programaescolhas.pt), through its local projects, developed on last November 2015, all over the country, more than 50 activities targeting schools, associations and local communities.

During one week and among other activities, the children and youngsters participated in debates, watched film screenings, promoted activities at schools and on the streets, such as flyers distribution and role playing, stimulating the knowledge and discussion on this thematic.

Additionally, the ACM and the Choices Programme promoted on their websites a film, in Portuguese language, produced by the Council of Europe about this question

III

Regarding awareness-raising in the area of refugees, ACM has participated in seminars, conferences, interviews and campaigns with the objective of clarifying and raising the awareness of public opinion to the challenges and needs in the integration of refugees. There were also produced 500.000 copies of the magazine REFUGEES (http://www.refugiados.acm.gov.pt/data/uploads/2015/10/REFUGIADOS_mag.compressed.pdf), offering facts and arguments to undo fears and myths regarding refugees. This publication, edited in partnership with PAR (Platform for Refugee Support), was distributed free of charge during the month of October in some of the Portuguese newspapers and news magazines of higher circulation – Visão, Correio da Manhã, Expresso and Diário Económico.

In September of 2015 an email refugiados@acm.gov.pt as well as a website www.refugiados.acm.gov.pt were created, aiming at providing answers and collecting contributions from institutions and private individuals interested, and who meet the requirements to support in the hosting and in the integration of the 4574 refugees Portugal has committed to receive. The email serves to answer inquires and the various entities and private individuals can indicate their availability for hosting refugees through the website.

Between the launch on 28 September 2015 and 6 June 2016 the following numbers can be extracted (Google Analytics): more than 5000 users accessed the page; with 17 837 page visits. Out of data available, we consider noteworthy to highlight that 30% of users returned to view the pages after the first use, which shows interest and the relevance of the area. The greater amount of users accessed the page in Portugal (77,19%), followed by the United States of America (4,56%), Russia (3,7%) and Brazil (1,65%).

Services of the Migrant Support Line were also made available for clarifying any doubts and for providing guidance toward reception availabilities and other practical questions.

From an already existing integration support mechanism for immigrant citizens, ACM widened the volunteering awareness-raising system, through the Mentors for Migrants Platform (<https://mentores.acm.gov.pt>) in order to also include refugees, matching them with families or individuals that need support in their integration. This is an initiative developed by this High Commission together with a group of local partners throughout the country, with the purpose of promoting through volunteering the exchange of experiences, assistance and support between migrants. The mentored migrants can benefit from this measure, for instance, with the resolution of some daily and common problems. The mentors have an opportunity to develop a personal experience contacting with persons with other cultural origins. Until June 2016 there 629 volunteers signed up (466 women and 163 men). Since the Programme opened to include refugees the show of interest in volunteering nearly doubled in

numbers. The increase resulted in an upgrade of the online platform, as well as an update of the support material produced.

The reality of the situation led to the creation of a new Office in ACM dealing specifically with the thematic of refugees, the Support Office to the Integration of Refugees (GAIR). This service aims to ensure answers at the integration level, always complementary to the local scale and with the competences of the reception institutions, namely during the initial period of 18 to 24 months upon arrival. Until the end of August 2016, 478 refugees have arrived within the framework of the relocation programme, from ten different nationalities, involving the articulation with a total of 66 Portuguese municipalities.

Before the arrival of refugees, ACM provides support to the reception entities by explaining and offering its services, and visits the space to be familiar with the conditions that will be made available for those arriving.

Training on refugees and the asylum law was provided by ACM and the Portuguese Council for Refugees to 112 Municipalities.

IV

ACM celebrated two protocols concerning refugees: one with the Portuguese Olympic Committee and the other with the Portuguese Psychologists' Association (<http://www.acm.gov.pt/-/apoio-aos-refugiados-acm-e-ordem-dos-psicologos-portugueses-assinam-protocolo-de-parceria>). The latter is particular relevant to this questionnaire.

The dramatic experience of the refugees, as well as the impact it may have on their mental wellbeing is recognized challenge. In addition to the reality by them experienced in the country of origin that forced the person to flee, the journey is often marked by violent experiences having a strong impact and leaving them in great psychological fragility. Considering the need for psychological support for those refugees arriving in Portugal, ACM and the Portuguese Association of Psychologists (OPP) signed a cooperation agreement on July 2016 to act in the following areas: Psychosocial Risks; Professional Internships; and Intervention of psychologists in catastrophe situations. The OPP committed to make available to ACM a list of psychologists who completed the training: "1000 Psychologists for Catastrophe Situations" and whom are available, at no cost, to support in the process of reception of refugees to Portugal.

Following the necessity to provide language training to the new citizens that are arriving in Portugal, this ACM created the Online Portuguese Platform <https://pptonline.acm.gov.pt/>, that provides resources for learning the Portuguese language in the different dimensions: oral understanding, writing and reading. The contents will be available in various countries of origin languages, namely, English, Arab, Mandarin and Romanian with learning supports in text, sound and video. The Platform is available in English and Portuguese for now, and will be available in other languages such as Arabic, Mandarin and Romanian. Until the beginning of July 2016, the Platform counted with 772 users from 83 different nationalities.

In the context of its training offer, ACM is in the process of elaborating a module specific on refugees with the duration of 4 to 6 hours. During 2016, ACM has given various presentations on the topic, namely to Higher education students, professionals and citizens and secondary school students

To note, also, that PAR was also created as an immediate result of society concerns about the refugees crisis. The reception of refugees by Par results from an agreement between the Portuguese national authorities and PAR

ROMANIA / ROUMANIE

No reply to this question / Aucune réponse à cette question

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

No reply to this question / Aucune réponse à cette question

SAN MARINO / SAINT-MARIN

Question 5

Le but des couloirs humanitaires est d'éviter la traite, le trafic d'êtres humains et les violences, ainsi que les risques liés aux traversées en mer ou par la terre. Les conditions de vulnérabilité sont évaluées directement dans les camps. Ceci évite également que des membres d'une même famille soient séparés et que les mineurs soient privés d'un adulte en ayant la responsabilité.

SERBIA / SERBIE

No reply to this question / Aucune réponse à cette question

SLOVENIA / SLOVENIE

Question 5

Police investigated 1 criminal offence from the Article 176, paragraph 3 of Penal Code (Presentation, manufacture, possession and distribution of pornographic material). A suspect was a migrant from the last migrant wave. The suspect was presenting images of sexually abused children on his mobile phone. Police carried out the prescribed procedure (seizure of the phone, report to the competent State prosecutor, the suspect appeared for questioning in front of an investigating judge. Victims of sexual abuse on the photographs were not identified. The criminal offence was committed in 2016.

SLOVAK REPUBLIC / REPUBLIQUE DE SLOVAQUIE

No reply to this question / Aucune réponse à cette question

SPAIN / ESPAGNE

No reply to this question / Aucune réponse à cette question

Replies sent by the SICAR.CAT programme – Spain

Question 5

A harmonised register of unaccompanied minors is absolutely needed to combat trafficked and sexual exploitation of children affected by the refugee crisis. National authorities and other actors must be able to check whether an unaccompanied minor has already been assisted by child protection services in other State Parties. In our opinion, this mechanism

could help to locate disappeared children from national protection systems and detect repeated and transnational situations of sexual exploitation.

SWEDEN / SUEDE

No reply to this question / Aucune réponse à cette question

SWITZERLAND / SUISSE

No reply to this question / Aucune réponse à cette question

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

No reply to this question / Aucune réponse à cette question

TURKEY / TURQUIE

Question 5

Below we provide additional information about the paragraph in the last part of the Report of Replies to the Questionnaire of the Lanzarote Committee on the Protection of Refugee Children Against Sexual Exploitation and Sexual Abuse, which indicates that the number of early and forced marriages of Syrian refugee children in Turkey has alarmingly increased.

As we have pointed out in our previous note, this information is based neither on the official responses sent by our Central Authority, nor on any other substantial research. On the contrary, the fact that this assessment rests on certain rumours is stated also in the document, forming the basis of the report. For this reason, we would like to bring the following matters to your attention:

1. Trainings provided in our country to Syrian children for enabling them to protect themselves against sexual abuse:

According to the data provided by the Ministry of National Education, the state provides education to 60% of school-aged Syrian children in Turkey. This ratio is 94% for children of elementary school age.

The education, provided in our country to Syrian children is not limited only to formal education. Informal training and education are also provided. 237,509 people received vocational trainings during years 2015 and 2016. These trainings are being provided in collaboration with UNICEF, the EU and the World Bank. New schools are being built for Syrian children.

These children are taught Turkish language, they are being taught the skills of how to sustain themselves during their stay in our country and they are given vocational courses, too.

Apart from these; education, training and psychological consulting services are being provided to children forced into crime, they are being informed and educated on the matters of “hard living conditions and traumatic events, how to prevent an abuse”.

Additionally, the Ministry of Family and Social Policies provides these children with education in Turkish and Arabic languages on subject, among which there are:

- The United Nations Convention on the Rights of the Child,
- Safety, Security, Violence and Abuse, Discrimination, Child Labour, Child Marriages,
- Important Institutions they could get help from.,
-

As evidenced above, we try to spread awareness among children, enabling them to defend themselves against child marriages and defend their rights in general.

2. Protective and Supportive Measures:

Within the scope of a Social and Economic Support (SED) service, the General Directorate for Social Assistance and the Foundation for Social Assistance and Solidarity, provide aid for needy families, who are unable to support their children and who do not receive any financial assistance from the Ministry of Family and Social Policies. This service is open to and can be utilized by foreign citizens as well.

The purpose of the works, conducted in this regard, is to reduce the social cohesion problems experienced by Syrian children, to warn and teach them about the risks they are exposed to as well as the resources available in the society, to raise their awareness of their rights, and to increase tolerance and interaction among cultures.

The Ministry of Health provides awareness trainings to public servants and to people in general, who are in high probability of frequently interacting with refugee children, concerning negligence and abuse of children.

3. Works, conducted by the Directorate General of Immigration Services with regard to unaccompanied minors coming to our country

In Law No.6458 on Foreigners and International Protection, the term “unaccompanied minor” is defined as *“a child who arrives on the territory of Turkey unaccompanied by an adult responsible for him or her, whether by law or by practice, or a child who is left unaccompanied after he or she has entered the territory of Turkey, and for as long as he or she is not effectively taken into the care of such an adult”*. According to the Regulations on temporary protection, unaccompanied minors are placed in shelters under the coordination of the Ministry of Family and Social Policies.

The Directorate General of Immigration Services organizes training seminars about children left unaccompanied.

Through Law No.6458, the Directorate General of Immigration Services has set up within itself an Office of Protection of Victims of Human Trafficking and Regulations have been issued and enacted on the issue, aiming to prevent people from committing this crime and to provide support for its victims.

These Regulations treats forced marriages also as a form of human trafficking, so forced marriages are placed within the authority of the Office of Protection of Victims of Human Trafficking.

4. Investigation and Prosecution Proceedings

Notwithstanding whether the victim is a refugee in our country or a foreigner, these children are being subjected to the same domestic law procedures that are applied to Turkish citizens.

The same laws as those applied to regular Turkish citizens are being applied in our country to victim refugee children, notwithstanding the fact that they are foreigners. Criminal investigation and prosecution proceeds are initiated by a report, complaint or by obtaining direct information that a forced or an early marriage has occurred. According to the legislation of the Republic of Turkey, early marriage constitutes sexual abuse of the child and is severely punished. Marriages below the age limit are not valid.

In conclusion, refugee children in our country are being provided with the necessary education services on early or forced marriage, needy children and their families are given financial and material assistance. We have the legislative capacity to start investigation process promptly and effectively as well as to punish the perpetrators severely once the authorities receive any information that such an act has occurred. Furthermore, information we have received from the security forces and other government institutions demonstrates that the allegations indicated in the report are unfounded. For this reason, we kindly ask the Committee to revise and correct these unfounded allegations in the report.

UKRAINE

No reply to this question / Aucune réponse à cette question

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

ARMENIA / ARMENIE

No reply to this question / Aucune réponse à cette question

AZERBAIJAN / AZERBAÏDJAN

ESTONIA / ESTONIE

No reply to this question / Aucune réponse à cette question

IRELAND / IRLANDE

NORWAY / NORVEGE

Question 5

Child- and forced marriages are serious human rights violations against women and girls, and also in respect of the rights of the child. The Norwegian Government is committed to combat and prevent these practices, and will present a new National Action Plan Against Forced Marriage and Female Genital Mutilation early 2017.

UNITED KINGDOM / ROYAUME UNI