



T-ES(2016)RFG-CRO

LANZAROTE CONVENTION

Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

FOCUSED QUESTIONNAIRE

Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse

CROATIA

(Replies sent by the State)

Replies registered by the Secretariat on 14 September 2016

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?

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.

- 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;

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.

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.

- 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;

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*.

- 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;

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.

- d) Identify the institution(s) responsible for the collection of above data.

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.

PREVENTION (Lanzarote Convention, Chapter II)

- 2) What are the specific measures taken to prevent that children affected by the refugee crisis fall victims of sexual exploitation and sexual abuse?

The winter transit and reception centre of the Ministry of the Interior in Slavonski Brod, intended for reception and transit of migrants, was, in terms of organisation and accommodation, divided into 6 identically organised sectors. Within each sector, a section for the accommodation of vulnerable groups was provided, and such preventive action served to preclude any sexual exploitation and abuse of children affected by the refugee crisis. Psychosocial support and assistance to children staying at the refugee camps was provided on a daily basis by employees and volunteers of the Croatian Red

Cross, International Organization for Migration, Jesuit Refugee Service and other civil society organisations.

Unaccompanied children who expressed their intention to lodge an application for international protection in the Republic of Croatia gained the status of applicants for international protection. Unaccompanied children older than 16 years of age were accommodated at the Reception Centre for Applicants for Asylum, which is intended for the accommodation of vulnerable groups, based on the opinion of a guardian *ad litem* and pursuant to the Protocol, and where they are provided with special reception and procedural guarantees. Unaccompanied children younger than 14 years of age were accommodated at a residential home for children without appropriate parental care, and children between 14 and 16 years of age were provided accommodation at a residential home for the raising of children and youth. The social workers of the Reception Centre for Applicants for Asylum regularly conduct individual interviews with children for the purpose of identifying victims of sexual abuse and exploitation, and the data collected based on initial assessment are submitted to competent services.

UNICEF and Save the Children International are active at the Reception Centre for Applicants for Asylum, and their activities are primarily focused on children's welfare.

- a) Highlight in particular the measures (e.g. awareness raising material, specialised training, screening of professionals, etc.) which have proven to be effective;

The specialist courses for police officers specialising in youth work particularly include training on the specifics of conducting investigations in cases of sexual abuse of children by an immediate family member of a person of trust, authority or influence over the child, and persons who are with the child as part of the refugee wave most certainly fall within that group. In case that suspicion of sexual abuse or exploitation of children is raised, police officers specially trained and educated for youth work become involved in the police procedure.

In relation to preventive police activity in raising the awareness of the issues of trafficking and sexual exploitation of children, the Police Directorate has since 2013 carried out activities as part of the "Two Girls" campaign aimed at preventing the trafficking of women and girls for the purpose of sexual exploitation: The campaign is focused on sensitisation and raising the awareness of the risk to which potential human trafficking victims are exposed, as well as on providing education aimed at recognising potentially dangerous situations and strengthening prevention and protection.

For the purpose of visibility and accessibility and strengthening preventive activities in the field of combating sexual exploitation and abuse of children, the Ministry of the Interior launched a web page that contains detailed information and sensitises the public on this issue while enabling online reporting of sexual exploitation via the Red Button application.

- b) Underline any lessons learnt from specific challenges (e.g. in raising awareness on sexual violence amidst other urgent priorities, etc.) that had to be faced to improve prevention.

While in the said period we had no recorded cases of sexual abuse or sexual exploitation of children who are applicants for international protection, we believe that the most effective method for child protection is coordinated activity by all relevant services (Reception Centre for Applicants for Asylum, Criminal Police, Social Welfare Centres and civil society organisations), as well as information provision to children via printed materials on sexual abuse/exploitation.

PROTECTION (Lanzarote Convention, Chapter IV)

- 3) Has a coordinated child protection approach been put in place to cater for the specific needs of migrant and asylum-seeking children victims of sexual exploitation and/or sexual abuse?

In addition to the Act on International and Temporary Protection and the Protocol, the Government of the Republic of Croatia adopted the National Program of Protection and Promotion of Human Rights for the Period 2013-2015. The coordinated approach to the protection of unaccompanied children is realised through the implementation of the Protocol for the purpose of improving the current protection system for unaccompanied children. In order to meet the specific needs of migrants and to protect all children, including applicants for international protection who are victims of sexual exploitation and/or sexual abuse, an intensive cooperation between all the stakeholders in the field of care for unaccompanied children has been in place since the beginning of the migration crisis. Police officers, guardians *ad litem*, expert workers in the social welfare system, physicians and other experts are involved in the care for unaccompanied children and protection of their rights, each assessing the situation, needs and the best interests of children from their own perspectives.

Coordinated activity of the Ministry of the Interior and Ministry of Social Policy and Youth has been ensured with an active involvement by the Ombudswoman for Children, civil society organisations and international organisations (UNHCR, UNICEF, the Red Cross) in protecting the welfare of children who are applicants for international protection. The said bodies participate in the work of three coordinations: coordination related to persons who seek international protection, coordination for integration of foreigners who have been granted international protection and coordination for unaccompanied children.

- a) Describe the measures taken to address the situation and cater for the children's specific needs (multiple traumas, language/cultural differences, etc.), including with respect to guardianship/placement;

In accordance with the Act on International and Temporary Protection, a child who is a victim of sexual exploitation or sexual abuse shall be provided appropriate medical care taking into consideration the child's specific condition, i.e. consequences arising from such acts. The medical examination and care for the child/victim shall be provided for by the Ministry of Health, which shall also bear the associated costs. The Ministry of the Interior shall provide an interpreter for the language the child understands or may justifiably be presumed to understand and bears the costs of interpreting. The Ministry of the Interior has entered into agreements on mutual cooperation in the field of

support to applicants for international protection with multiple civil society organisations that organise integration workshops as part of their activities, and whose employees and volunteers speak the languages of the countries of origin of the applicants for international protection. A Rehabilitation Centre for Stress and Trauma and a Society for Psychological Aid are active at the Reception Centre for Applicants for Asylum, their scope of work including psychological counselling, psychotherapy and psychiatric help services.

As part of social welfare, unaccompanied children are assigned a guardian *ad litem* for the purpose of protecting their personal and property rights and securing their best interests. Further, employees of social welfare centres, aside from the care for and protection of unaccompanied children, take care of their psychophysical condition, mental health, socialisation, leisure time and studying. Unaccompanied children are provided support in building a positive self-image, learning social skills and integration. Expert workers of social welfare centres monitor the accommodation circumstances and child care by regularly contacting and visiting the homes, provide for the basic living needs of unaccompanied children and monitor the work of guardians *ad litem*.

- b) Indicate also what measures have been taken to protect the children concerned from further exploitation/abuse and to assist the victims in seeking redress (please highlight any differences between Groups 1 and 2 of children as outlined above);

Should the existence of abuse/exploitation be established, all the available data on children who were victims of sexual abuse/exploitation prior to their entry into the territory of the Republic of Croatia, as well as the data on children who became victims following their entry into the territory of the Republic of Croatia shall be submitted to competent state bodies for further procedure.

- c) Underline any lessons learnt from specific challenges (in reporting suspicion of sexual exploitation and abuse, in tailoring assistance to the victims, etc.) that had to be faced to improve protection.

In order to ensure adequate protection of children guided primarily by the best interest of a child, an efficient approach to children by all services involved in child protection and rights is essential, provided through regular education related to preserving child safety and identifying vulnerable groups of applicants for international protection, provision of first psychological aid to victims and a coordinated approach by all the competent bodies.

COOPERATION (Lanzarote Convention, Chapter IX)

- 4) Provide examples of successful cooperation with other Parties to the Lanzarote Convention for the purpose of:
 - a) Preventing and combating sexual exploitation and sexual abuse of children affected by the refugee crisis;
 - b) Protecting and providing assistance to victims;
 - c) Investigations or proceedings concerning the offences established in accordance with the Lanzarote Convention.

In the field of international protection, no cooperation has been realised with other Parties to the Lanzarote Convention for the purposes of preventing and combating sexual exploitation and sexual abuse of children affected by the refugee crisis and protecting and providing assistance to victims.

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.