



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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## 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

### NORWAY

(Replies sent by the State)

Replies registered by the Secretariat on 15 September 2016

## DATA (Lanzarote Convention, Chapter III)

- 1) How many migrant and asylum-seeking children (accompanied and unaccompanied)<sup>1</sup> are in your country as a result of the refugee crisis?

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.

- a) Please provide estimates, if exact data is not available, for the period between 1 July 2015 and 30 June 2016,<sup>2</sup> and specify how many of these children are victims or presumed victims of sexual exploitation and sexual abuse;

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.

- 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 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

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<sup>1</sup> 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.

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

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.

- 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;

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.

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

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.

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

UDI's asylum department has a Special unit for children. The unit have specialized case workers handling all UAM asylum cases, who are trained in communicating with asylum-seeking children. The case workers in this unit have a strong awareness on identification of any kind of abuse or exploitation of asylum-seeking children.

UDI has initiated a project to ensure good identification and cooperation towards married asylum-seeking children. One of the main purposes was to prevent further sexual abuse of the children in Norway.

UDI have particular routines for identification of vulnerable children and adult asylum seekers through the asylum process.

To better the ability to identify and prevent sexual abuse and exploitation, and to improve the work with children in general, the reception centers have improved the professional competence on children in reception centers. A closer cooperation between reception centers and the child care services locally has also been initiated. To prevent sexual abuse or exploitation the reception centers have gender segregated divisions.

UDI also has information programs on sexual health in the reception centers to increase the knowledge about this topic.

- 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.

The child marriage project has increased the awareness in the participating instances on this particular part of sexual abuse of young children, as a consequence of traditional practices in their homeland.

## 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?

If a child is identified as a victim or is in risk of being a victim (group 2) to any form of sexual abuse, all the institutions are obligated to inform the child care services and in some cases also inform the police. 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.

- 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;
- 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);

UDI has some gender segregated reception centers. One of the purposes with separated divisions for women is to protect the girls from abuse. Both the asylum department and the reception centers have routines for giving information about a victims legal rights and how to seek redress. If a child is identified as a victim of sexual abuse during the asylum process both the asylum department and the reception centers are obligated to inform the child care services and in some cases also inform the police.

According to the Act on the entry of foreign nationals into The Kingdom of Norway and their stay in the realm (Immigration Act) section 98 a, persons under 18 years of age (minors) who are applying for protection and who are in the country without parents or other persons with parental responsibility, are entitled to a representative. The County Governor shall appoint a representative for the minor as soon as the County Governor learns that the minor is in a situation as mentioned in section 98 a. According to section 98 d of the Immigration Act, the representative shall ensure the minor's interests in the asylum case and otherwise perform such duties as are imposed on a guardian under other legislation.

The County Governor shall give the representatives in his or her district necessary training, guidance and assistance, and shall supervise the representatives in his or her district. The County Governor may include information on human trafficking and abuse of minors during the training, which may also include information on indications of abuse. In cases where there is suspicion of sexual abuse, the County Governor may provide further assistance and guidance to the representative.

If an unaccompanied minor asylum seeker is the offended in a criminal case, the representative exerts the procedural rights on behalf of the minor according to the Act relating to legal procedure in criminal cases (The Criminal Procedure Act), cf. section 93 g. The representative shall ensure the minor's involvement in the case and is normally given the opportunity to be present and speak if the minor is to be questioned by the police in connection with the criminal proceedings. A specific measure taken by The County Governor of Oslo and Akershus is to appoint specific representatives with particular knowledge about cases involving children in criminal proceedings, including the procedures for questioning minors by the police (adapted questioning in cases concerning sexual offenses).

Furthermore, the Norwegian government is currently preparing a parliamentary bill to prevent and combat violence in close relationships and violence and sexual abuse against children. The bill will cover several measures to combat sexual abuse of children. The bill will be presented in October 2016.

## 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;

Norway is concerned about the migration of children, and in particular unaccompanied minors. This migrant group is especially vulnerable and need our due attention. They are exposed to high risks during the journey and might be exploited by human smugglers and others that can cause them great psychological and physical harm. Research the past years indicate that most unaccompanied minors migrate in agreement with their family

## 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.

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.