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LANZAROTE COMMITTEE / COMITE DE LANZAROTE

Special report on “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse”

Compilation of information on the follow-up to the 5 recommendations urging Parties to implement the Convention

Rapport spécial « Protéger les enfants touchés par la crise des réfugiés de l'exploitation et des abus sexuels »

Compilation des informations sur le suivi donné aux 5 recommandations exhortant les Parties à mettre en œuvre la Convention

TABLE OF CONTENTS / TABLE DES MATIERES¹

RECOMMENDATION R18 / RECOMMANDATION R18	3
RECOMMENDATION R27 / RECOMMANDATION R27	50
RECOMMENDATION R29 / RECOMMANDATION R29	109
RECOMMENDATION R30 / RECOMMANDATION R30	161
RECOMMENDATION R33 / RECOMMANDATION R33	214

¹ This document compiles the information sent by the Parties to the Lanzarote Convention which are concerned by the Special report as well as information submitted by other stakeholders. The replies are reproduced in the language version in which they were received (English or French) /

Ce document compile les informations reçues des Parties à la Convention de Lanzarote qui sont concernées par le Rapport spécial ainsi que des informations transmises par d'autres parties prenantes. Les réponses sont reproduites dans la version linguistique dans laquelle elles ont été reçues (anglais ou français).

Recommendation R18 / Recommandation R18

The Lanzarote Committee:

urges Parties in line with Article 5 of the Convention to effectively screen all persons who, by their professions, have regular contact with children affected by the refugee crisis for convictions of acts of sexual exploitation or sexual abuse of children in line with their internal law (R18).

Le Comité de Lanzarote :

exhorte les Parties, conformément à l'article 5 de la Convention, à vérifier effectivement que toute personne qui, par sa profession, est en contact régulier avec des enfants touchés par la crise des réfugiés n'ait pas été condamnée pour des actes d'exploitation ou d'abus sexuels à l'encontre d'enfants en vertu de leur législation interne (R18).

Albania / Albanie	<p>In Albania Law 18/2017 "On the Rights and Protection of the Child", Article 45 "Employees of child protection structures and employees working with children" provides that: The employees of child protection structures as well as employees working with children may not be employed and, when employed, they shall terminate their employment relationship if:</p> <ul style="list-style-type: none"> a) they are sentenced by a final court decision for intentional criminal offence against a person; b) one of protection measures against domestic violence is taken against them upon a court decision. <p>Employees of child protection structures and employees working with children shall be suspended from duty if criminal proceedings are instituted against them for criminal offences against children or they are accused of commission of a criminal offence in collaboration with a child. The criteria for hiring employees of the child protection structures and the employees who work with the children will be determined by a decision of the Council of Ministers, which is being drafted by the working group.</p>
Andorra / Andorre	<p>L'Andorre révisé ses protocoles de vérification et de contrôle, pour se conformer à cette recommandation.</p> <p>D'une part, tous les étrangers qui obtiennent un permis de résidence ou de résidence et de travail doivent prouver qu'ils n'ont pas de casier judiciaire dans leur pays d'origine.</p> <p>En ce qui concerne les contrats de fonction publique, le département correspondant demande à toutes les personnes à inclure dans l'administration, qu'elles fournissent un certificat de casier judiciaire.</p> <p>Par conséquent, toutes les personnes liées au Service d'aide aux réfugiés ont certifié qu'elles n'avaient pas été reconnues coupables de crimes de violence, d'exploitation ou d'abus sexuels envers les enfants.</p> <p>Le 15 février 2019, le "Consell General" (Parlement andorran) a approuvé la "Llei qualificada dels drets dels infants i els adolescents" (Loi qualifiée relative aux droits des enfants et les adolescents).</p>

	<p>L'article 64 indique : Art. 64. Formation et honnêteté des professionnels</p> <p>1. Les administrations publiques, dans le cadre de leurs compétences, doivent veiller à ce que les professionnels qui travaillent pour les enfants et les adolescents et en contact avec eux, en particulier dans les secteurs de l'éducation, de la santé et des affaires sociales , jeunesse, justice, sécurité, sports, loisirs, culture et médias reçoivent une formation initiale et continue complète et spécialisée sur les mauvais traitements dans ces groupes, en vue de la prévention, du dépistage de tous les types de mauvais traitements Effectivement perpétrée par toute personne et réagir efficacement à ces mauvais traitements. Cette obligation est également obligatoire pour le personnel bénévole qui est en contact régulier avec des enfants et des adolescents ou qui collabore avec eux.</p> <p>2. Pour accéder aux professions impliquant des contacts réguliers avec des enfants et des adolescents ou pouvant avoir accès à des données personnelles et à des images d'enfants ou d'adolescents, les professionnels doivent démontrer qu'ils n'ont pas de casier judiciaire contre la liberté sexuelle, conformément à ce qui est établi par la procédure de réglementation.</p>
Austria / Autriche	<p>In Austria, the "Länder" are dealing with children affected by the refugee crisis. The competent bodies of the "Länder" in this respect are the Youth Welfare Services. Screening is in place: People who apply for a job at the Youth Welfare Services have to bring an extract from their criminal record during the recruitment phase. Since youth welfare law is a regional competence there are 9 different laws on this issue throughout the whole of Austria. Most regions require not only a "normal" extract from the criminal record ("Strafregisterbescheinigung"), but also a "Strafregisterbescheinigung Kinder- und Jugendfürsorge". In contrast to the normal extract from the criminal record which does not contain convictions to sentences of up to three months in prison (juveniles: up to sixth months in prison) the latter shows every conviction for a sexual offence independent of the sentence imposed. Most regions repeat this check regularly after the recruitment. The same standards apply to the facilities that are contractually entrusted by the regions or the federal government to take care of child refugees.</p> <p><u>Additional information sent on 22 March 2019:</u> In addition to the information Austria already submitted, I can inform you that in Austria future teachers are screened by their service authority before they start working and both a "normal" criminal record and a "Strafregisterbescheinigung Kinder- und Jugendfürsorge" is obtained. This is stipulated in the "Beamten-Dienstrechtsgesetz 1979". Foster parents must not have any criminal record that could endanger the well-being of the child (criminal records information). This is stipulated in the "Bundeskinderjugendhilfegesetz 2013" and in the different "Kinder- und Jugendhilfegesetze" of the "Länder". Sworn and judicially certified interpreters are recorded in a special list that is kept by the Presidents of the Regional Courts. One of the conditions of their registration in this list is their trustworthiness. In order to prove this trustworthiness, the Presidents have the possibility to assign the national safety authorities with a special check that also includes informations on the criminal convictions of the interpreter. Every applicant for admission to the executive service must undergo a security check in accordance with § 55a para. 2 subpara. 1 Security Police Act. As part of a security check (§ 55 SPG) also a criminal record is obtained. According to the Land Vorarlberg, one of our "Länder", which are dealing with children affected by the refugee crisis, they also recommend NGOs that are dealing with children affected by the refugee crisis to screen all of their employees and get a "Strafregisterbescheinigung Kinder- und Jugendfürsorge". The NGOs usually follow this recommendation because otherwise they could get enormous liability problems.</p> <p><u>Additional information sent on 10 April 2019:</u> <u>Interpreters:</u> In addition to the information Austria already submitted, I can inform you that in Austria <u>in asylum procedures</u>, there are generally sworn and judicially certified interpreters or specially trained interpreters. All interpreters that apply for a job in these procedures have to sign a declaration of consent that gives the authority the possibility to assign the national safety authorities with a special check that also includes informations on the criminal convictions of the interpreter. Until the</p>

	<p>authority gets the result of this security check, the interpreter is added to a special list "with reservation". Exactly the same applies to the <u>interpreters</u> that the <u>police is working with</u>.</p> <p><u>NGOs:</u> The <u>provision with basic supplies</u> in Austria is shared between the Federal Government and the Länder. In the area of responsibility of the <u>Federal Government</u>, the ORS Service GmbH is assigned with the care of persons accommodated in federal care facilities. The Framework Agreement between the Federal Ministry of Internal Affairs and the ORS Service GmbH stipulates that members of the support staff that work in these facilities must not have any criminal conviction. In the area of responsibility of the <u>Länder</u>, the Youth Welfare Services are authorized to obtain information from the criminal record for the purpose of assessment of suitability or to carry out supervisory duties. This is a general rule.</p> <p>In the Land Vorarlberg the "Caritas Flüchtlingshilfe Vorarlberg", that generally deals with the support of refugees, screen their employees, who by their profession have contact with children affected by the refugee crisis and get a "Strafregisterbescheinigung Kinder- und Jugendfürsorge". They also recommend volunteers to be screened.</p> <p>In the Land Salzburg they make use of the already mentioned authorization to obtain information from the criminal record for the purpose of assessment of suitability or to carry out supervisory duties. In cases of adoptive applicants and persons who care for children and adolescents a "Strafregisterbescheinigung Kinder- und Jugendfürsorge" is also obtained.</p> <p>The Land Oberösterreich has a Framework Agreement with all NGOs that operate facilities for unaccompanied minor refugees. This Framework Agreement stipulates that all employees must be screened and therefore a "normal" criminal record and also a "Strafregisterbescheinigung Kinder- und Jugendfürsorge" is obtained.</p> <p>In Vienna, every facility that deals with unaccompanied minor refugees (also NGOs) is under the supervision of the Municipal Department 11 (MA 11). The facilities obtain a criminal record and a "Strafregisterbescheinigung Kinder- und Jugendfürsorge" of their employees.</p> <p>In the Land Steiermark there are contracts with NGOs that are responsible for the care of unaccompanied minor refugees which stipulate that before entering service employees have to bring a criminal record and the Land also has the authority to get a "Strafregisterbescheinigung Kinder- und Jugendfürsorge".</p> <p><u>Police:</u> There was a misunderstanding about the term "executive service". In Austria the police may also be called "Exekutive", so that's what I initially meant with the term "executive service". This means that every applicant who wants to join the police must undergo a security check in accordance with § 55a para. 2 subpara. 1 Security Police Act. As part of a security check (§ 55 SPG) also a criminal record is obtained.</p> <p><u>Additional information sent on 15 April 2019:</u> <u>According to the NÖ Kinder- und Jugendhilfeeinrichtungsverordnung the Land Niederösterreich also obtains criminal records.</u></p>
Belgium / Belgique	Broadly speaking, the employer requests a Model 2 criminal record extract (Article 596.2 of the Code of Criminal Procedure) for any person engaged in an educational activity or the provision of medical and psycho-social support, youth services and organised activities for minors and their supervision. This model is also commonly referred to as the "minors model".

As far as guardians are concerned, their approval is subject to the production of a criminal record extract showing no entries, which naturally means that the person has not been convicted of relevant offences. Repeat requests for criminal record extracts are regularly made to ensure that no conviction has been handed down after approval has been given. Moreover, the guardianship service consults the criminal records directly before approving a guardian. Each prospective guardian is met by a member of the guardianship service and by an experienced guardian for the purpose of assessing his/her profile, capabilities, motivation and suitability for guardianship duties. Any individual who loses the right to enjoy his/her property or engages in disorderly behaviour or in conduct demonstrating lack of ability or disloyalty may no longer be a guardian. An assessment will then be initiated, the approval withdrawn and the guardianship duties reassigned to other guardians. The guardianship service appoints reference persons for all approved guardians in order to carefully monitor and assess them and withdraw their approval in the event of any form of abuse.

As far as persons working for the Commissioner-General for Refugees and Stateless Persons (CGRA) are concerned, their assessment enables it to be ascertained that they have duly taken on board and implemented the relevant code of ethics. The data of the interpreters at the CGRA are transferred to the National Security Authority (ANS), which will examine them before issuing security clearance.

In the case of the Federal Agency for the Reception of Asylum-Seekers (Fédasil), at the time of their recruitment, asylum-seeker reception centre staff required to work with minors also have to provide a Model 2 criminal record extract. In general, employees are also required to comply with the Agency's code of ethics, according to which respect for, and the integrity of, residents must be ensured. In addition, the 2015-2019 national action plan to combat all forms of gender-based violence provides for the Agency to draw up guidelines on domestic and sexual violence, including sexual abuse committed by professionals, the aim being to strengthen the code of ethics. This measure is yet to be introduced.

In the Wallonia-Brussels Federation, unaccompanied foreign minors are housed in facilities approved by the youth welfare office, such as Espéranto. The Government Decree of 15 March 1999² regulating the approval of these services expressly provides: "*Art. 7.1 - Members of staff of approved services and persons regularly working or residing at premises provided for the activities of the approved services shall provide at least once every five years a criminal record extract based on the model referred to in Article 596(2) of the Code of Criminal Procedure*". Unaccompanied foreign minors can also be accommodated in host families, who are also required to provide a Model 2 criminal record extract, as are teachers.

In the Flemish Community, the same precautions have to be taken with any person working with children. The obligation to provide a Model 2 criminal record extract applies to host families, youth workers, teachers, family support staff, infant consultants and multidisciplinary teams responsible for international adoptions, etc. Members of staff must provide this certification both when they are appointed and when they join an institution, failing which it may not employ them.³ This applies to reception centres such as Minor-Ndako, which implements this rule. Initially, only one extract had to be provided, but a new one now has to be submitted every three years.

There are three centres in Belgium that specialise in the reception of victims of human trafficking. They undertake the legal and administrative monitoring of child victims, and all three comply with these regulations.

² http://www.gallilex.cfwb.be/document/pdf/23067_007.pdf

³ <http://www.agodi.be/job-in-het-onderwijs-toelatingsvoorwaarden-burgerlijke-en-politieke-rechten>, Decree of 27 March 1991 on the legal position of all members of subsidised education staff and subsidised pupil guidance centres; Decree of 27 March 1991 on the legal position of certain members of Community education staff.

<p>Replies by / Réponses par Missing Children Europe / Child Focus</p>	<p>----- ----- -----</p> <p>The Law of 8/08/1997 concerning the central criminal register stipulates that a 'minors' model' (blank criminal record) is necessary for specific activities involving contacts with children and young people, such as upbringing, psycho-medical social counseling, providing assistance to youth, child protection, animation or supervision of minors.</p>
<p>Bosnia and Herzegovina / Bosnie- Herzégovine</p>	<p>According to applicable regulations⁴ all civil servants and non-civil service employees in state institutions, including those employed by the BiH Ministry of Human Rights and Refugees, the Ministry of Security of BiH, the Service for Foreigners' Affairs and other state institutions, must provide a non-conviction certificate when recruited. The Law on Civil Service in the BiH institutions also provides for a preventive suspension in the event that criminal proceedings have been instituted against an officer for criminal offenses carrying a sentence of imprisonment of at least five years, if he is caught committing such a criminal offense or there is reasonable doubt that he has committed a criminal offense. So far, no convictions have been recorded for acts of sexual exploitation or sexual abuse of children committed by persons who have regular contacts in line of duty with children affected by the migrant crisis.</p> <p>Common practice and legal obligation for job hiring in Bosnia and Herzegovina is the obligation of future employee to provide, before recruiting, a non-conviction certificate that are issued by ministries of internal affairs, as a proof that person was not criminally convicted. All police staff, social and health services providers are considered to be public servants that work for different levels of state institution, and criminal screening previously mentioned applies for them too.</p> <p>Same screening is done by other international and nongovernmental organization when they hire staff in Bosnia and Herzegovina (UNHCR, IOM, Save the Children, UNICEF, IFRC, UNFPA, NGO "Women from Una", etc.). They also provide different mandatory training for their employees as preventive measures for sexual violence against children (e.g. IOM - PSEA (Prevention of Sexual Exploitation and Abuse), Save the Children - Child Protection Policy, etc.). Also UN agencies (IOM, UNICEF, UNHCR etc.) use Code of Conduct to ensure successful and child safe working relations with NGO's that are contracted for work, including the work with migrants.</p>
<p>Bulgaria / Bulgarie</p>	<p>Through the Law Amending and Supplementing the Criminal Code promulgated in State Gazette, issue 74 of 26 September 2015, and in particular Article 158b of the Criminal Code, the Republic of Bulgaria has implemented the requirements of Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography.</p> <p>Upon entry into service, all job applicants must present a special document - Certificate of Conviction containing information on the convictions of the natural persons, namely, have they been convicted of any crimes, including convictions for which the persons have been rehabilitated.</p> <p>Pursuant to the regulatory framework of the Ordinance on the Criteria and Standards for the Provision of Social Services to Children, there is a requirement that every employee should be screened to verify whether he or she has been the subject of pre-trial proceedings, the information of which is updated annually.</p> <p>This applies to the residential care personnel and the personnel of specialised children's institutions, where unaccompanied children or children who have been granted international protection may be accommodated as a protection measure.</p>

⁴ BiH Law on Civil Service in BiH Institutions and Labor Law in Institutions of BiH.

Croatia / Croatie

With the Protocol on the Treatment of Unaccompanied Children - Foreign Nationals (hereinafter: Protocol) cooperation and individual obligations of the competent organisational units of the ministry competent internal affairs, ministry competent for social welfare affairs, ministry competent for health protection affairs and ministry competent for education affairs have been established in case an accompanied child is found.

Actions of the competent structural units of the ministry governing internal affairs, in accordance with Article 4 of the Protocol include: gathering of necessary information on the unaccompanied child, conducting procedures focused on identification, if the unaccompanied child does not have any ID documents, providing an interpreter for the duration of the procedure under the jurisdiction of the police, contacts and cooperation with the officials of other organisational units of the ministry competent for internal affairs as well a safe and quick return.

Ministry of the Interior ensures that the employees of the Ministry, police officers and employees, who are conducting affairs described in Article 4 of the Protocol, i.e. those who, while conducting their tasks, come into contact with the children affected by the refugee crisis, illegal migrants and asylum seekers, have not previously been convicted for criminal offences of sexual exploitation or sexual abuse of children.

Namely, in accordance with Article 49 of the Act on Civil Servants (Official Gazette: no. 92/05, 140/05, 142/06, 77/07, 107/07, 27/08, 34/11, 49/11, 150/11, 34/12, 49/12, 37/13, 01/15, 138/15, 61/17), which also applies to employees of the Ministry of the Interior, persons against whom a criminal proceedings is instituted ex officio or are found guilty for a criminal offence for which a criminal proceedings was instituted ex officio cannot be employed in civil service (criminal offences under the jurisdiction of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (hereinafter: Convention) are criminal offences for which a criminal proceedings is initiated ex officio, according to this the active criminal proceedings and consequential establishment of guilt of the perpetrator would be an impediment to employment in the Ministry of the Interior). Pursuant to Article 136 of the Act on Civil Servants, it has been prescribed that the head of an authority can terminate the service of a civil servant (among other, employees of the ministry competent for internal affairs) by means of an extraordinary dismissal if it has been established that the civil servant has committed a serious violation of official duty which jeopardizes life and physical integrity of citizens. At the same time, Article 137 of the mentioned Act prescribes that the service of a civil servant is terminated by the force of law when he is convicted to a sentence of imprisonment or to a punishment of long term imprisonment or to a partial conditional sentence for a criminal offence – on the day when it is made public that the judgement is non-appealable, unless a non-appealable judgement determined a conditional sentence or the sentence of imprisonment was replaced by community service.

Besides the mentioned provisions of the Act on Civil Servants and Civil Service Employees, the Police Act additionally prescribes that each person accepted in the police must be a person worthy of performing the police service and a person considered unworthy is, among other, a person convicted of a criminal offence with a dishonest motive.

In parallel, Article 112 of the Police Act prescribes that the police officer can be relieved of duty if criminal proceedings or a proceeding due to a serious violation of official duty is instituted against him and the nature of the violation is such that the officer's active service during the proceedings might do harm to the interests of the service.

In the part which is under the jurisdiction of the Ministry of the Interior regarding the treatment of children affected by the refugee crisis, when the Ministry provides the interpreters for the children, it is necessary to point out that the children shall select the interpreter from a list of permanent court expert witnesses who, in accordance with Article 2 paragraph 5 of the Ordinance on Permanent Court Expert Witnesses (Official Gazette no. 38/2014) cannot be placed on the list of court expert witnesses if there are impediments to their admittance into civil service. Impediments to admittance into civil service are prescribed in Article 49 of the Act on Civil Servants and Civil Service Employees, and among the prescribed impediments are pending ex officio criminal proceedings or having been sentenced guilty for a criminal offence for which criminal proceedings were instituted ex officio. The criminal offences prescribed by the Convention are criminal

offences prosecuted ex officio, from which argumentum a fortiori arises that persons against whom criminal proceedings are instituted or who have received a non-appealable judgement for criminal offences prescribed by the Convention cannot be appointed to the list of permanent court witness experts from which interpreters are selected.

Actions of competent services in the social welfare system, in accordance with Article 5 of the Protocol includes: participation of an expert social welfare centre worker in the proceedings regarding an unaccompanied child, appointment of a special guardian to an unaccompanied child, ensuring an interpreter in the part of the proceedings in the jurisdiction of establishment in the social welfare system, provision of accommodation for an unaccompanied child, provision of health protection, access to education and other contents with an aim of integrating the child into society.

In conjunction with that, Article 213 of the Social Welfare Act (Official Gazette no.: 157/13, 152/14, 99/15, 52/16, 16/71, 130/17) prescribes as impediment for employment in social welfare centres, children homes, centres for upbringing, children and youth as well as in other institutions which provide social services, to persons who have, among other, received a non-appealable judgement for criminal offences against sexual freedom and criminal offences against sexual abuse and exploitation of a child (criminal offences from the jurisdiction of the Convention).

Since accommodation for an unaccompanied child can, besides in social welfare institutions, reception centres for asylum seekers (only if the child expressed an intention to submit a request for an asylum), the reception centre for foreigners of the Ministry governing internal affairs, be provided in a foster family, we draw attention to Article 19 of the Foster Care Act (Official Gazette no. 90/11 and 789/12), which prescribes the conditions for providing foster care services. In conjunction with that, prescribed as an impediment for providing foster care services are active criminal proceedings instituted ex officio or having been sentenced guilty for a criminal offence for which criminal proceedings were instituted ex officio, and the criminal offences prescribed by the Convention fall into this category.

In accordance with the Protocol, one of the obligations of special guardians and other expert associates in the social welfare system who come into contact with unaccompanied children when performing their tasks is to establish contact with civil society organizations which conduct activities aimed at supporting foreigners. Since, in accordance with the Social Welfare Act, social welfare activity can also be carried out by organisations, then, in that sense, Article 213 of the Social Welfare Act applies to them as well (employment impediments).

Besides the mentioned civil society organisations which perform social welfare activity and with regards to other civil society organisations, we point out that special acts prescribe relevant prohibitions, e.g.: the Volunteering Act prescribes in its Article 10 that volunteering that provides services to children is prohibited, among others, to people who have received a non-appealable judgment for a criminal offence against sexual freedom and sexual morality.

Protocol on the Treatment of Unaccompanied Children prescribes an obligatory initial health examination of the unaccompanied child. In the context of implementing Article 5 of the Convention and Recommendation R 18., of the Special Report, the Ministry of Health, in its draft proposal of the act on health protection (which is currently in the regular legislative procedure for adoption) has suggested implementing a new provision which prevents employment for performance of tasks in health which include work with children and performance of tasks in health which include working with children to a health worker who has received a non-appealable sentence for one of the criminal offences from Title XVI of the Criminal Code - Criminal offences against sexual freedom and Title XVII of the Criminal Code - Criminal offences against sexual abuse and exploitation of children and the criminal offences which are equivalent to those criminal offences prescribed by the Convention. Furthermore, the draft proposal of the act suggests that the employer is obligated to, by virtue of the office, obtain a Certificate of No Criminal Conviction for health workers.

[Additional information sent on 31 December 2018:](#)

In the context of implementing Recommendation R 18 of the Special Report, the Ministry of Health Affairs of the Republic of Croatia, added a new provision to Article 156 of the new Health Care Act (Official Gazette No. 100/18), which will enter into force on 1 January 2019, which prevents employment for performance of tasks in health which include work with children and performance of tasks in health which included working with children to a health worker who has been finally convicted for any of criminal offences from Title XVI of the Criminal Code – Criminal Offences against sexual freedom and Title XVII of the Criminal Code – Criminal offences of sexual abuse and exploitation of children, which are equivalent to those criminal offences prescribed by the Convention on the Protection of Children from Sexual Exploitation and Abuse (hereinafter: the Convention). Furthermore, the same Article prescribes that the employer is obliged, ex officio, to obtain a data from a criminal records for the health workers which proves that she/he has not been finally convicted for any of the above mentioned criminal offences. In addition, Article 47 of the Act prescribes that one of the preconditions for conducting the health private practice, which includes working with children, is that a health worker has not been finally convicted of any of the offences referred to in Title XVI of the Criminal Code - Criminal Offences against Sexual Freedom and Title XVII of the Criminal Code - Criminal Offences of Sexual Abuse and Exploitation of Children. Pursuant to Article 67 of the Act, one of the conditions for termination of the right to pursue private practice by force of law is the case when a person holding a work permit has been finally convicted for any of the offences referred to in Title XVI of the Criminal Code- Criminal Offences against Sexual Freedom and the Title XVII of the Criminal Code - Criminal offences of sexual abuse and exploitation of children.

Pursuant to the new Foster Care Act, adopted by the Croatian Parliament on 7 December 2018, the services of accommodation for unaccompanied children of foreign nationals can be provided in a foster family as well. It is prescribed that foster care cannot, among other things, be performed by a person who has been sentenced guilty by final judgment for a criminal offence punishable ex officio (this category of criminal offenses also include the offences stipulated by the Convention) or misdemeanour of family violence, a person against whom active criminal proceedings are instituted ex officio or misdemeanour proceedings is underway for domestic violence and a person who has received a child protection measure in accordance with the act governing family law relations. These impediments also apply to family members with whom a potential foster caretaker lives. Social care centres issue a foster certificate for a specified period that can be revoked at any time if it is determined that foster parents are performing their duty improperly or if some of the prescribed impediments have occurred.

When announcing an invitation for applications of projects of various organisations, the Ministry of Demography, Family, Youth and Social Policy of the Republic of Croatia requires that person, who will carry out project activities or be in contact with children, are not convicted by a final judgment of certain criminal offenses, that no misdemeanour sanctions have been imposed or no security or protective measures have been imposed in accordance with the national legislation governing the said matters. Also, within the social welfare system as a provider of services to foreign nationals, the conditions for verification of all workers who come into contact with children of foreign nationals are stipulated. The same conditions apply equally to the provision of services to children of foreign nationals as well as to children of Croatian nationals.

Additional information sent on 1 March 2019:

Pursuant to the new Foster Care Act, adopted by the Croatian Parliament on 7 December 2018, the services of accommodation for unaccompanied children of foreign nationals can be provided in a foster family as well. It is prescribed that foster care cannot, among other things, be performed by a person who has been sentenced guilty by final judgment for a criminal offence punishable ex officio (this category of criminal offenses also include the offences stipulated by the Convention) or misdemeanour of family violence, a person against whom active criminal proceedings are instituted ex officio or misdemeanour proceedings is underway for domestic violence and a person who has received a child protection measure in accordance with the act governing family law relations. These impediments also apply to family members with whom a potential foster caretaker lives. Social care centres issue a foster certificate for a specified period that can be revoked at any time if it is determined that foster parents are performing their duty improperly or if some of the prescribed impediments have occurred.

Cyprus / Chypre

Article 22 of the L.91(I)/2014, provides for the establishment of a Registry for the collection and storage of data relating to the identity and to the genetic profile (DNA) of persons convicted of sexual offences against children. The Republic of Cyprus keeps a Registry where data is registered in relation to natural or legal persons convicted for sexual offences against children. This Registry, by law, includes amongst others, convictions, name(s), identity card number, date of birth (registration number for companies), passport details, home and work address, fingerprints, photos and DNA profile).

The Police issues a certificate in the context of L.91(I)/2014, stating that a person is not included in the Registry (pursuant to the provisions of Article 22 of the L.91(I)/2014), upon request of anyone applying for a job in any profession, organized or voluntary activity that includes regular contact with children. An employer is obliged, according to the provisions of L.91(I)/2016, to ask for such a certificate by applicants who apply for jobs that include regular contact with children.

After the establishment of the L.91(I)/2014, in order for a person to be employed by the Public Sector, the person has to present a Clearance Report, as well as a certificate that the person is not included in the Registry. The Criminal Record Office, at the Police Headquarters, issues Clearance Reports and certificates that a person is not included in the Registry, for any individual wishing to be recruited in the public sector, which includes professions whose exercise implies regular contact with children (i.e. Teachers, Social Services Officers, Police Officers, Health Professionals, etc.). Although the certificate that a person is not included in the Registry applies only to new comers in the public sector, it should be noted that public servants who are convicted for a serious offence (including sexual offences against children) are dismissed by the public sector, according to the Public Service Law.

A Clearance Report and the above-mentioned certificate are requested for recruitment in the private sector as well.

Furthermore, the Social Welfare Services have informed employers and NGOs of their obligation for both the employees and volunteers who come in regular contact with children, to present a certificate that they are not included in the Registry, pursuant to article 22 of the L.91(I)/2014.

Due to the refugee crisis and the increasing number of people in need of protection arriving in the Republic of Cyprus, an action plan has been developed and is being implemented since 2014, by the Ministry of Interior in cooperation with all the relevant Ministries/Departments. This **Action Plan** determines the procedures and how to prepare, equip, provide training to professionals, and achieve **interagency cooperation** (government departments, services and international organisations and NGOs), to address the situation caused by a massive influx of persons in need of protection, arriving in the Republic of Cyprus.

At the moment, refugees entering the Republic of Cyprus the following procedure is followed: all the relevant government services (i.e. Police, Aliens and Migration Services, Asylum Service, Health Services, Social Welfare Services, Cyprus Civil Defence, etc.) are present at the point of entry, in order to register and conduct an initial screening for vulnerable persons and unaccompanied minors. Afterwards, the refugees are transferred to a temporary reception center until several procedures are carried out, such as medical examinations, applications for international protection, etc. Some of the refugees may enter the reception Center in Kofinou, while others may seek accommodation on their own. Unaccompanied minors are taken in care of the Director of the Social Welfare Services and placed in foster or residential care.

Therefore, at least at the point of entry, it is noted that the professionals involved in the reception of refugees are all civil servants. UNHCR officers might also be involved.

At the reception centers, civil servants as well as staff/volunteers from NGOs may come into contact with refugees. The necessary clearance certificates are required by legislation as mentioned above.

<p>Czech Republic / République tchèque</p>	<p>In the Czech Republic, all persons in regular contact with children (affected by the refugee crisis), are obliged to prove their moral integrity – they must not have any entry in the criminal record at the time they start their employment (see e.g. Act no. 312/2002 Coll., on Officials of Territorial Self-governing Units, or Act no. 108/2006 Coll., on Social Service).</p>
<p>Denmark / Danemark</p>	<p>The Danish Ministry of Immigration and Integration has provided the following information:</p> <p>As included in the Committee’s Special Report from March 3rd 2017, the Danish Immigration Service ensures that personal who has regular contact with children affected by the refugee crisis are screened in line with Article 5 of the Lanzarote Convention. This practice still exists.</p>
<p>Finland / Finlande</p>	<p>The Government notes that in Finland, the Act on Checking the Criminal Background of Persons Working with Children (504/2002) applies to work performed in a contractual employment relationship or a public-service employment relationship which involves, on a permanent basis and to a material degree, and in the absence of any person who has custody of the child, raising, teaching, caring for or looking after a minor, or other work performed in personal contact with a minor.</p> <p>An employer must ask a person to produce an extract from the criminal records when employing or appointing the person for the first time to a contractual employment relationship or public-service employment relationship which includes the described kind of work or when assigning such work to that person for the first time (Section 3 of the said Act). Failure to request an extract from the criminal records is punishable under certain conditions (Section 10). The extract from criminal records contains information on any conviction against the person for an offence against a child, a sexual offence, a violent offence, an offence against liberty or a drug offence.</p> <p>Under certain preconditions, the Act also applies to, for instance, service providers referred to in the Act on Private Social Services (922/2011) or in the Act on Private Health Care (152/1990). However, the Act does not apply to work that lasts for a maximum of three months within one year.</p> <p>Under the Act on Checking the Criminal Background of Volunteers Working with Children (148/2014), the organiser of voluntary work has the right to check possible previous convictions of volunteers working with minors.</p> <p>A representative is appointed for an unaccompanied minor asylum seeker either on the basis of the Act on the Reception of Persons Seeking International Protection and on Identifying and Assisting Victims of Human Trafficking (Reception Act; 746/2011) or the Act on the Promotion of Immigrant Integration (Integration Act; 1386/2010). According to Chapter 5 of the Reception Act, a representative is appointed without delay for a child applying for international protection or receiving temporary protection and a child victim of trafficking in human beings who has no residence permit in Finland, if the child is staying in Finland without a person who has custody of him or her or without any other legal representative. The representative, among his or her other duties, exercises the right of the person with custody of the child to be heard in matters concerning the child’s person and property.</p> <p>For the appointment, the person must have presented to the relevant District Court an extract from his or her criminal records referred to in section 6, subsection 2 of the Criminal Records Act (770/1993). The extract must not be older than six months. If more than six months have elapsed since the appointment, the representative must acquire a new criminal record extract for a new application for the representative position.</p> <p>As a rule, employees working with minors at reception centres are instructors, social workers or public health nurses. There is no general job description for all employees of reception centres. Each post has its own qualification requirements. For instance, a social worker must be a social worker by training (Act on Social Welfare Professionals, 817/2015), and a public health nurse must have completed at least a nurse’s degree (Act on Health Care Professionals, 559/1994).</p>

The Act on the Promotion of Immigrant Integration (1386/2010) provides that a municipality may establish a family group home or other residential unit intended for children and young persons. The Act on Checking the Criminal Background of Persons Working with Children also applies to work performed in a contractual or a public-service employment relationship in a family group home or another residential unit.

The Finnish Red Cross notes that it organises activities to support the integration of immigrants, assists in the reception of quota refugees arriving in Finland and maintains reception centres at the commission of the Finnish Immigration Service. The Finnish Red Cross is one of the largest civic organisations in Finland, and in that context it, among other duties, maintains preparedness for mass immigration.

The Finnish Red Cross states that according to the Finnish Immigration Service, each service provider is responsible for checking the possible criminal background of its staff, and for units accommodating minors the service provider requests a criminal record extract concerning each employee of the reception centre. The service provider commits itself to changing any person who does not pass the security clearance or has a marking of a conviction in the criminal records.

According to the Finnish Red Cross, reception centres have been given the following instructions: An extract from the criminal record of an employee is needed at a reception centre intended for families and accommodating also minors if the employment relationship lasts more than three months. A criminal record extract is required of a teacher who teaches minors alone. A criminal record extract is required of a social worker or social instructor who works regularly alone with a minor, and of a nurse or public health nurse who works regularly alone with a minor. If the extract shows that the person has been convicted, the Finnish Red Cross does not recruit the person.

The Finnish Red Cross has also assessed and defined the types of (other) voluntary work for which the possible criminal background of the volunteer candidates must be checked.

[Additional information sent on 30 January 2019:](#)

As regards [Recommendation 18](#) requiring the Government to effectively screen all persons who have regular contact with children as referred to in the recommendation, Finland has already enacted legislation, such as the Act on Checking the Criminal Background of Persons Working with Children (504/2002) and the Act on Checking the Criminal Background of Volunteers Working with Children (148/2014). For example, the Act on Checking the Criminal Background of Persons Working with Children applies to work performed in a contractual or a public-service employment relationship. As highlighted in the Analysis of the follow-up given by Parties to the 5 “urge” recommendations of the Special Report on “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse” (T-ES(2018)26_en; Analysis), failure to request an extract from criminal records is punishable under certain conditions.

Moreover, according to, for example, other existing legislation, such as the Act on the Reception of Persons Seeking International Protection and on Identifying and Assisting Victims of Human Trafficking (Reception Act; 746/2011), for the appointment of a representative for an unaccompanied minor asylum seeker, the person must have presented to the relevant District Court an extract from his or her criminal records referred to in section 6, subsection 2 of the Criminal Records Act (770/1993). Furthermore, the Act on Checking the Criminal Background of Persons Working with Children also applies to work performed in a contractual or a public-service employment relationship in a family group home and residential unit.

As described in the Government’s reply, the Finnish Red Cross, which, for example, has explained that it maintains reception centres at the commission of the Finnish Immigration Service, has stated that the Finnish Immigration Service has instructed the service providers to check the possible criminal background of its staff and for units accommodating minors to request criminal record extract concerning each employee of the reception centre.

In this connection, the Government wishes to note also the findings of the second implementation report of the Committee of the Parties to the Lanzarote (Lanzarote Committee) adopted on 31 January 2018 (T-ES(2017)12_en final).

Additional information sent on 22 March 2019:

The relevant Finnish legislation fulfils the obligations under the Convention to screen persons working in contact with children. The purpose of the Act on Checking the Criminal Background of Persons Working with Children ((504/2002), section 1) is to protect the personal integrity of minors and to promote their personal security. The Act contains provisions on the procedure for the screening of persons appointed to work with minors. The Act applies to work performed in a contractual or public-service employment relationship which involves, on a permanent basis and to a material degree, and in the absence of any person who has custody of the child, raising, teaching, caring for or looking after a minor, or other work performed in personal contact with a minor. An employer shall ask a person to produce an extract from the criminal records when the person is employed or appointed for the first time to a contractual employment relationship or public-service employment relationship which includes work with minors, or when such work is assigned to that person for the first time. Consequently, the criterion laid down by the Act that the background check procedure must be applied on the basis of the nature of the work - i.e. work in contact with children on a permanent basis and to a material degree – is compatible with the requirement laid down in the Convention as it requires screening for professions whose exercise implies regular contacts with children.

The Government notes, at the same time, that the Act on Checking the Criminal Background of Persons Working with Children delimits the scope of application of the screening procedure according to the duration of the service, task or commission in question. Neither the employer, the supervisory authority nor any other actor obliged to check criminal background has neither the obligation nor the right to require an extract from a person's criminal records when his or her contractual or public-service employment relationship, service or traineeship, commission agreement or provision of services lasts for a maximum of three months within one year.

The Government observes that such short-term employment relationships are usually substitute posts. As the arrangements for short-term substitute posts must often be made quickly, time does not allow for acquiring an extract from the criminal records. However, if the person has had many temporary contractual or public-service employment relationships under three months with one and the same employer, the extract must be requested when the total length of the employment relationships within one year exceeds the total of three months. The screening procedure is not required, either, if a commission agreement is concluded for at most a total of three months within one year. A year does not mean a calendar year but is calculated as from the beginning of the first contractual or public-service employment relationship. Thus, when hiring the person again, the employer must check how long he or she has worked for the earlier employer in different tasks subject to the procedure during the year preceding the beginning of the new contractual or public-service employment relationship. If the time limit of three months is reached when the new employment relationship begins or during it, the person should, at the demand of the employer, present an extract from his or her criminal records before the beginning of the employment relationship.

The Government notes, however, that in practice, the aforementioned deviation is very small, considering the Finnish legislation as a whole, and it does not have major effects in practice. Actors obliged to check the possible criminal background of persons, such as schools and day care centres, ensure the safety of children also by means of requirements concerning the number of staff and work arrangements. In addition, account must be taken of other relevant legislation and employers' practices for promoting the safety of children and verifying the trustworthiness of staff.

Moreover, all those working in a public service employment relationship go through a security check done by the security police, which is wider in scope than the checking of the criminal background in accordance with the Act on Checking the Criminal Background of Persons Working with Children. This includes normally also those working less than 3 months.

	<p>The Government observes, also, that in the specific context of the first monitoring round it was not found that the situation in Finland was not in compliance with the Convention.</p> <p>The Government notes, in any case, that a legislative amendment intended to take account of the concerns expressed in relation to the deviation and further strengthen the implementation of the obligations under the Convention has been under preparation. The intention is that the legislative amendment will further enhance measures to allow more extensive screening for employment, also for short-term contractual and public-service employment relationships. The next Government will decide on the Government proposal to the Parliament to this end.</p> <p><u>Further clarification sent on 5 April 2019:</u></p> <ul style="list-style-type: none">- When employing people for permanent public or private employment relationships, employers check the information in each person's criminal records before hiring or appointing them or concluding an employment contract with them (without waiting in three months). The time limit of three months applies only if it is known in advance that the person's employment relationship will last three months or less. These short-term employees are the only ones excluded from the screening.- Provisions on the procedures to be applied to verify the reliability of persons and companies are laid down in the Security Clearance Act. The objective of the Act is to reduce the vulnerability of society and to protect public interests, such as national security, national defence interests and public safety, and to prevent major economic damage to private parties. By the security checks (clearances), information is acquired from the person's criminal records and, in addition, extensively from other records maintained by public authorities (e.g. information on suspected offences).- Finally, the Government emphasises that actors obliged to check the possible criminal background of persons ensure the safety of children also by means, in particular, work arrangements – i.e. not leaving a person alone in contact with minors. <p><u>Further clarification on 4 June 2019:</u> <u>Screening for public officials. No screening required if the work lasts less than 3 months within one year, in the private sector. A change in legislation is underway.</u></p>
France	<p>Pour les employeurs publics, cette vérification est obligatoire via la consultation du bulletin n°2 du casier judiciaire, comme le prévoit l'article 5 alinéa 3 de la loi du 13 juillet 1983 portant droits et obligations des fonctionnaires : « Nul ne peut avoir la qualité de fonctionnaire [...] si les mentions portées au bulletin n° 2 de son casier judiciaire sont incompatibles avec l'exercice des fonctions. »</p> <p>L'article L133-6 Code de l'action sociale et des familles précise que nul ne peut exploiter ni diriger l'un quelconque des établissements, services ou lieux de vie et d'accueil régis par le présent code, y exercer une fonction à quelque titre que ce soit, ou être agréé au titre des dispositions du présent code, s'il a été condamné définitivement pour crime ou à une peine d'au moins deux mois d'emprisonnement sans sursis pour la majorité des délits prévus par le code pénal dont les crimes et délits d'exploitation ou d'abus sexuel ».</p> <p>En outre, depuis la loi n°2016-457 du 16 avril 2016, l'article 706-47-4 du code de procédure pénale fait obligation au procureur de la République d'informer par écrit l'administration d'une condamnation, même non définitive, pour une ou plusieurs des infractions mentionnées au II du présent article, prononcée à l'encontre d'une personne dont il a été établi au cours de l'enquête ou de l'instruction qu'elle exerce une activité professionnelle ou sociale impliquant un contact habituel avec des mineurs et dont l'exercice est contrôlé, directement ou indirectement, par l'administration.</p> <p>Il informe également par écrit l'administration, dans les mêmes circonstances, lorsqu'une personne est placée sous contrôle judiciaire et qu'elle est soumise à l'obligation prévue au 12° bis de l'article 138. [Ne pas exercer une activité impliquant un contact habituel avec des mineurs lorsqu'il est à redouter qu'une nouvelle infraction soit commise]</p>

	<p>Les associations du secteur privé peuvent être amenées à intervenir dans le cadre de la protection de l'enfance suite à une décision de l'autorité judiciaire. Dans cette perspective, elles doivent faire l'objet d'une habilitation, au titre du Décret n°88-949 du 6 octobre 1988 relatif à l'habilitation des personnes physiques, établissements, services ou organismes publics ou privés auxquels l'autorité judiciaire confie habituellement des mineurs ou l'exécution de mesures les concernant. A ce titre, le mécanisme d'information par le Procureur prévu à l'article 706-47-4 du code de procédure pénale leur est applicable, puisque l'habilitation correspond à un contrôle par l'administration.</p> <p>Conformément aux articles 706-53-7 et R.53-8-24 du code de procédure pénale, les services de la DPJJ ont l'obligation d'interroger le FIJAIS (Fichier national automatisé des auteurs d'infractions sexuelles ou violentes). La DPJJ doit vérifier l'absence d'inscription au FIJAIS des agents affectés dans les établissements et services prenant en charge des mineurs confiés par l'autorité judiciaire qu'il s'agisse du secteur public ou du secteur associatif habilité.</p>
<p>Georgia / Géorgie</p>	<p>The Law of Georgia on "International Protection" and Ministerial Decree N79 on "Asylum Procedure" establish legal framework and procedural guaranties for considering asylum applications. Under Article 3 of the Law of Georgia on "International Protection" minors, unaccompanied minors and victims of post-traumatic stress disorder or consequences of torture, rape or other serious forms of psychological, physical or sexual violence are considered as persons with specific needs and special legal guaranties are established for their asylum applications. According to the Articles 3(l) and 12 of the Law of Georgia on "International Protection", and "Asylum Procedure", any decision made regarding minors shall be in compliance with 1989 UN "Convention on Rights of Child" and primary consideration shall be given to the Best Interest of the Child. In assessing the Best Interest of the Child, state authorities shall, particularly, take due account to the principle of family unity; minor's well-being; her/his social development; safety and security; her/his views in accordance with his or her age and maturity. All these legal requirements are duly implemented on practical level by the specialized officials.</p> <p>At the Ministry of Internal Affairs (MIA) there are designated specialized officials who work on the cases of persons with specific needs, such as minors, unaccompanied minors, minors who are victims of post-traumatic stress disorder or consequences of torture, rape or other serious forms of psychological, physical or sexual violence.</p> <p>The staff of the Refugee Issues Division of the Migration Department of MIA go through the screening procedure before being assigned as competent officials to conduct the asylum procedure. The screening procedures is foreseen by the Ministerial order and envisages vetting of the criminal background of the candidate, as well as health condition, professional skill, etc.</p> <p>Furthermore, specialized officials are trained regularly, so far they have taken part in various thematic trainings, study courses, workshops and study visits on topics such as: psychological, emotional, physical development and behaviour of child; e.g., during last two years, they have gone through European Asylum Support Office(EASO) study module on "Interviewing Vulnerable Persons and Children" which covered legal framework and indicators of vulnerability, establishing rapport and attitudes with minor asylum-seekers; specialized officials took part in the study visit to the European Network of Guardianship Institutions (ENGI) at the Kingdom of the Netherlands. The program was devoted to the issues of Child Protection/Guardianship and BID in asylum context.</p> <p>Notably, Quality Control and Training Unit at MIA monitors and ensures proper conduct of asylum procedure, particularly, with persons with specific needs, such as minors, unaccompanied minors and persons with post-traumatic stress disorder or victims of violence. Thus, it is guaranteed the whole asylum procedure to be conducted in compliance with national and international standards, with due consideration of the best interest of child during decision making.</p> <p>Along above-mentioned, General Inspection of the Ministry of Internal Affairs is responsible to monitor performance of the staff members and apply a disciplinary liability in case of misconduct by employ. If the misbehavior/misconduct contains elements of crime, the case is immediately transferred to prosecution office for investigation.</p>

	<p><u>Additional information sent on 17 April 2019:</u> Besides, it is mandatory to present criminal record certificate according to the registration rules of service providers while hiring the personal for 24-hour child-care service or day center.</p> <p><u>Additional information sent on 7 May 2019:</u> The children affected by the refugee crisis can also be accommodated in the Asylum-seekers' Reception center if it is considered to be in the best interest of the child. Asylum-seekers' Reception Centre is the structural Unit of the International Protection Issues Division of the MIA Migration Department. All the staff members of the Reception Center are screened and have gone through the relevant trainings regarding the reception, accommodation and treatment of child asylum-seekers.</p> <p>UNHCR implementing partner NGOs (World Vision Georgia, "Article 42 of the Constitution of Georgia") have contact with the children affected by the refugee crisis. As they are implementing partners of the UNHCR South Caucasus Office, they have undergone specific verification and screening. Government actively cooperates with these NGOs and their involvement and engagement with children affected by the refugee crisis during the asylum procedure is conducted with due consideration and observance by the Ministry.</p>
Germany / Allemagne	<p><i>Minimum Standard 2: Personnel and personnel management</i></p> <p><i>Personnel recruitment and management</i></p> <p>A further prerequisite for the employment of staff, service providers and volunteers at an accommodation centre is the submission of an extended criminal record certificate. (p14)</p> <p>In accordance with this "minimum standard" the Asylum Act (http://www.gesetze-im-internet.de/englisch_asylvfg/index.html) highlights:</p> <p><i>Section 44 Asylum Act – Setting up and maintaining reception centres</i></p> <p>(1) ... (2) (3) Section 45 of Book Eight of the Social Code (Article 1 of the Act dated 26 June 1990, Federal Law Gazette I, p. 1163) shall not apply to reception centres. Operators of reception centres should require persons working in these centres to supervise, look after, educate or train minors or carry out other activities where they are likely to come in contact with minors, to submit, prior to their hiring or before taking up longer-term voluntary work, and at regular intervals, police certificates of good conduct pursuant to Section 30 (5) and 30a (1) of the Central Criminal Register Act. Operators of reception centres must not employ persons or volunteers who have incontestably been convicted of a criminal offence pursuant to Sections 171, 174 to 174c, 176 to 180a, 181a, 182 to 184g, 225, 232 to 233a, 234, 235 or 236 of the Criminal Code to carry out the activities referred to in the second sentence. If the operator of a reception centre views the police certificate of good conduct in line with Section 30 (5) and 30a (1) of the Central Criminal Register Act, he shall only record the fact that the certificate has been viewed, its date and whether or not the person concerned was incontestably convicted of one of the criminal offences referred to in the third sentence. The operator of a reception centre may only change or use these data to the extent necessary to verify whether the person is suited to carry out the activities referred to in the second sentence. The data are to be protected against unauthorized access. If, after the certificate has been viewed, the person concerned does not carry out activities referred to in the second sentence, the data are to be deleted without delay. They are to be deleted no later than six months after the person concerned carried out the activities referred to in the second sentence for the last time.</p> <p><i>Section 53 Asylum Act – Collective accommodation</i></p>

	<p>(1) ... (2) ... (3) Section 44 (3) shall apply accordingly.</p>
<p>Greece / Grèce</p>	<p>a. A new Law (4554/2018) concerning guardianship was enacted recently. According to the procedure described, the guardian is appointed by the public prosecutor for Minors at the suggestion of the National Centre for Social Solidarity (EKKA). According to the law, all professional guardians are required to submit a criminal record for “judicial use”. As opposed to the criminal record for “general use”, the one required for guardians contains full and detailed records of one’s criminal past. Additionally, the relevant Ministerial Decision, which is being drafted currently, will be based on the guidelines set out in the “guardianship for children deprived of parental care” handbook published by FRA.</p> <p>b. According to the standard operation procedures drafted by the Greek Special Department of Coordination and Management of AMIF and ISF national programmes, which are attached to the call for proposals concerning the operation of accommodation centres for unaccompanied minors, the criminal record verification is required for all staff members before their recruitment. In addition, according to Law 4540/2018 (transposing Directive 2013/33/EC) there is a provision for those working on unaccompanied or separated children cases to receive continuing training on the needs of the children.</p> <p>c. The Reception and Identification Service’s (RIS) permanent personnel are screened for convictions of acts of sexual exploitation or abuse of children. In addition, RIS staff with duties related to child protection attends special training with a view to increasing their awareness of the specific needs of children, especially of unaccompanied and separated children.</p> <p>.....</p> <p>.....</p> <p>“The Smile of the Child” has a Code of Conduct for employees and a separate one for all volunteers (whether they provide services to children or not). Also, “The Smile of the Child” has a Code of Conduct applicable to consultants/contractors/suppliers.</p> <p>The Smile of the Child Code of Conduct covers ethics and conveys the message of “zero tolerance”.</p> <p>Every new employee receives, reads and accepts by signature the responsibilities included in the Code of Conduct that constitutes an integral part of his/her working contract</p> <p>According to the Code of Conduct, “The violation of any obligation [included in the code of conduct] constitutes a disciplinary offence and is presented to the BoD for evaluation, while the BoD is empowered to take measures of reprimand (oral or written), call for compliance and/or terminate the employment contract without indemnification from the Organization”.</p> <p>Concerning contractors/suppliers “The Smile of the Child” ensures collaboration with credible suppliers. “The Smile of the Child” maintains a database of suppliers that are evaluated (integrity, credibility, etc).</p> <p>Apart from the Code of Conduct, all new employees are requested to submit their criminal record, as a prerequisite for hiring them. Also, they pass through a number of medical exams, in order to ensure that they can be in contact with children. Finally, candidates, who pass the first stage of evaluation and are called for an interview, are obliged to answer to a psychometric test. If the result of the test is negative they cannot move on with the procedure.</p>
<p>Replies by / Réponses de Missing Children Europe / Smile of the Child</p>	

**Hungary /
Hongrie**

Several steps have been taken in recent years to increase the children's protection from persons having jobs that grant access to children, so legislation has strengthened the relevant rules.

Since 1 December 2017, Due to **an amendment to the Act C of 2012 on the Criminal Code** (hereinafter: CC) it is obligatory to impose the sanction of prohibition to exercise professional duty to the perpetrator who committed a sexual offence against a person under the age of 18 with definitive effect [section 52 (3)]. The prohibition in such case shall entail a prohibition to exercise any professional or other activities that involve the education, supervision, care or medical treatment of a person under the age of 18, or in the framework of which the perpetrator would have any kind of power of influence over a person under the age of 18.

Therefore, the new regulation excludes the possibility that offenders committing such offenses against minors may later have direct contact or access to children in the framework of their occupation. The permanent disqualification from the occupation thus strengthens the intent of deterrence and the protection of vulnerable and defenceless children.

Also, it is obligatory to impose the sanction of prohibition to exercise professional duty to the perpetrator who committed the criminal offence of endangering a minor. Endangering a minor involves the behaviours threatening the physical, intellectual, moral or emotional development of a minor. However, since this criminal offence is regarded less dangerous to the child, the permanent effect of the sanction of prohibition to exercise professional duty may be omitted in case of exceptional circumstances on the discretion of the court.

Surveyed experiences confirmed that in the child protection system, information on the defects / deficiencies of the particular managerial activity was available to legal practitioners and supervisors, but this was not recognized by the owner and administrator of the institution and could not be taken into account during the re-appointment of managers. It is therefore necessary that in case of the appointment of the head of the child protection institute or reformatory, the owner and administrator of the institution has been convinced of the suitability of the person concerned to be appointed.

To this end, **an amendment to the Act 31 of 1997 on the Protection of Children and Guardianship Administration** (hereafter: Child Protection Act) was adopted and became effective on 1 January 2018. Under the new provisions, the person competent for the appointments and assignments of the head and manager of certain institutions dedicated to children (correctional facility, foster care institution, children's home etc.) shall

- in case of appointment or assignment, obtain information from the former employer on probable disciplinary measures taken against the person in question and on the reasons for the termination of their previous employment, as well as they shall obtain a professional opinion from the former employer and the persons or bodies carrying out legal protection tasks at the former employer on the behaviour and treatment shown by the person in question regarding children, if this person carried out tasks that involved the education, care, supervision, medical treatment of children;

- in case of re-appointment or re-assignment, obtain the professional opinion of the child rights representative, child protection guardians, the representative bodies and the educational board on the behaviour and care shown by the person in question regarding children, as well as they shall obtain information from the managing body, the ombudsman and prosecutor's office on the results of inspections.

Furthermore, the foster parent now has to declare in the examination of suitability for foster care whether or not they have previously been in foster care employment with another operator. Based on this statement, the manager of the foster care network asks for a professional opinion from the foster parent's former manager on the foster parent's professional performance, cooperative skills and the reasons of termination of their relationship in foster parent service.

The purpose of these amendments was to grant access for the potential new employer and the manager to information and circumstances regarding the termination of the previous legal relationship, thus reducing the risks and probable dangers of concealed information, and as a result increasing the protection of children.

In addition, according to section 11 (1b) of the Child Protection Act, the investigation and handling of cases of child abuse that took place in child protection institutions and reformatories shall be carried out in line with institutional, maintenance and sectoral methodologies approved by the minister responsible for the protection of children and youth and published on the website of the ministry. The methodology for the recognition and uniform treatment of child abuse cases was adopted in May 2018 and should be applied from 1st July 2018. This methodology should also be applied to child protection institutions for the unaccompanied minors.

It can also be mentioned, that grounds for exclusion to employ a children's' rights representative according to Act 31 of 1997 includes that no person can be employed as such, who has a criminal record due to the commission of any criminal offence, or does not have a criminal record under criminal law but the criminal court had previously held them criminally liable for any of the specific crimes listed in the Act, or is under criminal proceedings regarding such criminal offence.

Provisions of section 20 of **Act XXXIII of 1992 on the Legal Status of Public Servants** and to the provisions of section 39 (1) a) of **Act CXCIX of 2011 on the Public Service Officials**, which specially require that solely those can serve as public servants and public service officials who have a clean criminal record and who are not prohibited to exercise professional activity. The lack of these grounds for exclusion can be proven by the certificate of the competent authorities.

Act CLXIV of 2011 on the legal status of the prosecutor general, the prosecutors and other employees of the prosecutor's office and on the careers of prosecutors sets strict conditions for the employment and appointment of prosecutors. No person can serve as a prosecutor, who

- has a criminal record due to the commission of any criminal offence,
- does not have a criminal record under criminal law but the criminal court had previously held them criminally liable, until their data is deleted from the records, for a minimum of 3 and maximum of 12 years from the exemption,
- was sentenced to involuntary medical treatment, for 3 years from the termination of the treatment,
- is under sanction of prohibition to exercise professional duty that requires university degree in law,
- was imposed a conditional sentence, for 2 years after the lapse of the probation period,
- is under criminal proceedings, until the final conclusion of thereof. [section 11 (4) of Act CLXIV of 2011]. Moreover, no person can serve as a prosecutor, who has been subject to the most severe disciplinary punishment regarding legal relationships and positions specified in the law for the entire duration of the punishment.

The applicants must prove that none of the grounds for exclusion exist by an extract from the judicial record. In addition, during the employment or appointment of the prosecutors, they must prove that the grounds for exclusion still do not exist within 15 days from the notice of the employer.

	<p>If the prosecutor does not meet the obligation to present an extract despite being repeatedly asked to do so, or as a result, it can be established that any of the grounds for exclusion is met, then the service relationship of the prosecutor shall be terminated.</p> <p>Moreover, appointment of prosecutors and deputy prosecutors that fall within the competence of the prosecutor general shall include the assessment of the applicants' competence. [section 12 and 121 (2) of Act CLXIV of 2011] This includes medical, physical and psychological examination, containing general medical, psychiatric and psychological examinations as well. These exams are in line with the examination to be conducted regarding the assessment of judges.</p> <p>Having regard to the above-mentioned provisions, it can be stated that the Hungarian legislation, in the asylum procedures as well, adequately regulates the issue touched upon by Recommendation 1.</p>
Iceland / Islande	<p>In Iceland unaccompanied minors and children who are asylum seekers should enjoy access to social services, health and education as well as child protective services as all other children. These services are based on general and specific legal provisions which stipulates prohibition of those individuals who have been sentenced on the grounds of sexual abuse or sexual exploitation to work in professions that involve regular contact with children. This includes the law on Child protection, on Services for people with disability, legislation on the different levels of Education (pre-school, elementary and secondary schools). This also includes the general law on Leisure and recreational activity. However, the law on Sports, nr. 64/1998, does not include such a provision as it has been considered that the internal law of the Icelandic Sport Federation does reflect the aforementioned laws in that people that have received sentences on the grounds of sexual violation of children are prohibited in working with children (e.g. coaching, training). The Ministry of Education has been alerted on this lacuna in the law and the issue is currently under examination by the Ministry with the aim of preparing a bill to amend the situation. Furthermore, the Act on Foreigners no. 80/2016 that for example stipulates that reception centers shall be available for asylum seekers (Art. 27) does not include specific measures of screening. It should be noted that the child protection services is responsible for providing the necessary services for children, including foster care or other appropriate accommodation. However, in most cases unaccompanied children and asylum seekers are accommodated in reception centers first after their arrivals in Iceland. Attention of the Ministry of Justice has been drawn to this fact.</p> <p>Additional information sent on 9 April 2019: Iceland has yet to pass the bills in Parliament which relate to screening of staff in Sports as well as in reception centers.</p>
Italy / Italie	<p>Circular of 24 July 2014 - <i>Issue of the certificate of criminal record at the request of the employer, in accordance with art. 25-bis of Presidential Decree 313/2002, introduced by Legislative Decree 39/2014 combating the sexual abuse and exploitation of minors and child pornography</i> foresees that the criminal record certificate containing indications about convictions for offences relating to sexual abuse and exploitation must be requested by the private employer. The latter must be understood also as a voluntary association/organization when they intend to employ a person for the purpose of carrying out professional activities or organised voluntary activities involving direct and regular contacts with children.</p> <p>In particular, the sanctions subject to treatment are:</p> <ol style="list-style-type: none">1. the accessory penalty of perpetual interdiction from any position in schools of any order and grade, as well as from any office or service in public or private institutions or structures attended mainly by minors (articles 609-nonies, paragraph 2 of the criminal code, 600-septies, paragraph 2 of the criminal code);2. the safety measure of the prohibition on carrying out work that involves habitual contact with minors (art. 609-nonies, paragraph 3, of the Italian Penal Code). <p>Moreover some NGOs, such as Terre des hommes and Save the children, have adopted Codes of conduct in this area.</p> <p>.....</p> <p>.....</p>

Replies by / Réponses de Missing Children Europe / SOS II Telefono Azzurro Onlus	<p>Telefono Azzurro puts forward a call to action directed to all society.</p> <p>Its recommendations are:</p> <ul style="list-style-type: none">- Address the problem of child sexual abuse starting from a multi-disciplinary perspective that will allow the implementation of multilevel interventions;- Design educational and innovative prevention programs for children and their families;- Provide specialised training to professionals working in the field of education, childhood and adolescence;- Establish minimum quality standards for professionals and operators who are in contact with children and adolescents;- Apply adequate child protection policies thanks to which the work of professionals, in direct contact with children and adolescents in the organizational field, will protect their wellbeing and safety;- Base intervention and treatment pathways for victims and offenders, on scientific evidence by sharing best practices with proven efficacy;- Mobilise all stakeholders including children and adolescents, in the fight against abuse;- Involve children and adolescents in the design of dedicated programs and always listen to their voice.
Latvia / Lettonie	<p>Additional information sent on 20 December 2018: Latvia has evaluated this recommendation and has come to the conclusion that its legislation is in line with the recommendation and no new amendments are needed. As already mentioned in the introductory part, currently cases when unaccompanied minors arrive to Latvia are rare. This allows Latvian authorities to approach each case individually within existing legislative framework. Although no new regulation or system have been introduced, the recommendations are the reference point to verify current legislative framework and its relevance to the current situation in Latvia.</p> <p>If an unaccompanied minor has entered the territory of Latvia, the initial interview shall be carried out by the officials of the State Border Guard and the personal interview shall be carried out by employees of the Office of Citizenship and Migration Affairs in the presence of a lawful or designated representative (Orphan's Court or a guardian appointed by it). If suspicions arise during an interview that the child has suffered from illegal activities, the State Police shall also be involved.</p> <p>The officials of the State Border Guard and the State Police are working in accordance with the Law On the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration, which Section 4 prescribes that such person may serve:</p> <ul style="list-style-type: none">• who has not been convicted for an intentional crime — irrespective of whether or not the conviction is extinguished or set aside;• who has not been convicted for an intentional crime, with exemption from punishment;• who has not been held criminally liable for an intentional crime committed, with exception of the case, when official has been held criminally liable, but criminal proceedings against it has been terminated on rehabilitating grounds.

	<p>These requirements shall apply to any criminal offence included in the Criminal Law, including criminal offences against morality and gender inviolability.</p> <p>In turn, the Office of Citizenship and Migration Affairs, when recruiting officials and employees <u>whose direct work responsibilities include communications with children affected by the refugee crisis</u> (senior rapporteurs of the Asylum Affairs Division who conduct interviews of the asylum seekers, the staff of the Centre for Asylum Seekers responsible for accommodation measures) shall be subjected to the examination of candidates in accordance with the requirements laid down in Section 72 of the Law on the Protection of the Children's Rights, where inter alia Paragraph five of this Section prescribes that such persons shall not work in child care, educational, health care, and other such institutions where children are staying, at events for children and such events in which children take part, shall not perform voluntary work, as well as shall not provide services according to an agreement entered into (except persons who provide extraordinary or temporary services, as well as services which are provided in the absence of a child):</p> <ul style="list-style-type: none"> • who have been convicted of criminal offences that are related to violence or threats of violence - irrespective of whether or not the conviction is extinguished or set aside; • who have been convicted of criminal offences against morals and sexual inviolability - irrespective of whether or not the conviction is extinguished or set aside; • to whom the court has applied the compulsory measures of a medical nature laid down in the Criminal Law. <p>It should be noted that the existing legislation is designed so that unaccompanied minors enter the family or child care centre as soon as possible. However, unaccompanied minors aged 14 to 18 years under certain conditions may be accommodated at the accommodation centre for asylum seekers, in compliance with the requirements prescribed by the Law on the Protection of the Children's Rights. Namely, Section 72, Paragraph three of the said law prescribes that, in hiring persons for work as managers or employees of child care, educational, health care, and other such institutions where children are staying, the employer has a duty to request information regarding the previous activity, competence and experience of such persons. In accordance with Paragraph four of the said law managers and employees of institutions where children are staying have a duty to ensure that such persons participate in organising an event and fulfil duties in the institution who comply with the requirements laid down in Section 72, include those defining that the person may not be sentenced for the respective crimes.</p> <p>The <u>Head of institution shall perform checks</u> on the compliance of employees with the requirements of Section 72 of the Law on the Protection of Child Rights not less than once a year.</p> <p>In the accommodation centre of asylum seekers, a minor may receive medical services, acquire education or receive social services provided, respectively, by registered medical practitioners, school teachers and local government social workers, etc. These specialists shall also be subject to the requirements laid down in Section 72 of the Law on the Protection of the Rights of the Child.</p>
<p>Liechtenstein</p>	<p>In Liechtenstein the authorities and institutions who are in regular contact with children affected by the refugee crisis are the Refugee Aid Liechtenstein, the Asylum Division of the Migration and Passport Office, the Office of Social Services, nursery and school teachers as well as the specialized facilities for assisted living. Due to Liechtenstein's small size a very close and pragmatic cooperation exists between these institutions. Their staff undergoes different forms of screenings specific to their profession for convictions of acts of sexual exploitation or abuse of children.</p> <p>The Liechtenstein Office of Education who is responsible for the recruitment of teachers for all public schools (from nursery to high-school) requests a criminal record of all applicants to teaching jobs in Liechtenstein. This request is based on art. 10 of the Law on the employment of teachers (Lehrerdienstgesetz, LdG). Art. 10 para. 1 letter b LdG states that a good repute is a prerequisite to become a teacher in Liechtenstein. In art. 48b para. 2 LdG it is stated that the law enforcement authorities report to the Office of Education if a teacher is criminally prosecuted due to a misdemeanour or a felony that could impair the teacher's trustworthiness. The Liechtenstein Office of Education also cooperates closely with the respective Swiss authorities and has the possibility to check whether</p>

	<p>candidates for teaching positions appear on a so called “black list regarding teachers without competence to teach” in Switzerland. This list is managed by the Swiss Conference of Cantonal Directors of Education and can inform about former teachers that were convicted for acts of sexual exploitation or abuse of children. In cases where the Office of Education has doubts regarding a specific candidate, it can carry out more thorough background checks.</p> <p>The Refugee Aid Liechtenstein is responsible for the accommodation and care of asylum seekers. During the application process, the applicants for the Refugee Aid are requested to hand in an extract of their criminal record and during job interviews they are asked about any previous criminal offences. Unaccompanied minors under the age of 16 are accommodated in specialised facilities for assisted living. These facilities also request an extract of the criminal records of applicants during the application process in order to minimize the risk of sexual abuse or exploitation of children. Where relevant, a criminal record is also requested upon job changes within the institution.</p> <p>As mentioned above, the staff of the Asylum Division of the Migration and Passport Office also comes in contact with children affected by the refugee crisis in the course of asylum interviews or other legal appointments. The staff is not screened for convictions as mentioned in the recommendation. However, asylum-seeking children are always accompanied for appointments with the staff of the Asylum Division. For children who come to Liechtenstein with their parents, all appointments are carried out in the presence of the parents as their legal guardians. For unaccompanied minors the Asylum Act of Liechtenstein (Asylgesetz, AsylG) foresees that a special representative is appointed as soon as possible who safeguards the legal interests of the child (art. 12 AsylG) as well as a trusted person of the Office of Social Services who supports the children during the asylum procedure (art. 9 Asylverordnung, AsylV). In most of the cases the children only come in contact with staff from the Migration and Passport Office on two or three appointments during the asylum procedure. Therefore, there is no need for a special screening of the staff of the Migration and Passport Office.</p> <p>In all the institutions mentioned it is common practice that any suspicion of misconduct results in administrative investigations, suspensions or criminal investigations as applicable. The screenings currently carried out have proven to be efficient and no cases of suspicion of sexual abuse or exploitation of children affected by the refugee crisis have been registered up to this day.</p> <p><u>Additional information sent on 18 December 2018:</u> In light of the screening measures in place at institutions in regular contact with children affected by the refugee crisis, Liechtenstein considers the recommendation as implemented and requests to be struck off the “urge” recommendation list. This request is further substantiated by the above-mentioned circumstances of an extremely low number of asylum-seeking children in Liechtenstein and the absence of cases of suspected sexual exploitation or abuse of asylum-seeking children on Liechtenstein territory.</p>
Lithuania / Lituanie	<p>In Lithuania seminars are organized on a yearly basis for employees of state, municipal and non-governmental organizations, other institutions and agencies working in the field of social integration of foreigners granted asylum; these include various cultural events to encourage the knowledge of other cultures.</p> <p>The Refugee Reception Center (hereinafter – the Center) carries out a number of education and assistance programs for unaccompanied minors seeking asylum: moral, social skills and work development, programs for the education, psychological support.</p> <p>There are many NGOs, e.g. Vilnius Jesuit Alumni Association, helping for refugees integrate in the society, teaching them Lithuanian or English languages, providing psychological support, etc. There is also a Red Cross Organization, Caritas, etc.</p> <p>In Lithuania there are work restrictions for persons found guilty of the crimes against children’s sexual independence and integrity. The Republic of Lithuania Law on Fundamentals of the Protection of the Rights of the Child establishes that upon employing a person, he/she shall submit a certificate on data about a natural person from the Register of Suspected, Accused and Convicted Persons to the employer, certifying that he/she has not been convicted for the commitment of the</p>

	<p>acts specified in the Law. The Law inter alia applies also to an employment procedure at the Refugee Reception Centre when offered work is related to provision of services for children and unaccompanied minors. A person who wants to engage in voluntary activities at the Refugee Reception Centre or other organization working with children or unaccompanied minors affected by refugee crisis shall also submit a certificate on data about a natural person from the Register of Suspected, Accused and Convicted Persons to the organiser of voluntary activities, whereas a person who concludes a contract with the provider of services regarding the provision of services to the child shall have the right to request from the provider of services to submit a certificate on data about a natural person from the Register of Suspected, Accused and Convicted Persons. Furthermore, persons who have been found guilty of committing criminal acts against children's sexual independence and integrity by final judgement of conviction and working with children as of the date of coming into force of this Law shall immediately terminate the labour contract or voluntary activities. The screening procedure and obligation to submit Certificate during the employment procedure at the Refugee Reception Centre is also approved by legal acts of administration of the Centre.</p> <p>In addition where children and unaccompanied minors have a contact during the procedure of asylum state officers of the State Border Guard Service as well state officers at the Departments of Migration under the Ministry of Interior according to the Law of Interior Service are obliged to be screened on data about a natural person from the Register of Suspected, Accused and Convicted Persons.</p>
<p>Luxembourg</p>	<p>Toutes les personnes engagées auprès de l'Etat luxembourgeois doivent délivrer un extrait du casier judiciaire mais il existe en plus un bulletin spécial (Numéro 5) délivré par le service du casier judiciaire relatif à des personnes condamnées pour des faits commis à l'égard d'un mineur ou impliquant un mineur. Ce bulletin est destiné aux personnes (physiques ou morales) cherchant à recruter une personne pour des activités professionnelles ou bénévoles impliquant des contacts réguliers avec des mineurs afin de vérifier si cette dernière a fait l'objet de condamnations pour des faits commis à l'égard de mineurs.</p> <p>Afin de s'assurer que toute personne qui est en contact régulier avec des enfants touchés par la crise des réfugiés n'ait pas été condamnée pour des actes d'exploitation ou d'abus sexuels à l'encontre d'enfants, tous les employés de l'Etat et des partenaires privés de l'Office luxembourgeois de l'accueil et de l'intégration (OLAI) (Caritas et Croix-Rouge) ainsi que tout bénévole, doivent remettre avant leur engagement un extrait du casier judiciaire bulletin nr 5.</p>
<p>Malta / Malte</p>	<p>The Protection of Minors (Registration) Act, Cap. 518 of the Laws of Malta provides for the registration of sexual offenders and other offenders who commit offences of serious violence. Persons working or volunteering, or expecting to work or volunteer with all children, including children affected by the refugee crisis, are vetted against a register which is kept in Court.</p> <p>Furthermore with specific reference to employees within the Agency for the Welfare of Asylum Seekers (AWAS) must present a Police Conduct Certificate. AWAS is currently considering the adoption of additional measures to increase screening of its staff and affiliate workforce. (information given May 2018).</p>
<p>Republic of Moldova / République de Moldova</p>	<p>During the year 2017, employees of the Bureau for Migration and Asylum received more trainings to promote and protect children's rights, professional training in the interviewing of vulnerable persons, assistance to unaccompanied minors seeking asylum in the Republic of Moldova, identification, protection and assistance to victims, and potential victims of trafficking amongst aliens and asylum seekers, including minors. The trainings were organized with the support of the United Nations High Commissioner for Refugees, the International Organization for Migration and civil society. A total of 70 police officers, 19 representatives of relevant state authorities and civil society have received trainings.</p> <p>The recommendation will be implemented in the framework of a national action plan (that includes as an action to effectively screen all persons who, by their professions, have regular contact with children affected by the refugee crisis for convictions of acts of sexual exploitation or sexual abuse of children in line with their internal law) within the National Strategy for border management, that shall be approved by the Government. The draft was published for public consultations, according to national legislation.</p> <p>Additional information sent on 10 April 2019:</p>

	<p>Elaboration of the mechanism for periodic checking and identifying of the staff in contact with asylum seekers, regarding their possible involvement in acts of violence, sexual exploitation or abuse of children is foreseen in the act. No. 29 on the Strengthening the capacity to provide assistance to persons requesting international protection from the Republic of Moldova from the Action Plan for the implementation of the National Strategy for Integrated State Border Management for the period 2018-2023, abrogated by GD No. 1101 of 14.11.2018. The deadline for the development, approval and implementation of the mechanism is foreseen for the 4th quarter of 2020.</p>
Monaco	<p>Tous les intervenants, dans la prise en charge d'enfants touchés par la crise des réfugiés, qui relèvent exclusivement du service public, sont des personnes dont l'honorabilité a été éprouvée lors de leur recrutement. Qui plus est, toute condamnation pénale sérieuse postérieure portée à la connaissance de la Direction de la Sécurité Publique serait réhabilitaire à la poursuite de leurs fonctions au sein de l'Administration d'Etat.</p> <p>Ainsi que d'ores et déjà mentionné dans les réponses apportées au questionnaire ciblé de 2016, l'arrêté ministériel n° 2010-154 en date du 24 mars 2010 portant réglementation des établissements accueillant des enfants de moins de six ans, modifié, a introduit une disposition (article 9) instaurant l'obligation à la charge des personnes gestionnaires des établissements et services d'accueil, de vérifier que les personnes qu'elles recrutent pour exercer des fonctions, à quelque titre que ce soit, dans ces établissements et services, n'ont pas fait l'objet d'une condamnation au titre des articles 265 à 267 du Code pénal (infractions à caractère sexuelles et pédopornographiques).</p> <p>Enfin, dans la pratique, toute personne dont l'exercice comporte de manière habituelle des contacts avec des enfants, destinée à être employée au service de l'Etat, doit fournir un extrait de casier judiciaire de moins de trois mois.</p> <p>Pour exemple, la loi n° 1.334 du 12/07/2007 sur l'éducation, précise dans ses articles 28,32,35, 59 et 61, les conditions d'exercices des fonctions de tous les personnels des établissements d'enseignement publics ou privés, ainsi que l'exercice d'enseignement à titre particulier pour lequel il est expressément mentionné qu'une « bonne moralité » est nécessaire. Toute personne n'ayant pas soumis son casier judiciaire ou faisant l'objet d'une condamnation, se voit automatiquement refuser le droit d'exercer une activité au sein d'un établissement scolaire. Cette condition est aussi appliquée envers tout le personnel déjà embauché, soupçonné d'agissements portant atteinte à la moralité.</p> <p>En cas de suspicion d'exploitation ou d'abus sexuel, de la part des personnels exerçant dans le domaine éducatif, de la jeunesse et du sport, un signalement est effectué par la Direction de l'Education Nationale de la Jeunesse et des Sports auprès des services judiciaires pour enquête. La personne soupçonnée de tels agissements est temporairement suspendue de ses fonctions selon le principe de précaution, dans l'attente des résultats de l'enquête et de la mise en œuvre des dispositions éventuelles nécessaires.</p> <p><u>Additional information sent on 25 April 2019:</u> À Monaco, toutes les personnes susceptibles d'intervenir auprès d'enfants touchés par la crise des réfugiés font l'objet d'un contrôle. Si ce contrôle n'est pas spécialement prévu par un plan d'action national (I), les textes généraux du droit monégasque permettent d'en assurer la pleine efficacité (II).</p> <p>En outre, l'Ordonnance n° 11.003 du 01/09/1993 rendant exécutoire la Convention des Nations Unies relative aux droits de l'enfant, dispose que : "Les États parties veillent à ce que le fonctionnement des institutions, services et établissements qui ont la charge des enfants et assurent leur protection soit conforme aux normes fixées par les autorités compétentes, particulièrement dans le domaine de la sécurité et de la santé et en ce qui concerne le nombre et la compétence de leur personnel ainsi que l'existence d'un contrôle approprié" (article 3.3).</p> <p>I. Absence de plan national sur la protection des réfugiés</p>

Monaco ne dispose pas d'un plan national sur la protection des réfugiés, pour deux raisons majeures. De manière générale, les plans d'action nationaux ont une faible utilité en Principauté (a) et Monaco n'est que très peu confronté au problème de la crise migratoire (b).

a. La faible utilité des plans nationaux à Monaco

À titre liminaire, il est rappelé qu'un plan d'action national est un outil de programmation, permettant à un Etat de définir les mesures à prendre pour atteindre un objectif politique.

Parce que cette entreprise nécessite en général le concours d'une multitude d'acteurs, au niveau national (plusieurs ministères), et au niveau territorial (régions, départements, communes), une coordination de leurs actions apparaît nécessaire pour s'assurer que l'objectif sera rempli. Le plan national sert ainsi à synchroniser les politiques nationales et régionales, et à diffuser l'information auprès des opérateurs concernés.

La question se présente de manière différente à Monaco, micro-Etat de 2, 02 Km² et de 38 300 habitants. Il ne possède qu'une seule commune, dont le périmètre d'action se confond avec celui de l'Etat, de sorte qu'il n'y a pas de relais territoriaux. Le Gouvernement ne compte que cinq ministères, tous situés dans les locaux du Ministère d'Etat, en contact permanent entre eux et avec leurs services techniques.

Ainsi, compte tenu de l'étroitesse du territoire, de la proximité des équipes et de leur naturelle coordination, il n'y a pas, à Monaco, les contraintes qui obligent, dans un grand Etat à élaborer un plan national.

En revanche, le Gouvernement monégasque rédige des programmes politiques sur les sujets prioritaires. Ces programmes, sans avoir l'ampleur des plans nationaux habituels, en remplissent tous les objectifs. Ils exposent les buts à atteindre, les actions à mettre en œuvre, et présentent, en outre, un avantage non négligeable : contrairement aux plans nationaux des grands Etats, qui restent à un niveau élevé de généralité et abandonnent la gestion du détail aux plans ultérieurs (plans interministériels, plans locaux...), les plans monégasques sont immédiatement précis et donc, prêts à l'emploi.

b. Le nombre extrêmement limité de réfugiés à Monaco

Quoique la Principauté de Monaco soit fermement engagée en faveur de la protection des réfugiés et de leurs familles, elle n'est pas directement confrontée à ce problème sur son sol. Monaco n'est ni un pays de destination pour les réfugiés, ni un couloir de migration, de sorte que ceux qui s'y arrêtent, en raison d'une erreur de parcours, reprennent en général leur route presque immédiatement.

Les quelques migrants en transit sur le sol monégasque sont signalés à la Police, qui s'assure de leur état de santé apparent (sachant que les examens médicaux sont pratiqués par du personnel sanitaire lorsque nécessaire), puis relève leur identité sur leurs déclarations.

Les migrants sont ensuite confiés aux Autorités françaises qui sont chargées du contrôle de l'entrée dans l'espace Schengen. Les mineurs qui se déplacent en compagnie d'adultes sont soumis à la même procédure.

Seuls les migrants isolés ayant l'apparence de la minorité font l'objet d'un avis au Parquet Général pour une prise en charge par l'unique structure d'accueil des mineurs en Principauté : le Foyer de l'Enfance Princesse Charlène.

Après instruction du Parquet Général, les présumés mineurs sont confiés par la Justice audit Foyer d'accueil. Une ordonnance de placement en urgence et à titre provisoire est ensuite rendue par le Juge Tutélaire, dans les 24 à 48 heures.

Compte tenu du très faible nombre de cas à Monaco, la protection des réfugiés n'apparaît pas comme un sujet prioritaire pouvant justifier l'élaboration d'un programme politique spécifique, ceci d'autant plus que l'arsenal législatif à disposition suffit pleinement à assurer la protection des quelques enfants de réfugiés.

II. Efficacité du contrôle sur la base du Droit Monégasque

Le Droit Monégasque contient des principes généraux permettant de vérifier que les personnes qui, par leur profession, sont en contact régulier avec les enfants touchés par la crise des réfugiés, n'aient pas été précédemment condamnées.

a. Contrôle des fonctionnaires et agents de l'Etat

La quasi-totalité des personnes intervenant auprès des enfants touchés par la crise des réfugiés relève, en effet, de la fonction publique, dont le statut impose d'être « de bonne moralité » pour pouvoir être recruté.

A ce titre, leur recrutement est conditionné par une honorabilité indiscutable que les services de police sont amenés à vérifier systématiquement, indépendamment de la production d'un extrait du casier judiciaire.

L'article 1er - 2° - de l'Arrêté ministériel n° 2016-622, du 17 octobre 2016, portant application de l'article 3 de la loi n° 1.430, du 13 juillet 2016, autorise les enquêtes administratives dans le cadre du recrutement des fonctionnaires et agents publics ou préposés des services publics.

Ainsi, des faits d'exploitation ou d'abus sexuels à l'encontre des enfants, matériellement établis, imputables à un candidat à un emploi public seraient réhabilités à son embauche au sein de l'Administration.

De même, si de tels faits avérés étaient imputés à un fonctionnaire ou à un agent de l'Etat, ils justifieraient une procédure disciplinaire de révocation ou de licenciement, indépendamment des poursuites pénales auxquelles il s'exposerait.

A cet égard, rappelons que les services de police sont rendus destinataires des bulletins de condamnations de Monaco, des fiches de recherches lancées par le canal d'Interpol.

En outre, un officier de liaison de la Police nationale française, mis à disposition pour emploi opérationnel auprès de la Sûreté publique de Monaco, assure la consultation de fichiers de police français, en particulier le Fichier des personnes recherchées et, plus largement, l'échange de renseignements de police et opérationnels avec les services de police français locaux et nationaux.

Cette veille effective permettrait de détecter des faits graves dont un fonctionnaire ou un agent d'Etat pourrait être l'auteur.

Ainsi, une enquête de police est diligentée en amont de tout recrutement dans la fonction publique.

C'est le cas pour les fonctionnaires de police de la Direction de la Sûreté Publique et de la Police municipale, devant être de « bonne moralité » aux termes de l'article 18 de la Loi n° 975 du 12 juillet 1975 portant statut des fonctionnaires de l'Etat et de l'article 18 de la Loi n° 1.096 du 7 août 1986 portant statut des fonctionnaires de la Commune.

Les deux textes précités s'appliquent également aux éducateurs spécialisés au Foyer de l'Enfance (Loi n° 975 précitée) et aux personnels des crèches municipales (Loi n° 1.096 précitée).

Il en va de même pour les enseignants des établissements d'enseignement publics et privés soumis à la condition de « bonne moralité », aux termes des articles 28, 32, 59 et 61 de la Loi n° 1.334 du 12 juillet 2007 sur l'éducation. Toute personne dont l'exercice comporte, de manière habituelle des contacts avec les enfants, doit ainsi fournir un extrait de casier judiciaire de moins de trois mois. En cas de suspicion d'exploitation ou d'abus sexuel de la part des personnels exerçant dans le domaine éducatif, de la jeunesse et du sport, un signalement est effectué par la Direction de l'Education Nationale de la Jeunesse et des Sports auprès des Services Judiciaires pour enquête. La personne soupçonnée de tels agissements peut être temporairement suspendue de ses fonctions selon le principe de précaution, dans l'attente des résultats de l'enquête et de la mise en œuvre des dispositions éventuelles nécessaires.

En outre, l'arrêté ministériel n° 2010-154 du 24 mars 2010 portant réglementation des établissements accueillant des enfants de moins de six ans prévoit, en son article 9, que « les personnes gestionnaires des établissements et services d'accueil vérifient que les personnes qu'elles recrutent pour exercer des fonctions, à quelque titre que ce soit, dans ces établissements et services, n'ont pas fait l'objet d'une condamnation au titre des articles 265 et 267 du Code pénal ». Ces dispositions prohibent l'incitation à la débauche et l'exploitation sexuelle des mineurs.

Les personnels du Centre Hospitalier Princesse Grace relèvent de textes spécifiques qui imposent d'être de « bonne moralité » pour pouvoir être recrutés (article 5 de l'Ordonnance n° 13.839 du 29/12/1998 portant statut des praticiens hospitaliers au Centre hospitalier Princesse Grace et article 17 de l'Ordonnance n. 7.464 du 28/07/1982 portant statut du personnel de service du Centre hospitalier Princesse Grace. Les postulants sont nommés en qualité de stagiaire et mis à l'épreuve pendant une période de temps, au terme de laquelle ils sont titularisés s'ils ont donné satisfaction « tant du point de vue de leur travail que de leur comportement » (article 20 de la loi précitée).

b. Contrôle des personnes privées

Plus rarement, des personnes privées peuvent intervenir auprès des enfants migrants, sur la demande de la Direction des Services Judiciaires, dans le cadre d'une procédure de placement en foyer, ou sur la sollicitation directe du Foyer de l'Enfance. C'est le cas des traducteurs, par exemple. Or, en Principauté de Monaco, l'emploi et la création d'entreprise sont réglementés et soumis à autorisation administrative, ce qui signifie que le traducteur fera nécessairement l'objet d'un contrôle avant de pouvoir exercer librement.

S'il s'agit d'un traducteur salarié, il disposera d'un permis de travail délivré par la Direction du Travail, après une enquête de la Sûreté Publique, en vertu de l'article 2 de la Loi n° 629 du 17 juillet 1957 tendant à réglementer les conditions d'embauchage et de licenciement en Principauté.

S'il s'agit d'un traducteur exerçant en libéral, il possédera une autorisation d'exercer, délivrée par le Ministre d'Etat, en application de l'article 5 de la Loi n° 1144 du 26 juillet 1991 concernant l'exercice de certaines activités économiques et juridiques, notamment au regard de son « honorabilité professionnelle ». Celle-ci est appréciée sur la base des éventuels antécédents judiciaires de l'entrepreneur et après enquête administrative. Précisons que s'il advient qu'en cours d'exercice, le traducteur ne présente plus toutes les garanties de moralité nécessaires, l'autorisation est suspendue ou révoquée, par décision du Ministre d'Etat (article 9, 5° de la Loi n° 1144 précitée).

	<p>Les règles sont les mêmes pour le médecin salarié ou libéral établi en Principauté qui interviendrait sur la demande du Foyer de l'Enfance, par exemple.</p> <p>c. Contrôle des bénévoles</p> <p>S'agissant des bénévoles œuvrant sur le territoire de la Principauté, ils ne sont pas, en principe, au contact des enfants migrants.</p> <p>Les bénévoles de la Croix-Rouge, par ailleurs signataires d'une Charte de bonne moralité, n'apportent en général qu'une aide financière et logistique à l'accueil des migrants. Ils ne se trouvent auprès des enfants migrants que pour la remise des colis organisée à l'occasion de la fête du Prince et de la fête de Noël, dans le cadre d'une manifestation publique encadrée par le Gouvernement Princier.</p> <p>Les bénévoles de l'Alliance Française ne sont pas davantage en contact avec des enfants migrants, puisque leurs cours de langue française s'adressent essentiellement à des personnes non francophones et adultes. Il se peut que des personnes adultes ayant le statut de « réfugié » assistent à ces cours à titre gracieux, qui ont alors lieu dans l'enceinte du lycée technique et hôtelier de Monaco, sous la responsabilité de la Direction de l'Education Nationale, de la Jeunesse et des Sports.</p>
Montenegro / Monténégro	<p>All employees who, by their profession, have regular contacts with children affected by the refugee crisis were obliged to submit a certificate from the competent court that criminal proceeding is not instituted against him/her for a criminal offense prosecuted ex officio.</p> <p>Also, the above-mentioned employees, in accordance with the Decree on the manner of mandatory capabilities check, closer criteria, and manner of evaluation of candidates for performing work in a state body ("Official Gazette of Montenegro", No. 4/2013 and 27/2016) undergo a psychological assessment when establishing a working relationship. Psychological assessment is carried out with the use of psychological testing in order to assess the personality and ability of candidates for job performance in the state body and their dealings with business situations. Psychological assessment, in accordance with the rules of profession and science, is given by a psychologist who has the appropriate level of vocational education. Psychological testing is conducted by a psychologist through written group testing and through an interview (conversation) that is performed individually with each candidate. After conducting a psychological test, a psychologist prepares a report on the personality and ability of candidates concerning their job performance in a state body and their dealings with business situations.</p> <p>In accordance with the Law on Civil Servants and State Employees "Official Gazette of Montenegro", No. 39/2011, 50/2011, 66/2012, 34/2014, 53/2014 and 16/2016), employment of civil servant and/or state employee shall terminate by operation of law if he/she is sentenced by a final and non-appealable judgment to an imprisonment sentence of at least six months - on the day the judgment becomes final and non-appealable.</p> <p>We note in particular that the initiation of any proceedings against an employee (criminal or misdemeanour proceedings) implies also the initiation of a disciplinary proceeding against the said.</p> <p><u>Additional information sent on 21 December 2018:</u> Beside mechanisms for controlling the employment of persons in all state bodies that we have already mentioned (thus including the bodies where employees have regular contacts with migrant children), the unit for providing accommodation to foreigners seeking international protection and/or the Reception Centre implements a system of controlling the work of all of its officers and beneficiaries who have been provided accommodation. The said control is actually a complaint system by which every user of the Reception Centre can lodge an appeal in a written form, anonymously or not, and this letter is available for inspection and further processing only to the manager of the Reception Centre. Every user is informed about the possibility of being able to submit any complaint about the work of the Centre's employees during the admission, yet it is possible to submit an appeal against another beneficiary, and the said appeal can be submitted in a</p>

	<p>language that he/she understands. This means that through the complaint system that is submitted to the management of the Reception Centre, it can be detected any kind of violation of the rights.</p> <p>In addition, we would like to emphasize that the Law on Social and Child Protection stipulates that all professional workers, as well as interns, are obliged to pass a professional examination in the system of social and child care upon the completion of internship. After passing the professional exam, the employees apply for a license that is issued for a period of 5 years, and they realize it by passing the training organized by the Institute for Social and Child Protection of Montenegro. Knowledge and practical steps in the area of social and child care are improved by taking this professional exam and subsequent periodical application for obtaining and extending the license. In addition to the above control mechanisms, each state body carries out the evaluation of civil servants and state employees annually. Each employee is familiarised with the Ethical Code of Conduct prior to employment i.e. when entering into employment relationship.</p> <p>Taking all this information into account, we think that Montenegro meets this recommendation in a continuous and multifaceted manner protecting all beneficiaries, especially children affected by the refugee crisis.</p>
<p>Netherlands / Pays-Bas</p>	<p>(with additional information sent on 26 February 2019) In the Netherlands you need a certificate for good conduct (“VOG”) for most of the (paid) jobs where you work with children, for example teachers, day care workers, and for volunteers “stay at school” (overblijfmedewerkers). In some job positions the law requires vetting, other positions the employer obliges its employees, volunteers or interns to deliver a vetting certificate. People can apply, both in person and digitally, for a certificate of conduct at the Population Affairs. Department (Burgerzaken/Publiekszaken) of the municipality where they are registered in the Municipal Personal Records Database (GBA). The application is sent to Justis which issues certificates on behalf of the Minister of Justice. If it emerges from the investigation that the applicant has no criminal record, the certificate will be issued. If she/he does, the authorities decide whether the offences in question are relevant to the application. The screening profiles and assessments are laid down in policy rules. There is a special profile for people who work with children. The screening of persons active in child care and child playing grounds is continuous (not only at the time of recruiting). All Dutch child day-care staff is put on a central list. When there is a relevant offense registered at this list by the prosecutor or judge, they will lose their job. In the Netherlands volunteers can get a certificate of Good Conduct for free (it costs normally around 40 Euros) if the organization works with vulnerable people. Dutch NGO volunteers who are working with refugee children (abroad), can also get the certificate of Good Conduct for free. The information on a criminal record will never be shared with the employer. The privacy of the applicant is thereby ensured. Because of this system people with criminal records can still find a job that suits their judicial past.</p> <p>Staffs working with children are specially trained to work with children. All employees of the Nidos foundation (the organization responsible for guardianship of UAMs) have been screened to work with children. They receive training in the special Nidos methodology for guiding UAMs and courses on the legal position of children. Nidos youth protectors also receive yearly courses on actual topics, such as privacy, dealing with sexuality, aggression and radicalization and return of UAMs. The Dutch Immigration and Naturalization Service (INS) requires from all officers that they followed the ‘interviewing children’ training. For children under the age of 12 the INS has specialized and trained officers and children under the age of 12 may only be interviewed by them. All employees working in the UAM-reception centers are trained in the specific methodology for guiding UAM’s. Furthermore they are obliged to follow training programs in handling aggressive UAM’s, safety of the reception centre and safe working. They also have the opportunity to follow programs on actual topics or specific groups. In the selection procedure of the Repatriation and Departure Service a minimum of higher professional education level is asked for. The service has a separate, specially trained, UAM-team to meet the special needs of UAM’s and children.</p> <p>Additional information sent on 21 March 2019: In the Netherlands the screening of people who want to work with minors is taken extremely seriously. A screening obligation applies specific to these sectors because staff (may) have one-to-one contact with children and also because of the long-term contact; this creates a relationship of trust. Only when someone can show a “Certificate of Good Conduct”, he or she can and will work in education or in childcare. Both are risk factors for sexual abuse and therefore there is a screening obligation for people who work in education and childcare. Because of the very vulnerable position of the young child, there is “continuous screening”</p>

in childcare. When a day care employee commits a violent crime or sexual offense (outside working hours), the employer receives a signal of the supervisory authority (GGD) and the employee is dismissed. Also health professionals will be asked to show a "Certificate of Good Conduct" by their employer. Especially employers of health care professionals who work in areas where there is regular contact with clients, for example the long-term healthcare and mental healthcare, must be able to show that their employees have a "Certificate of Good Conduct".

When screening (future) personnel in the Netherlands, all crimes relevant to the position are included in the screening: sexual crimes, but also violent crimes, drug crimes, terrorist crimes, etcetera. Amongst the population of offenders who commit other types of crimes than sexual offences, are often offenders who commit some type of sexual offence. In addition, ongoing criminal cases, probation reports and information from the police systems are also be used in the screening process.

The government aims for the screening of volunteers of organizations that work with children. That is why volunteers can get a "Certificate of Good Conduct" for free.

Finally, the Netherlands makes active use of the possibility of requesting criminal records in the country of origin from Europeans who work with children in the Netherlands. This happens as standard for every European who applies for a "Certificate of Good Conduct" in the Netherlands and wants to work with children (European directive 2011/EC/93).

Clarification sent on 27 March 2019:

All persons who, by their profession or their work for an organization specialized in working with refugee children, are in regular contact with children affected by the refugee crisis, are always screened in the Netherlands. Next to the already outlined specific categories, such as teachers, the following categories are also screened.

All employees of Nidos, the organization that carries out the guardianship for unaccompanied minors (UAM's) are obliged to have a Certificate of Good Conduct. Nidos is also responsible for the housing of UAM's with a residence permit, through contracted partners. Mentors provide assistance to UAM's housed in Nidos accommodation, are also obliged to have a Certificate of Good Conduct.

All employees and volunteers who work for the COA – the organization responsible for the reception of asylum seekers from the moment they arrive in the Netherlands - must be in possession of a valid Certificate of Good Conduct. If they are unable to supply a Certificate of Good Conduct then they can not work for the COA. They are also informed about the COA Code of Conduct, which lists the sanctions and procedures that will be applied in case of inappropriate behavior, such as violence or (sexual) intimidation. All external organizations that volunteer at COA locations must ensure that their volunteers have valid Certificates of Good Conduct, that they are informed about the COA Code of Conduct and that they adhere to this code.

Examples of external organizations active in reception centers are TeamUp, the Dutch Council for Refugees and Foundation de Vrolijkheid. Their employees and volunteers are also screened:

- Employees and volunteers at TeamUp (a joint project from War Child, Save the Children and UNICEF Nederland to support refugee children living in the Netherlands) undergo reference checks, must have a Certificate of Good Conduct, are obliged to follow a training in child protection and child safeguarding and must sign the Code of Good Conduct.
- Volunteers and employees of the Dutch Council for Refugees (the organization which provides information about the asylum procedure to refugees and asylum seekers) need to be in possession of a Certificate of Good Conduct and sign a Code of Good Conduct which also contains a section on the prevention of child abuse.

	<p>- Volunteers of Foundation De Vrolijkheid who carry out music and art-related activities at COA-locations, are obliged to have a Certificate of Good Conduct. In addition, they have to sign the Vrolijkheid’s own Code of Good Conduct which specifically contains a section on the prevention of child abuse.</p>
<p>North Macedonia / Macédoine du Nord</p>	<p>- Macedonian law requires screening for all state employes in state institutions, including persons who, by their professions, have regular contact with children, and they are obliged to submit a certificate of non-conviction (that includes sexual offences against children) to be able to apply for employment, as a proof of non-conviction.</p> <p>For persons engaged in the framework of projects for the support of refugees, the Ministry of Labor and Social Policy, until now, hasn’t had the practice to require a proof of non-conviction for the crime of sexual exploitation, while certainly supports this approach with the goal of protection of children that are users of services available through various projects. For this part, the ministry will consult the legal services as well as the Ministry of Internal Affairs, with the purpose of establishing the legal procedure for the method of requirement of this type of evidence.</p> <p><u>Additional information sent on 20 December 2018:</u> <u>But every employee in state institutions is obliged to submit a certificate of non-conviction to be able to apply for employment.</u></p>
<p>Poland / Pologne</p>	<p>According to the applicable law in Poland, persons convicted for sexual offenses to children/minors (including sexual exploitation of a minor or other sexual abuse) cannot pursue any professions that embrace regular contacts with children. This is stipulated in Article 41(1a) of the Polish Penal Code, which stresses that the Court forbids to hold all or particular positions, pursue all or particular professions or activities related to upbringing, educating, treating or taking care over minors for a specified period or indefinitely in case of conviction for sexual offense against a minor. The punitive measure adopting a form of a ban on practicing a profession or activity related to upbringing, educating, treating or taking care over minors has become mandatory for the perpetrators who committed an offense of sexual nature against a minor. A ruling on such a ban was not obligatory but optional previously. In case of a repeated offense, the ban is ruled indefinitely. Furthermore, according to Article 41a(2) of the Polish Penal Code, the court is obliged to rule on the ban on staying in particular environments or places, contacting or approaching particular persons or leaving a specific place of stay without the court’s permission, as well as to order the perpetrator to temporarily leave the premises occupied with the victim in the case the perpetrator is sentenced to imprisonment without conditional suspension for sexual offense against a minor. Such a ban or order may be combined with an obligation to report to the Police or another designated authority at specified intervals, and the restraining order may be monitored in the electronic surveillance system. In the case of repeated offenses, this punitive measure may be ordered indefinitely. Violation of the described bans or the order constitute a separate offense punishable by 3 months to 5 tears of imprisonment. While implementing this solution, the Polish legislator first of all thought about the welfare of the children, who deserve special protection guaranteeing that their contact with the perpetrators of the sexual offenses within the course of their education and development will be impossible.</p> <p>Moreover, with an aim of even stricter protection of children in this scope, the Polish law imposes particular obligations on the employers and other entities providing employment related to contacts with children considering employment on such positions. In accordance with Article 21(1) of the <i>Act of 13 May 2016 on counteracting threats of sexual crime (Dz.U. 2016, item 862)</i>, before establishing an employment relationship with a given person or before allowing a given person to other activities related to upbringing, education, relax, treatment or care over minors, the employers or other organizers of such activities are obliged to obtain information whether personal data of such a person are entered in the Sex Offenders Register which includes information about individuals convicted for among others particular sexual offenses against minors, including the sexual abuse. Failure to fulfill the above-mentioned obligation or its breach (i.e. establishing an employment relationship with a given person despite being aware of their data entered in the Register) results in criminal liability of such an employer pursuant to Article 23(1) of the aforementioned Act (arrest, restriction of personal liberty or a minimum fine of PLN 1000).</p> <p>Furthermore, in November 2016, the Polish Office for Foreigners adopted a comprehensive policy of children protection against harm in premises for foreigners. It determined the standards and procedures of conduct intended to increase awareness of the significance of children protection against any forms of harm, provide instructions and specify the procedures and scopes of liability in all actions regarding children safety and to guarantee the children safety through</p>

	<p>preventive actions. According to the adopted documents, all employees of the Department for Social Assistance of the Office for Foreigners and their coworkers operating in centers for foreigners are obliged to sign:</p> <ol style="list-style-type: none"> 1. A declaration confirming their understanding of the Children Protection Policy, acceptance of its provisions, and their obligation of observing them. 2. Clean criminal record statement regarding offenses against sexual freedom and decency, and against violent crimes to the detriment of minors. <p>Every person who wants to take up any regular activities in the center will also be asked to sign the above-mentioned documents.</p> <p>In guarded foreigner centers of a family profile, which the Boarder Guard is in charge of, in the case of employing persons or undertaking another form of cooperation related to upbringing, education, relax, treatment or care over minors, there are specific actions undertaken, intended to verify such a person in the Sex Offenders Register (RSTPS). Permitting a person to work in a guarded family-profiled center for foreigners without a prior positive verification in the above-mentioned register is unacceptable.</p> <p>A candidate for Boarder Guard each and every time undergoes extended verification of clean criminal record as well as some psychological examinations, when they are evaluated also in terms of their attitudes towards other individuals what allows to eliminate those candidates who show some undesirable conduct related to the obligation to respect the rights and dignity of other persons.</p> <p>Within the scope of implementation of its tasks, the Boarder Guard pays special attention to the wellbeing of minors. Certain actions are taken with an intention to prevent any kind of violence, including that of sexual nature. The Boarder Guard made a decision in 2013 to profile the guarder centers for foreigner in terms of categories of persons who are sent there (single men, single women, unaccompanied minors, families, including families with children). Isolating single men prevents the occurrence of side effects of violence, including sexual violence against women and children.</p>
Portugal	<p>Legislation establishing children’s protective measures, in compliance with Article 5 of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse was published in September 2009 (Law 113/2009, of 17 September).</p> <p>This Law specifies that in the conditions for accessing these professions, jobs, functions or activities, public or private, even if unpaid, whose exercise involves a regular contact with children, the recruiting entity has the obligation to require the applicant’s criminal record and is obliged to consider whether the applicant is suitable for the exercise of such functions.</p>
Romania / Roumanie	<p>RO complies with this solicitation.</p> <p>Article 107 of Law 272/2004 on the protection and promotion of the rights of the child⁵ specifically provide that it is forbidden to employ a person against whom an enforceable court decision has been issued for intentionally committing a crime, in the public or private institutions, as well as in the public or private residential services, which provide the protection, upbringing, care or education of children.</p> <p>It regards all public or private institutions or residential services, and the provision does not limit the screening to specific professions. The only criteria is the type of institution, which has to be one that ensures services for the children, not the type of profession of the person who is subject of screening.</p>

⁵ Art. 107 of Law 272/2004:

“In public or private institutions and residential, public or private residential services that provide for the protection, raising, care or education of children, it is forbidden to hire a person against whom a final court decision has been pronounced for the intentional offenses.”

	<p>Regarding the professionals of the General Inspectorate for Immigration, the personnel is also checked for criminal record, in accordance with the rules applicable to the employees of the Ministry of Affairs.</p> <p>In addition, the case officers interviewing asylum seekers receive specialized training following the BESA training curriculum (two BESA trainers were trained on the "Interviewing vulnerable people" module, and a training session was organized with the staff involved at national level). Under the Norwegian Financial Mechanism, a training component is also foreseen, which includes, among other things, exchanges of experience and good practice with other Member States experiencing a massive flow of migrants and training sessions for newly staffed MIA staff in the field of asylum; and migration.</p>
<p>Russian Federation / Fédération de Russie</p>	<p>The inspection of employees working with minors is mandatory under a number of legal provisions, including the Labor Code of the Russian Federation, administrative regulations, etc.</p> <p>1. The Labor Code of the Russian Federation (30.12.2001 No. 197-FZ, as amended on 08/03/2018)</p> <p><i>Under Article 351.1.</i> work in the sphere of education, upbringing, development of minors, organizing their rest and recreation, healthcare service provision, social protection and social services provision, work in the sphere of minors' sports, culture and art activities <u>is prohibited for persons</u> who have been subject for criminal prosecution (except for persons whose criminal prosecution is terminated on rehabilitative grounds), who are or have been convicted for crimes against life and health, freedom, honor and dignity of the person (with the exception of illegal hospitalization in a medical organization providing psychiatric assistance in a hospital setting, and libel), sexual inviolability and sexual freedom of the person, against family and minors, public health and public morality, the foundations of the constitutional order and the security of the state, peace and security of mankind, as well as against public security, persons who have an unserved or unexpunged conviction for severe and especially severe crimes;</p> <p><i>Under Article 331.1.</i> the employer <u>shall remove the employee from work</u> in the sphere of education, upbringing, development of minors, organizing their rest and recreation, medical support, social protection and social services, in the field of children's and youth sports, culture and art with the participation of minors, should the employer get the notification from law enforcement authorities that this employee is being prosecuted for the crimes mentioned above. The employer shall not allow the employee to work for the entire period of the criminal proceedings or until the court judgment comes into force.</p> <p>2. When applying for work with children, applicants are subject for the interagency criminal background check regarding conviction, prosecution, cessation of criminal prosecution on rehabilitating grounds.</p> <p>Article 65 of the Labor Code of the Russian Federation sets out that it is mandatory for the applicant to submit to the employer</p> <ul style="list-style-type: none"> - the certificate on criminal records, the fact of criminal prosecution, cessation of criminal prosecution on rehabilitating grounds, which shall be issued in the manner and in the form set by the federal executive body responsible for development and implementation of state policy and legal regulation in the field of internal affairs, - when an applicant applies for a job related to activities which, in accordance with this Code, and other federal law are not allowed persons who are or have been convicted, who are or have been prosecuted; - the certificate on whether or not an applicant is subject to administrative punishment for the consumption of narcotic drugs/ psychotropic substances without doctor's prescription/new potentially dangerous psychoactive substances, the certificate shall be issued in the manner and in the form set by the federal executive body responsible for the development and implementation of state policy and legal regulation in the field of internal affairs;

	<p>- when an applicant applies for a job related to activities, which according to federal laws, are not allowed to persons who have been subject to administrative punishment for the consumption of narcotic drugs/ psychotropic substances without the doctor's prescription/or new potentially dangerous psychoactive substances, the ban shall be in force until the end of the period during which the person is considered to be administratively punished.</p> <p>3. The order of issue of certificates has been approved by the Administrative Regulations of the Ministry of Internal Affairs of the Russian Federation, order of the Ministry of Internal Affairs No. 1121 dated 07.11.2011.</p>
San Marino / Saint-Marin	<p><u>Information sent on 4 March 2019:</u> Il n'y a plus de mineurs - accompagnés ou non - présents sur le territoire de la République de Saint-Marin depuis avril 2018.</p> <p>En effet, les mineurs qui étaient arrivés avec leurs familles par les couloirs humanitaires sont partis vers d'autres pays avec leurs familles. Les mineurs non accompagnés, arrivés eux aussi grâce aux couloirs humanitaires depuis l'Italie, sont devenus majeurs entre-temps et sont parfaitement intégrés dans notre société, après avoir reçu toute l'assistance nécessaire.</p> <p>Ils avaient été l'objet d'un suivi, au préalable par les autorités italiennes et les ONG "Papa Giovanni XXIII" et "Comunità Sant'Egidio" qui les avaient accueillis, et ensuite par les services compétents saint-marinais, mais aucun cas d'abus n'avait été signalé (d'autres types de violence, mais non sexuelles).</p> <p>En ce qui concerne les recommandations urgentes, les n. 18, 27, 29, 30 et 33, nous pouvons affirmer que, hypothétiquement, les mêmes dispositions que pour tous les autres cas de mineurs victimes d'abus sexuels seraient appliquées.</p> <p>L'approche des services compétents à Saint-Marin se fait au cas par cas, selon les besoins et situations personnelles.</p> <p>La rec n. 18 est appliquée en tout temps.</p> <p><u>Additional information sent on 3 June 2019:</u> Pour l'accès à la fonction publique, pour n'importe quelle profession, le candidat à un poste ne doit pas avoir eu de condamnation pénale, excepté les délits par négligence et non-intentionnels (involontaires), à une restriction de la liberté supérieure à un an. Toutes les peines qui concernent les abus sexuels sur mineurs sont supérieures à un an.</p> <p>Pour pouvoir s'inscrire aux listes de demandeurs d'emploi au Bureau du travail un certificat pénal général est requis, ainsi que le casier judiciaire. Cela concerne les emplois de la fonction publique comme pour le secteur privé.</p> <p>En considérant la question sous l'aspect purement répressif, les articles du Code Pénal 177bis e ter, exploitation de la prostitution et pédopornographie, prévoient, comme partie intégrante de la peine, l'interdiction de toute fonction publique pour deux à trois ans. Si l'abus est commis sur un mineur qui a été confié au coupable ex officio, suite à une décision de justice, l'interdiction est de 5 ans.</p> <p>Le service des mineurs collabore occasionnellement avec des coopératives privées, et dans ces cas également les employés pour s'inscrire aux listes de demandeurs d'emploi ont du présenter leur certificat pénal et le casier judiciaire.</p> <p><u>Additional information sent on 4 March 2019:</u></p>

	<p>Les personnes recrutées directement par les employeurs privés doivent obligatoirement s'inscrire au Bureau du travail après sélection pour pouvoir travailler. Il est obligatoire de fournir un certificat pénal général, ainsi que le Casier judiciaire pour l'inscription, sans laquelle ils ne sont pas autorisés à travailler.</p> <p>En ce qui concerne les non-résidents, y compris pour le travail temporaire, les décrets n.137/17 et n.62/15 prévoient que s'il y a eu une condamnation à une peine supérieure à 2 ans ou un renvoi à un procès pour un délit qui, si confirmé, prévoierait une peine supérieure à 2ans, le Bureau du travail ne peut délivrer de permis de travail.</p>
<p>Serbia / Serbie</p>	<p>Each employer is obliged by the law to check its regular or potential employee’s criminal record. This is a basic preconditions to apply for a job in Serbia. Who is working in migration/reception centers? Apart from international staff (UNICEF, UNHCR, IOM, Red Cross International, other international NGO’s), there are local workers (police officers, health care workers, social workers, pedagogues, psychologists and jurists from local center for social work, local Red Cross branch stuff and volunteers, local NGO stuff and volunteers, craftsmen), and each employer (no matter International or local) is responsible for checking its own stuff criminal record. The line of responsibility is clear. The truth is that process of criminal record checking is not “centralized”, meaning that no state entity is supervising it.</p> <p><u>Additional information sent on 5 April 2019:</u> Serbian Employment Law and following bylaws, considers obligatory for employment candidate delivering to employer his/her criminal record. Convictions for sexual assaults, or any form of sexual exploitation and abuse are part of the criminal record. On the basis of these provisions, employer is legally empowered to reject employment application. Article 21 of Serbian Employment Law, forbids all forms of sexual harassment, which includes all sorts of insulting verbal, non-verbal, or corporal insinuation or contacts.</p> <p>In daily practice on protection of minor migrants, Serbian Ministry of Labor, Employment, Veterans and Social Issues, together with Commissariat for Refuges plays key coordinating role as state based and funded institutions. Ministry of Labor, Employment, Veterans and Social Issues is responsible for professional staff coming from social services, that have the key role as guardians. Both Ministry and Commissariat are obliged by the Serbian Employment Law, to ask its employees for the criminal record before starting any professional activity in these state based and funded institutions. This is the way how professional and nonprofessional stuff (drivers, craftsmen etc.) are controlled. This is also valid for foster families (foster parents), due to the fact they are controlled through the system of social protection. If anyone from these are found in breaking a Law, not only breaking an Employment Law, but committing a crime which is Criminal Code jurisdiction, will automatically be removed from the job and from its position, and criminal charges will submit.</p> <p>It is also well-known fact that many international organizations (IOM; UNHCR; UNICEF), and less known NGO’s from abroad, as well as domestic are active on this field. Basically each of them should be responsible by law to check its own stuff coming in regular contact with migrant children. They are also employing volunteers and other auxiliary stuff. If any of them is indicated, or even discovered as making any form of sexual abuse, or exploitation, both Ministry and Commissariat as coordination institutions are in power to remove such staff member form the post, and submit criminal charge against him.</p> <p>Bearing this in mind, Serbia is convinced, replying on Recommendation 18, that basic mechanism for protection of migrant children from sexual exploitation and abuse exists in daily practice of protecting young migrants. As a ground for this conviction serves that no cases of sexual exploitation and abuses from the professionals and volunteers, and other staff members was recorded so far. There are few non-recorded examples that some volunteers, coming through NGO’s were removed from the field on the ground of suspicion on sexual exploitation and abuse.</p> <p><u>Additional information sent on 10 April 2019:</u> The Law on Civil Servants prescribes for work in state bodies, a person applying as one of the evidence must enclose a certificate that he / she has not been convicted, that he / she is not being prosecuted and that no investigation has been initiated. The same conditions apply to persons who are not civil servants but</p>

	<p>are engaged in the employment contract, according to Labour Law. Also, according to the Law on Volunteering for volunteers who are working with children, it is forbidden to volunteer if persons are convicted of crimes involving all criminal sexual violence against children.</p> <p>As for all criminal offenses related to sexual violence against children prescribed by the Law on Special Measures to Prevent the Execution of Criminal Offenses Against Sexual Freedoms against Minors, there is no possibility of mitigating the punishment prescribed by the Criminal Code, the sentence of imprisonment may not be less than 6 months, and therefore the convicted person shall terminate employment by force of law for all employees in public services.</p> <p>The keeping of special records on persons convicted of criminal offenses against sexual freedom committed against minors is provided for in the Law on Special Measures to Prevent Minor Offenders of Criminal Offenses against Sexual Freedoms. This record is kept by the Administration for the Execution of Criminal Sanctions. State and other bodies, as well as legal persons or entrepreneurs working with minors, are obliged to ask whether the person who is to establish a working relationship with them, or performs affairs with minors, is entered in a special record.</p> <p>Supervision of the implementation of these legal provisions is carried out by the labour inspection</p> <p>Therefore, the screening is done as before the establishment of employment, as well as during the duration of the work.</p> <p>The Commissariat for Refugees and Migration of the Republic of Serbia is currently preparing a two-year work plan with a UNICEF. One of the foreseen activities is to provide technical support by UNICEF to Commissariat in order to ensure safeguarding measures against sexual exploitation and for child protection for third parties entering the AC/RC are developed and disseminated.</p>
Slovak Republic / République slovaque	<p>Within the Office of Border and Alien Police of the Police Force, persons who, by their professions, have regular contact with children affected by the refugee crisis for convictions of acts of sexual exploitation or sexual abuse of children, are mainly policemen from departments of Alien Police of the Police Force, Department of Asylum and Police Detention Centre for Aliens Sečovce. This centre is the only unit of police detention for foreigners in the Slovak Republic where accompanied minors with their families/families with children are placed. These policemen (as well as each member of the Police Force) are supposed to fulfil the below mentioned criteria to perform their mandate.</p> <p><u>Additional information sent on 7 January 2019:</u> In line with the Act no. 330/2007 Coll. on Criminal Registry and on Amendments and Supplements to Some Acts, a copy of a person's criminal convictions records is to prove or declare lawful convictions as well as convictions expunged upon the decision of the court or according to the relevant act. The Criminal Registry does not distinct between criminal offences according to their categories and therefore provides with the information related to the all convictions of pertinent person, including convictions that had been expunged. Having said that, the legislation in this area is considered as sufficient.</p> <p>Recruitment of a member of the Police Force is conditioned upon fulfilment of requirements defined in Article 14 of the Act No. 73/1998 Coll. on the civil service of members of the Police Force, the Slovak Intelligence Service, the Court Guards and Prison Wardens Corps and the Railway Police, as amended. A member of the Police Force shall be a citizen of the Slovak Republic older than 18 years who submits an application in writing and is unimpeachable, reliable, with an educational degree in compliance with the performance of the function he/she is to be appointed, has the health, physical and mental capacity to perform the service, knows the official language and has permanent residence in the territory of the Slovak Republic. A citizen shall not be considered unimpeachable if he/she has been finally and conclusively convicted of an intentional crime or finally and conclusively sentenced to imprisonment unconditionally. The integrity shall be proved in the recruitment process by a copy of a person's criminal convictions records, therefore it is not possible for policeman with notification of conviction in his/her copy of the criminal record to get to contact with a child. In line with the Act no. 330/2007 Coll. on Criminal Registry and on changing and amending of other acts, as amended, the copy of a person's criminal convictions records is a public document which declares whether a person has been finally and conclusively</p>

convicted by the court of the Slovak Republic as well as the rulings of other European Union member states' courts, or rulings of other states' courts, details regarding the execution of punishment or protective measure as well as information about convictions that have been expunged upon the decision of the court or according to the relevant act. Each person interested to enter the Police Force simultaneously goes through the psychological examination and subsequently is obliged to abide the so called ethical code of member of the Police Force during the performance of the function he/she is appointed.

Additional information sent on 7 January 2019:

Within the Migration Office of the Ministry of Interior of the Slovak Republic, both employees of the Migration Office and employees of non-governmental organisations (who work within projects funded mainly by Fond for Asylum, Migration and Integration) get in contact with minor asylum seekers as well as minors with granted international protection. Employees of the Migration Office are employed on the basis of interview held in line with the Act no. 55/2017 Coll. on Civil Service on Amendments and Supplements to Some Acts and in line with Act no. 552/2003 Coll. on the Performance of Work in Public Interest as amended. The good integrity is one of the main conditions to hold the position at the office. Employees of the non-governmental organisations who are in contact with minor asylum seekers or minors with granted international protection, are not obliged to prove their good integrity when start their work. In the next programming period of the Fond for Asylum, Migration and Integration or any other following fund, the Migration Office of the Ministry of Interior of the Slovak Republic proposes to supplement the obligation of non-governmental organisation or other entity implementing a project from these funds to examine whether person had not been convicted for sexual exploitation or sexual abuse of children. Police officers in contact with children affected by the refugee crisis as well as any other children, are obliged to fulfil criteria concerning with the acceptance to the Police Force as stated above.

In line with the provision stipulated in Article 31, para 1 of the Act no. 578/2004 Coll. on Health Care Providers, Health Care Workers and Professional Organisations in Health Service and on amendments and supplements to some acts, there are several conditions to perform a medical profession: having legal capacity in full extent, health capability (Article 32), professional capability (Article 33 – 35), the integrity in line with the Act (Article 18) or according to the specific legal act (Act no. 455/1991 Coll. on Trades Licensing) and registration (Article 62 – 64), if not stated otherwise. The pertinent provision is related to health care workers who provide medical care in line with the Act no. 480/2002 Coll. on asylum. According to Article 38 para 1 and 2 of the Act no. 578/2004 Coll., a person is considered unimpeachable if he/she has not been finally and conclusively convicted for particularly serious felony, criminal offence against human dignity, criminal offence related to the child pornography, criminal offence of trafficking in human beings, criminal offence of placing a child under the control of another, corruption criminal offences, intentional criminal offence committed in relation with performance of medical profession. The integrity is proved by the extract from the Criminal registry not older than 3 months.

Additional information sent on 7 January 2019:

Foreigner or citizen of the Slovak Republic living outside the territory of the Slovak Republic (with temporary or permanent residence abroad) is obliged to prove his/her good integrity by the document issued in state of his/her residence and by its content is relevant to the copy of person's criminal convictions record in the Slovak Republic; such document cannot be older than 3 months and must be submitted together with official translation to Slovak language. On 1st of September 2018 the Act no. 177/2018 Coll. on some measures aimed at decreasing of administrative burden via using information systems of public administration and on Amendments and Supplements to Some Acts has entered into force. The provision concerned was amended as follows:

“For the purpose of demonstrating the good integrity, the citizen of the Slovak Republic, who has permanent residence in the Slovak Republic, shall provide the administrative body with the necessary data to retrieve the extract from the criminal record. The data under the third sentence shall be sent immediately by electronic means through the electronic communication of the General Prosecution of the Slovak Republic to issue the extract from the criminal record. “

In line with Act no. 317/2009 Coll. on Pedagogical Employees and Professional Employees and on the change and supplement to some acts, a person is considered unimpeachable if he/she has not been finally and conclusively convicted for intentional criminal offence or negligent criminal offence committed in relation with

performance of pedagogical profession or performance of professional activity. The integrity is proved by the extract from the Criminal registry not older than 3 months before the establishment of labour relation. Pedagogical employee and professional employee are obliged to announce the employer that there has been an indictment filed against him/her for commitment of the intentional criminal offence or negligent criminal offence. The employer shall suspend the performance of pedagogical or professional activity of this employee until the final and conclusive ruling of the court.

[Additional information sent on 7 January 2019:](#)

Measures of socio-legal protection and social guardianship performed by the authority of the socio-legal protection and social guardianship are performed by the employees of public administration. To enter the public administration as an employee, the citizen shall fulfil the condition of good integrity. A person is considered unimpeachable if he/she has not been finally and conclusively convicted for intentional criminal offence, if the conviction had not been expunged. The citizen interested to enter the public administration is obliged to prove his/her good integrity by the extract from the criminal record which is not older than 3 months. Psychological help and psychological care for the purposes of socio-legal protection of children and social guardianship are performed by employees employed for work performed in the public interest (Act no. 552/2003 Coll.). Again, a person is considered unimpeachable if he/she has not been finally and conclusively convicted for intentional criminal offence.

In terms of performing the measures of socio-legal protection of children and social guardianship by the accredited entities in line with Article 77 of the Act no. 305/2005 Coll. on socio-legal protection of children and social guardianship and on the change and supplement to some acts, Article 79 para 4 of the Act declares that person is considered unimpeachable if he/she has not been finally and conclusively convicted for intentional criminal offence or for negligent criminal offence against family and youth according to Article 204-211 of the Act no. 300/2005 Coll. Criminal Code, also when convictions for before mentioned criminal offences have been expunged or the person is considered as not convicted for such criminal offence according to the specific legal act. The integrity is proved by the copy of person's criminal convictions records.

On 1st of April 2018, amendment on the Act no. 305/2005 Coll. on socio-legal protection of children and social guardianship and on the change and supplement to some acts became effective. Under the Article 58 of the amended Act, an employee of the Centre for children and families who has contact with children shall fulfil psychological capability. This centre is obliged to manage a list of working positions in which an employee of the centre has direct contact with children. Person who is interested to work for the centre shall prove his/her psychological capability by the psychological judgment on the basis of psychological examination which is not older than 1 year. The employee of the centre shall prove the pertinent capability by the psychological judgment on the basis of psychological examination in periods determined by the centre, not longer than 5 years from the last psychological examination when there is a doubt whether the employee of the centre still fulfils the condition of psychological capability or there is a suspicion for maltreatment or sexual abuse of a child for whom the centre performs measures in residential manner, in period of time stated by the director of the centre. The director of the centre, which has been established by the authority of socio-legal protection of children and social guardianship in line with Article 73 para 1 of the pertinent Act, shall prove his/her psychological capability in period of time determined by the general director of the Central Office of Labour, Social Affairs and Family.

[Additional information sent on 22 March 2019:](#)

The Migration Office of the Ministry of Interior of the Slovak Republic will informally address non-governmental organisations that implement a project in asylum facilities of the Ministry of Interior of the Slovak Republic and that implement an integration project with a request to verify the integrity of their employees in the area of committing crimes related to sexual exploitation or sexual abuse of children at their working meeting in the end of March 2019. There are three non-governmental organisations serving in pertinent area and the above-mentioned screening process is related to approximately 3 workers of each one of them. In April 2019, new calls for projects funded by the Asylum, Migration and Integration Fund should be announced within the framework of which the Migration Office of the Ministry of the Interior will urge to supplement this condition for employees of NGOs implementing projects from 2020 to the end of 2021. The Migration Office will also propose in the next programming period of the Fund for Asylum, Migration and Integration, or other follow-up fund, to supplement the obligation

	<p>of a non-governmental organisation or other entity implementing the project from these funds, to verify during the selection procedure whether these persons have not been lawfully and effectively convicted of sexual exploitation or sexual abuse of children.</p> <p><u>Further clarification sent on 2 April 2019:</u> The Slovak Republic is in position to demonstrate that measures have been taken to screen the persons currently employed by NGOs serving in the area concerned.</p> <p>First of all, the National Coordination Centre for Resolving the Issues of Violence against Children acquainted the relevant ministries/other bodies regarding the responsibilities resulting from the “urge” recommendations of the Special Report including “urge recommendation” R18 “screening of persons in contact with children affected by the refugee crisis”. In view of additional information submitted via e-mail on 22nd March 2019, we would like to inform you the Migration Office of the Ministry of Interior of the Slovak Republic has already addressed non-governmental organisations that implement a project in asylum facilities of the Ministry of Interior of the Slovak Republic and that implement an integration project (There are three non-governmental organisations serving in pertinent area and the above mentioned screening process is related to approximately 3 workers of each one of them.) with a request to verify the good integrity of their employees in the area of committing crimes related to sexual exploitation or sexual abuse of children (related working meeting was held in the end of March 2019). So far we do have an information the employees of one of the NGOs would be requested to prove their good integrity through the extract from the Criminal registry.</p> <p>As stated in the official reply of the director of National Coordination Centre for Resolving the Issues of Violence against Children from 21st March 2019, we would like to repeat that in April 2019, new calls for projects funded by the Asylum, Migration and Integration Fund should be announced within the framework of which the Migration Office of the Ministry of the Interior will urge to supplement this condition for employees of NGOs implementing projects from 2020 to the end of 2021. The Migration Office will also propose in the next programming period of the Fund for Asylum, Migration and Integration, or other follow-up fund, to supplement the obligation of a non-governmental organisation or other entity implementing the project from these funds, to verify during the selection procedure whether these persons have not been lawfully and effectively convicted of sexual exploitation or sexual abuse of children.</p>
Slovenia / Slovénie	<p>Employees in state institutions are obliged to submit a certificate of non-conviction to be able to apply for employment. Non-governmental organizations working in this field train their volunteers before onset of their humanitarian work. The staff of the Government Office for the Support and Integration of Migrants and all those working in the field of international protection who are in contact with applicants for international protection and persons already accorded international protection, sign the <i>Code of Conduct of the Employees of the Office of the Government Office for the Support and Integration of Migrants and of all other persons, working in the field of the international protection</i>. The Code of Conduct is also signed by non-governmental organizations. Various trainings are organized at the national level for various actors to raise awareness of exploitation, trafficking in human beings, and of humanitarian work with vulnerable groups, children, etc. In this manner target audience acquire knowledge and skills to identify and act in cases of detected sexual or other exploitation or abuse of children.</p> <p><u>Additional information sent on 10 April 2019:</u> As an addition to the sent information, we would like to underline that the persons who come into contact with children are seconded to authorities and organizations performing humanitarian work by variety of organisations that vouch for them and train them. In the Republic of Slovenia various relevant courses are organised by national authorities (ministries, the Social Chamber of Slovenia) as well as international organisations (IOM, UNICEF, UNHCR, etc.) and NGOs covering the area of trafficking in human beings, sexual exploitation, sexual abuse, prevention and action in cases of violence, etc. Training sessions also involve experts in various fields including recognition of victims of abuse as well as recognition of the perpetrators of abuses. In the event of any suspicion competent authorities shall be notified immediately in order to act in accordance with their respective powers (Police, Center for Social Work, etc.).</p> <p><u>Additional information sent on 24 May 2019:</u></p>

	<p>In addition to information already sent, please note that Ministry of Labour, Family and Social Affairs issues a call for candidates for legal guardians of unaccompanied minors. These guardians have a crucial role in the legal procedures representing rights of a child. As a condition, the candidates for legal guardians must inter alia prove:</p> <ul style="list-style-type: none"> - they were not convicted for an offence which is prosecuted ex officio and is punishable by a term of imprisonment of six months or more (child sexual abuse included) - they are not a subject of a criminal investigation for a criminal offence that is prosecuted ex officio and is punishable by a sentence of imprisonment of six months or more (child sexual abuse included) <p>Furthermore, candidates for legal guardians must pass an exam that includes proficiency in the fields of family law, social care, psychology, human rights in general, children's rights specifically and asylum law.</p>
<p>Spain / Espagne</p>	<p>It is a legal requirement in Spain (Law 26/2015, on the modification of the protection system for children and adolescents) for access and exercise of professions, trades and activities that involve regular contact with minors, not having been convicted by a final sentence for any crime against freedom and sexual indemnity, which includes sexual assault and abuse, sexual harassment, exhibitionism and sexual provocation, prostitution and sexual exploitation and corruption of minors, as well as trafficking in human beings. To this end, whoever seeks access to such professions, trades or activities must prove this circumstance by providing a negative certification from the Central registry of sex offenders.</p> <p>With the approval of Law 26/2015, of July 28, abovementioned, article 13 includes two new sections in relation to crimes against freedom and sexual indemnity, trafficking in human beings and exploitation of minors. It establishes the duty of all persons who have knowledge of an event that could constitute an offense against freedom and sexual indemnity, of trafficking in human beings or exploitation of minors, to bring it to the attention of the Public Prosecutor's Office.</p> <p>The Central registry of sex offenders (regulated by Law 26/2015 and developed by Royal Decree 1110/2015) contains data contained which is available to public administrations. This registry is integrated into the system of administrative registries supporting the Administration of Justice, and includes data related to identity and genetic profile (DNA) of those convicted by a final judgment for crimes against sexual freedom and indemnity and trafficking in human beings for the purpose of sexual exploitation, including pornography, regardless of the age of the victim.</p> <p>This registry protects children against exploitation and sexual abuse, through a prevention mechanism so that those who are convicted in a final sentence for such crimes cannot carry out activities or exercise professions or trades that involve the usual contact with children.</p>
<p>Sweden / Suède</p>	<p><u>Updated information sent on 10 January 2019 and on 4 March 2019:</u></p> <p>The National Board of Health and Welfare controls all applications within the healthcare system concerning professional status qualifications, such as psychologists, physicians and nurses, against the criminal record.</p> <p>There is no requirement to control social workers against the criminal record within the social services, this however is required for those working with children in foster care.</p> <p>A minor may have a special representative to replace a guardian who is temporarily or permanently incapacitated or who should not exercise their guardianship. Children who come to Sweden without their parents and apply for a residence permit can be provided with a special representative to represent them and protect their interests in the period before, if needed, a specially appointed custodian is appointed. In these cases, the special representative may act both as guardian and custodian of the child. Administrators, special representatives and specially appointed custodians are subject to the supervision of the chief guardian.</p>

As a special representative is to be appointed a righteous, experienced and otherwise suitable person. Before someone is ordained as a special representative, his or her suitability should be checked and an active investigation must be made. The criminal record should be checked and data from Swedish Enforcement Authority should be obtained. Furthermore, data from reference persons is normally retrieved.

When it comes to special representatives for unaccompanied children, it is also stated in particular in the law that when assessing whether the person to be appointed is suitable for the assignment, the chief guardian must pay particular attention to the vulnerable situation the child is in and make sure the person appointed is suitable to work with children in such situations.

As a specially appointed custodian is to be appointed a person who can take good care of the child, make the child feel safe and give the child a good upbringing.

It can be noticed that the Swedish government has given an order to seven of the County Administrative Boards to elaborate guidelines on how the investigation on someone's suitability as a special representative should be carried out. The aim is to achieve an equivalent control in the whole country.

Additional information sent on 23 May 2019:

Convictions of acts of sexual exploitation or sexual abuse of children are registered in the Swedish Criminal Record. The record is maintained by the Swedish National Police Authority and is regulated in the Criminal Records Act (1998:620). Data from the record concerning criminal offences punished by other than fines must upon request be disclosed directly to governmental, municipal or county council authorities deciding on employment of personnel within areas regarding inter alia child care and youth care. The Social Welfare Committees have the corresponding right in matters concerning inter alia appointment of contact persons for minors.

According to the Act on Register Control of Persons who Intend to Work with Children (2013:852), anyone who is offered a position in the state, a municipality, a county council (e.g. social service staff), a company or an organization shall, if the work involves direct and regular contact with children, at the request of the person offering the employment, present an extract from the Criminal Record. The notions company and organization include both profit-driven commercial entities and non-profit entities and organizations. Accordingly, a wide range of employers, including e.g. authorities, private commercial companies and NGOs, have a right to request such an extract from the person in question before hiring him or her for a position involving direct and regular contact with children.

In addition to the above-mentioned acts, Swedish law contains a number of provisions regarding screening requirements in specific activities or sectors. For instance, homes that receive children may not hire anyone unless a control has been made against the Criminal Record and the Criminal Suspect Record. A similar rule applies for recruitments to inter alia preschools, youth centers and elementary schools.

A minor may have a special representative to replace a legal guardian who is temporarily or permanently incapacitated or who should not exercise their guardianship. Children who come to Sweden without their parents (unaccompanied children) and apply for a residence permit can be provided with a special representative to represent them and protect their interests in the period before, if needed, a specially appointed custodian is appointed. In these cases, the special representative may act both as guardian and custodian of the child. Administrators, special representatives and specially appointed custodians are subject to the supervision of the chief guardian. To be appointed as a special representative you must be a righteous, experienced and otherwise suitable person. Before someone is ordained as a special representative, his or her suitability should be checked and an active investigation must be made. The criminal record should be checked and data from Swedish Enforcement Authority should be obtained. Furthermore, data from reference persons is normally retrieved.

It is also stated in the law that when assessing whether the person to be appointed is suitable for the assignment, the chief guardian must pay special attention to the vulnerable situation the child is in and make sure the person appointed is suitable to work with children in such situations.

	<p>To be appointed as a specially appointed custodian you have to be a person who can take good care of the child, make the child feel safe and give the child a good upbringing.</p> <p>It can be noticed that the Swedish government has given an order to seven of the County Administrative Boards to elaborate guidelines on how the investigation on someone's suitability as a special representative should be carried out. The aim is to achieve an equivalent control in the whole country.</p> <p>There is no requirement to control the case officers from the Swedish Migration Agency handling the asylum applications of minors, against the criminal record. Children are however always accompanied by their parents/guardian while being interviewed by case officers. Unaccompanied minors are entitled to a legal representative and are always supported by their legal representative or their special representative while being interviewed by case officers.</p> <p>Security screening, including records checks, is performed for all staff recruitments within the Swedish Police. Further security screening can be done throughout the working life of the employees.</p> <p>The National Board of Health and Welfare controls all applications within the healthcare system concerning professional status qualifications, such as psychologists, physicians and nurses, against the criminal record.</p>
Switzerland / Suisse	<p>In Switzerland's federal system, powers and responsibilities in the case of persons who need protection (asylum applications) are shared between the Confederation and the cantons. The State Secretariat for Migration (SEM) is responsible for the first phase of the procedure, which consists in registering, supervising and housing applicants. This initial stage, which can last up to a maximum of 90 days, takes place in federal reception and processing centres. The migrants, including any accompanied or unaccompanied children, are then assigned to a canton (of which there are 26 in Switzerland) for the subsequent procedure. That canton is then responsible for supervising the asylum-seekers, including minors, and providing legal representation (for unaccompanied minors), assistance and accommodation. The SEM processes the asylum applications, interviews migrants and takes decisions.</p> <p>Persons employed by the SEM must produce a criminal record extract when they apply for the post. This enables checks to be made to see if the applicants have any convictions and for what offences.</p> <p>At the cantonal level, guardians, for example, have to meet specific profile requirements (cf. Profil d'exigences curateurs professionnels (Requirements profile for professional guardians), in particular section 3.4, https://www.vbbrb.ch/files/files_vbbrb/newsarchiv/Anforderungsprofil_BB_SVBB_fr_def_V20170914.pdf). In the canton of Vaud, for example, the profile explicitly mentions that guardians must not be subject to prosecution and must have unblemished criminal records.</p> <p>Occupational ban, contact ban and geographical ban</p> <p>In this context, it should be pointed out that since Switzerland acceded to the Lanzarote Convention in 2014, a statutory ban has been imposed on undertaking certain work.</p> <p>Since 1 January 2015, Swiss law has provided for a ban on carrying on an occupation, a contact ban and a geographical ban (Articles 67 to 67d of the Criminal Code, CC, https://www.admin.ch/opc/en/classified-compilation/19370083/index.html). Persons convicted of an offence or misdemeanour against a minor (or particularly vulnerable person) may have their right to carry on a professional or an organised non-professional activity involving contacts with minors (or other</p>

particularly vulnerable persons) withdrawn, for a maximum of 10 years (Article 67(2) CC). For certain offences of a sexual nature, an automatic 10-year ban is imposed (Article 67(3) CC) and may be renewed for five-year periods if this proves necessary. The ban may even be imposed for life by the trial courts, subject to certain conditions (Article 67(6) CC). This new legal instrument is supplemented by a contact ban and a geographical ban.

Article 67 CC (Prohibition from carrying on an activity, requirements)

...

² If a person has committed a felony or misdemeanour against a minor or another especially vulnerable person and if there is a risk that in the course of carrying on a professional activity or an organised non-professional activity that involves regular contact with any minors or with other especially vulnerable persons he will commit further offences of this nature, the court may prohibit him from carrying on the activity concerned for one to ten years.

³ If a person is sentenced to a custodial sentence of more than six months or a measure in accordance with Articles 59-61 or 64 for any of the following offences, the court shall prohibit him from carrying on any professional activity or organised non-professional activity that involves regular contact with any minors for ten years:

a. trafficking in human beings (Art. 182), indecent assault (Art. 189), rape (Art. 190), sexual acts with persons incapable of judgment or resistance (Art. 191), sexual acts with persons in institutional care, prisoners and persons on remand (Art. 192), exploitation of a person in a position of need or dependency (Art. 193) or encouraging prostitution (Art. 195), provided the offence is committed against a minor;

b. sexual acts with children (Art. 187) or sexual acts with dependent persons (Art. 188);

c. aggravated pornography (Art. 197, No 3), provided the content of the items or performances involved sexual acts with children.

...

⁶ The court may impose lifelong prohibition orders under paragraphs 2, 3 and 4 if it is probable that a term of ten years is insufficient to guarantee that the offender will no longer represent a risk. On application from the executive authority, it may extend limited prohibition orders under paragraphs 2, 3 and 4 by a maximum of five years in each case if this is necessary to prevent the offender from committing further felonies and misdemeanours of the type that gave rise to the prohibition order.

...

Special criminal record extract

The ban on carrying on an activity is applied through new provisions based on the law relating to criminal records: since 1 January 2015, a special criminal record extract has been available in Switzerland that only mentions judgments imposing a ban on carrying on a profession or an activity, a contact ban or a geographical ban aimed at protecting minors (or other particularly vulnerable persons) <https://www.ch.ch/fr/extrait-casier-judiciaire/>. It applies to persons who carry on or wish to carry on a professional activity (teacher, paediatrician, day-care facilitator, carer) or an organised non-professional activity (sports club coach or chief scout, for example) that involves regular contacts with minors (or other particularly vulnerable persons), https://www.e-service.admin.ch/crex/cms/content/strafregister/sonderprivatauszug_en.

In 2017, the Federal Office of Justice issued 41 140 special criminal record extracts, which was more than twice the number in the previous two years. While interest in these extracts is growing, it should be borne in mind when assessing the trend that this instrument has only been available in practice since the beginning of 2015.

Other types of check

Certain employees of the Confederation are subjected to **background security checks** (section 4 of the Background Security Checks Order, OCSP, <https://www.admin.ch/opc/fr/classified-compilation/20092321/index.html>). This applies in particular to certain categories of employees of the State Secretariat for Migration (SEM) mentioned in the order, and to all members of the Swiss Border Guard. This check includes consulting criminal record extracts (section 10 OCSP).

	<p><u>Additional information sent on 28 March 2019:</u> Comme décrit dans notre prise de position du 31 mai 2018, il y a en Suisse une répartition des compétences entre la Confédération et les cantons pour les personnes qui requièrent l'asile, y compris les enfants non accompagnés. Comment ces derniers doivent être traités est décrit en détail dans les RECOMMANDATIONS de la Conférence des directrices et directeurs cantonaux des affaires sociales (CDAS) RELATIVES AUX ENFANTS ET AUX JEUNES MINEURS NON ACCOMPAGNÉS DANS LE DOMAINE DE L'ASILE, du 20 mai 2016, http://www.sodk.ch/fileadmin/user_upload/Aktuell/Empfehlungen/2016.05.20_MNA-Empf_sw_f.pdf</p> <p>A notre avis, il doit s'agir d'un malentendu dans la formulation. L'interdiction d'exercer une activité est réglée dans le Code pénal, art. 67ss (voir notre prise de position, p. 2 et 3), qui est applicable dans toute la Suisse, que les mineurs non accompagnés soient hébergés par la Confédération ou par les cantons. Les cantons peuvent édicter des directives qui règlent les détails. Dans notre prise de position, nous avons mentionné l'exemple du canton de Vaud à titre d'illustration. Pour l'analyse de la compatibilité de notre ordre juridique avec la convention, cela ne devrait pas jouer de rôle si et, le cas échéant, sur quoi l'un ou l'autre canton a édicté des règles complémentaires.</p> <p><u>Further clarification sent on 3 April 2019:</u> Le droit fédéral n'oblige pas les autorités cantonales ou, plus généralement les employeurs, à demander un extrait spécial du casier judiciaire. Cette possibilité leur est néanmoins offerte et ils peuvent ainsi tout à fait exiger de la part d'une personne qui postule/qui exerce une activité professionnelle (qu'elle relève du droit public ou du droit privé) ou une activité non professionnelle impliquant des contacts réguliers avec des mineurs qu'elle fournisse un tel extrait (voir l'art. 371a CP en relation avec l'art. 67 CP). A notre connaissance, tous les cantons recourent systématiquement à cette possibilité. Un examen plus approfondi auprès des 26 cantons suisses, pour chaque catégorie de personnes concernées, serait une tâche de longue haleine, qu'il n'est pas possible de réaliser dans le délai imparti.</p>
Turkey / Turquie	<p>Legislation in Turkey regulates conditions of persons who work in contact with children and bans people with a criminal story, especially sexual crimes from working in fields such as school bus drivers or staff of kindergartens, nurseries, infant schools, foster families, school cafeterias etc. We had already given information about these areas within our replies for the Circle of Trust Report.</p> <p>We would like to reiterate that any person convicted of crimes of sexual abuse of children cannot be employed as a civil servant; neither cannot practice professions such as teacher, doctor, nurse etc., who require a licence.</p> <p>Regarding procedures about refugee children, it is under competence of DG Migration to work issues relating to entrance and stay of foreigners in Turkey, temporary protection for them and protection of victims of human trafficking. Therefore, staff of DG Migration constitutes the most important group who is in direct contact with refugee children who come to Turkey.</p> <p>Employment by DG Migration is subject to the same conditions for any Civil Servant in Turkey, stipulated by article 48 of Civil Servants Law. Therefore, any person who has a criminal record of a prison penalty cannot be employed as a staff of the DG. Other than permanent staff of the DG, units of the DG in provinces can demand appointment of personnel from other public bodies. As a result, regarding procedures of DG Migration on refugee children, all personnel is subject to screening for criminal records as they are public officers.</p> <p>Other than DG Migration, Ministry of Family and Social Affairs ("MFSA") is responsible for providing necessary protection to refugee children. For this aim, MFSA, under determining the need protection of these children, tries to find a foster family. If this is not possible, other protective measures regulated by Child Protection Law are applied. Unaccompanied children are taken under protection in institutions of MFSA.</p>

	<p>There are 10 Child Support Centres, specialized for unaccompanied children. These centres work on family reunification for these children.</p> <p>As stated above, as the staff of MFSA is public officers, they are already subject to mandatory screening in this regard. Furthermore, there is a regulation for foster families that bans persons with a criminal history of sexual assault crimes from being a foster family.</p> <p>We should also add that in the scope of medical help to refugee children who are victim of sexual abuse, Ministry of Health gives the necessary medical help free of charge. Health Directorates follow these children in provinces until the end of the treatment. This procedure is applied in every case. Health professionals are also subject to mandatory screening even if they are not a public officer as practicing of their profession necessitates a licence.</p> <p>Police or gendarmerie personnel is also public officers and subject to the above-mentioned conditions.</p> <p>As result, every personnel who is in direct contact with refugee children is subject to screening in Turkey.</p> <p>Additional information sent on 8 April 2019: The temporary accommodation centres are available in Turkey for the accommodation of the foreigners within the scope of temporary protection who need accommodation. Besides, public officials who have undergone security scanning processes work at the temporary accommodation centres. However, the local or international non-governmental organizations who aims to conduct project/activity intended for the Syrian national foreigners accommodating at the temporary accommodation centres may start their works and proceedings upon the permission granted by the Ministry of Interior. Moreover, no voluntary personnel apart from the public officials work at the temporary accommodation centres.</p> <p>Additional information sent on 27 May 2019: According to the information received by the Directorate General for Migration Management of the Ministry of Interior regarding how the personnel of local and international civil society organizations working in close contact with children in temporary accommodation centres are monitored and audited before and during their service in terms of prior involvement in cases of sexual exploitation and sexual abuse of children; it is stated that temporary accommodation centres operate under the Ministry of Interior and that the personnel of local and international civil society organizations working in these centres, like all the personnel of the Ministry of Interior, are monitored and audited both before and during their service through the necessary security investigation.</p>
Ukraine	<p>The list of persons who work in permanent contact with children, and must be checked for a case of criminal offenders, is limited to persons who have expressed the desire to take up the upbringing of an orphan child or a child deprived of parental care. Such persons provide to the Child Services Service at their place of residence some documents, in particular, a certificate from the Ministry of the Interior on the absence of criminal offenses.</p> <p>Additional information sent on 5 April 2019: In Ukraine screening provisions exist for all civil servants regardless of duties and tasks and concern convictions for various criminal acts provided in national law that includes sexual offences against children. Persons who is going to adopt a child, wish to be foster parents, patronage family, mentoring, other form of child's care are screened for criminal offences. Parents of family-type children's home are under screening provision too. Necessary to note that such protection measures concern of all children, including children affected by the refugee crisis, internally displaced children and other. At the same time the question of the screening of all professionals working in constant contact with children is under review for regulating it through the legislation.</p> <p>Additional information sent on 10 April 2019: In the previous reply the information was correct.</p>

	<p>When we talk "all civil servants" it means that there are two types of screening for job application. First is regulated by the Law of Ukraine "Lustration of power" (dated 14/10/2014 №1700-VIII) and concerns of all officials, including Child Service, National Police whose servants work in contact with children. Another one is the Resolution approved by Cabinet Ministers of Ukraine (dated 25/03/2015 №171) which determine the Order of Special Screening for those who applied for high position in the power institutions. All this mentioned just to illustrate the situation as it is.</p> <p>Art. 24 Code of Labor Laws of Ukraine provides an opportunity to ask additional documents but there is no clarification what in particular. So the situation needs to be regulated by law.</p> <p><u>Additional information sent on 16 April 2019:</u> Screening is in place for the following categories of persons in contact with children affected by the refugee crisis:</p> <ul style="list-style-type: none">• All civil servants• Persons wishing to adopt a child, be foster parents, patronage family, mentoring and other forms of child's care• Parents of family-type children's home <p>As for other categories of persons who don't fall under one of these categories (such as: persons working for NGOs, private sector doctors and medical professionals, persons working in private companies in contact with children affected by the refugee crisis - unless these persons are not in regular contact with these children): There is no specific screening required by law. The legislation only gives the opportunity to the employer to ask for additional documents but does not specify which.</p>
United Kingdom	<p><u>Information sent on 1 March 2019:</u> In England any persons undertaking a role that involves regular contact with or responsibility for children (or other vulnerable groups), irrespective of whether they are children affected by the refugee crisis, should be recruited through a safer recruitment process. The Disclosure and Barring Service (DBS) provides criminal records checking and barring functions to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups including children. The DBS was established under the Protection of Freedoms Act 2012.</p> <p>Employers can check the criminal record of someone applying for a role by getting a DBS check. Where the work involves a greater degree of contact with and responsibility for vulnerable groups, including children, they can request an enhanced check, which shows spent and unspent convictions, cautions, reprimands and final warnings plus any information held by local police that is reasonably considered to be relevant to the role. Employers can also request an enhanced check with barred lists, which shows the same as an enhanced check plus whether the applicant is on the list of people barred from doing the role.</p> <p><u>Information sent on 23 May 2019:</u> The disclosure regime is devolved in Scotland and Northern Ireland. There are similarities in what is done, but the remit of the UK Government covers England and Wales. So, the text can be amended to read 'In England and Wales.</p> <p>The disclosure regime isn't a 'screening' regime per se. It enables employers, who are recruiting to roles involving close and regular contact with children and vulnerable adults, to undertake certain types of criminal records checks as part of their recruitment procedures. Some professions are eligible for certain types of criminal record checks because of their roles (nurses, doctors, various other healthcare professionals), others by location (those who work in schools, so not exclusively teachers, because of their contact with children) and others because they fall under a broader definition of teaching, training, advising, etc children. Legislation sets out the activities that are eligible for each type of check. In short, yes, different professionals will be eligible for different types of checks, but it's because of the nature of their contact.</p>

However, it has to be remembered that checks form only one part of the safeguarding processes and practices that employers should have in place during recruitment and employment thereafter. By 'screening' we think they mean this broader approach, since the regime does not involve 'vetting'.

For most roles and employers, DBS checks are not mandatory, but many roles require a 'fit and proper' type assessment, which will include a criminal records check.

There are some specific circumstances in which criminal records checks are mandatory. For example, enhanced DBS certificates are mandatory for anyone working in regulated activity in a school maintained by the local authority.

Recommendation R27 / Recommandation R27

The Lanzarote Committee:

since examining the family situation is important where there are suspicions of child sexual exploitation or abuse, urges Parties to take the necessary measures to avoid risks that the child may be abused or exploited in case of family reunification (R27).

Le Comité de Lanzarote :

étant donné qu'il importe d'examiner la situation familiale lorsqu'il existe des soupçons d'exploitation ou d'abus sexuels à l'encontre d'un enfant, exhorte les Parties à prendre les mesures nécessaires pour éviter tout risque d'abus ou d'exploitation de l'enfant en cas de regroupement familial (R27).

**Albania /
Albanie**

According to Law 18/2017 "On the Rights and Protection of Children" it provides protection to any child in need, who may be the victim of abuse, neglect, exploitation, discrimination, violence or criminal activity, as well as child under the age of criminal responsibility, who is suspected of having committed or accused of having committed a criminal offense, as well as child in conflict with the law. These provisions apply to:

- a) a child of Albanian citizenship, without citizenship or with foreign citizenship, located within the territory of the Republic of Albania;
- b) a child of Albanian citizenship, located outside the territory of the Republic of Albania.

The best child interest is the primary consideration in any action that has to do with the child.

According to Albanian legislation, a child who is unaccompanied by a parent or guardian has the right to return, as soon as possible. Return to the country of origin is only done if it is in the best interests of the child, a principle that is taken in consideration throughout the process. Aspects related to child safety are considered, as well as the opinion or consent of the child, in accordance with age and ability to understand.

The protection of all children is realized through protection measures, interventions for respecting the rights of the child and provision of services, where needed, aiming at the development and well-being of the child in the family environment or placement of the child in alternative care, when the child is temporarily or permanently deprived of parental care and protection or when because of the best interest of the child, the latter may not be entrusted to parental care.

Information sent on 19 April 2019:

With the changes made in recent years (2017-2018) in Albanian legislation it is clearly defined that public and non-public authorities, as well as the courts, should take into account the primary best interests of the child in all actions and decisions taken in about the children.

It is also determined that the child has the right to remain with the parents and not to divide against their will, unless the court decides that this separation is in the best interest of the child. Likewise, the legislation also provides for the right to family reunification, stipulating that the child has the right to seek to enter or leave the Republic of Albania for reasons of family reunification with his parents. This claim is treated in a positive, humane and rapid way, and is rejected only when there is reason to suspect that entry or departure is not in the best interest of the child.

Law No. 108/2013 'On Foreigners' was replaced with Law No. 74/2016, followed by DCM No. 513/2013 defining the criteria of procedures and documentation for the entry, stay and treatment of foreigners in the Republic of Albania. In 2014, Law No. 121/2014 'On Asylum' was approved and amended, ensuring the harmonisation and compliance with various EU directives in this field. The Law provides for several safeguards concerning children, including a requirement to appoint a guardian for a child, priority in handling the asylum application of children and non-separation of the child from the family. The categories of persons who are not deported are defined in this law, where one of these categories is unaccompanied minors.

The rights of child asylum-seekers, refugees and the stateless are additionally safeguarded by Law 18/2017 'On the Rights and Protection of the Child'. The laws on Social Care Services (2016) and on Free Legal Aid (2017) encompass asylum seekers and refugees/ persons granted subsidiary protection.

All immigrants, irrespective of their status enjoy the same access as nationals to government-funded health services, or medical emergency. Asylum-seeking children have a right to education and can attend the educational institution located in the vicinity of the center (pre-school, primary and secondary school, based on their interests). A legal status and birth certificate are not required for enrollment into school.

Order No. 300/2015 'On the Drafting of National Statistics on Immigration and International Protection' provides for improved unification, collection and compilation of national statistics on immigration and asylum and international protection, aligns them with the requirements of Regulation No. 862/2007 of the European Council and the European Parliament, and ensures their timely reporting. The Electronic Foreign Data Registry produces statistics on foreigners with regular residence, disaggregated by age, sex and citizenship, as well as on those with irregular status. The Asylum and Citizenship Directorate is developing an Asylum Seekers Database, which will enable the identification of disaggregated data on children.

Instruction of the Minister of Interior No. 293/2015 'On Procedures for Treatment of Foreign Citizens in Irregular Position in the Republic of Albania' governs the standards and processes of identification and registration of children, including unaccompanied children, found in the territory of Albania or at border crossings, and includes pre-screening of irregular migrants. The procedures are further developed in the standard procedures of border police and migration (Order No. 146/2018 of GDSP). Vulnerable categories such as unaccompanied children or families with children are interviewed, in the presence of a social worker and a psychologist, after being assisted and accommodated in designated premises. One of the measures envisaged in these procedures is to obtain detailed information about the child, in particular for the child's parents or legal guardian, as well as aspects related to child safety, integration into the country of origin, living conditions upon return potential in the country of origin, as well as its opportunities to preserve identity, nationality and family ties.

For unaccompanied children, return to the country of origin is only done if it is in the best interest of the child, a principle that is taken into account throughout the process. In such cases, aspects related to child safety (including and if there are indications that the child may be abused or used in the event of family reunification) are assessed, his integration into the place where he will be returned, and his / her chances of preserving identity, nationality, name and family ties, taking into account the child's opinion or consent, in accordance with his age and ability to understand.

Recently it has been approved and published in the Official Journal, Decision of the Council of Ministers no. 111, dated 06.03.2019, "On Procedures and Rules for the Return and Repatriation of the Child", which clearly defines the responsible institutions and all the steps, measures and procedures to be taken to verify the case and return in the country of origin of unaccompanied children. Case management procedures during the pre-screening process for unaccompanied and separated children are being mainstreamed for Albanians and non-Albanians in the Law on the Right and Child Protection and the above-mentioned Decision of Council of Ministers.

Additional information sent on 23 April 2019:

	<p>The consideration of the best interest of the child is required in the Albanian child protection system according to the law 18/2017 “On the Rights and Protection of the Child”.</p> <p>The access to social and legal protection is ensured to all unaccompanied children regardless their nationality or legal status, immediately after they are identified by state professionals. The best interest of child is taken into account during the unification of the family as well.</p> <p>Child protection is realized through protection measures, interventions for respecting the rights of the child and provision of services, where needed, aiming at the development and well-being of the child in the family environment or placement of the child in alternative care, when the child is temporarily or permanently deprived of parental care and protection or when because of the best interest of the child, the latter may not be entrusted to parental care.</p> <p>According to the law every child has the right of a regular personal relationship and direct contact with both parents, unless this would be contrary to the best interest of the child. Child have the right to request to enter or leave the Republic of Albania for the purpose of family reunification. Such request is considered positively and may only be refused when there is reason to believe that entering or exiting the country is not in the best interests of the child.</p> <p>An unaccompanied child is in no case subject to any return decision at the border crossing points. Return is the last alternative and only when it is in accordance with the best interest of the child.</p> <p>In case the child’s parents are illegal migrants in the Republic of Albania and the child has acquired Albanian citizenship, the parents are allowed to remain in the territory of the Republic of Albania and not leave the country.</p> <p>Department for Border and Migration, State Police employees or the structures responsible for asylum or refugees, within 12 hours of ascertaining or notifying that an unaccompanied child is present or staying in the territory of the Republic of Albania, refer the case of the Child Protection Officer on whose territory the child has been found.</p> <p>In the case of stateless children, the Responsible Authority for Asylum and Refugees, the Department of Border and Migration and the State Police make all possible efforts to find the habitual residence of an unaccompanied child. For this category, as part of determining the child's highest interest, all possibilities for granting a residence permit on humanitarian grounds are considered unless other conditions are met.</p> <p>Case management of unaccompanied foreign children in the Republic of Albania are conducted in accordance with the rules provided by the legislation in force. Child protection system, takes all steps to provide the emergency services needed and establishes emergency protection measures by implementing an individual child protection plan, which includes risk screening for child trafficking or registration to the Department of Border and Migration of asylum application and relevant referral to the responsible asylum and refugee authority or both together, if appropriate. During this process the child's opinion regarding his return or reunification with his family is taken in consideration.</p> <p>Furthermore, the right to protection against sexual abuse and the rights of children who (for their benefit) where separated from the family environment, are guaranteed by special protection measures taken by Child Protection system of the state. If Child Protection specialists have identified practices that suggest that there might have been a sexual abuse within the family, the accommodation of the child is regulated to be separate from his family.</p>
<p>Andorra / Andore</p>	<p>Andorre a approuvé un protocole d’actuation en cas d’enfance en danger qui garanti la protection de l’enfant et intervient le Service spécialisé d’attention a l’enfance afin d’évaluer les risques et les mesures de protection plus adéquates.</p>

	<p>L'Andorre, compte tenu de ses possibilités et de ses moyens, a déclaré en 2015 son compromis à accueillir devant la crise humanitaire provoquée par le conflit syrien et, n'ayant pas de législation sur l'asile et les réfugiés, elle a approuvé la Loi 4/2018 du 22 mars, qui régleme la protection temporaire et transitoire pour des raisons humanitaires.</p> <p>Les bénéficiaires de la protection temporaire pour des raisons humanitaires et transitoires (adultes et enfants à charge ou non accompagnés) auront un représentant qui assurera le respect des libertés fondamentales de ces personnes et soutiendra dans le programme d'accueil et de l'intervention pour garantir une autonomie future.</p> <p>Ce suivi personnalisé peut faciliter, en cas de suspicion d'exploitation ou d'abus sexuel, l'activation du protocole et l'intervention du Service spécialisé d'attention à l'enfance pour l'adoption des mesures de protection nécessaires.</p> <p><u>Additional information sent on 10 April 2019:</u> Si un mineur peut être réunié avec sa famille dans un autre pays, la Commission Technique d'Attention aux Mineurs contactera le service de protection de l'enfance de ce pays afin qu'ils évaluent les conditions de cette famille et si leurs droits sont garantis dans ce pays.</p>
<p>Austria / Autriche</p>	<p>In the area of basic care, minors (whether accompanied or not) and persons who have suffered severe forms of mental, physical or sexual violence count as vulnerable persons. In Practice an identification mechanism for vulnerable persons has been established in Austria that also meets the requirements of the Reception Directive (2013/33/EU). The process for the identification of vulnerable persons in Austria already begins with the initial survey after filing the asylum application. Within the framework of the first interview - irrespective of explicit indications in an individual case - special attention is paid to mental health as well as to topics such as violence, abuse, trafficking, smuggling etc.</p> <p>The consideration of the best interest of the child is repeatedly required in the Austrian legal system (implementation of the UN Children's Convention, the Charter of Fundamental Rights of the European Union, the Procedures Directive, Reception Directive and Dublin Regulation) and even enshrined in constitutional law since 2011 (Federal Constitutional Law on the Rights of Children). The right of a child to a regular personal relationship and direct contact with both parents, unless this would be contrary to the best interest of the child has to be emphasized here. Furthermore, the right to non-violent education, the protection against sexual abuse and the rights of children who (for their benefit) where seperated from the family environment, are guaranteed by special protection and assistance of the state. In this respect naturally Article 8 of the ECHR also applies to minors, in particular when it comes to accommodation. If circumstances are identified in practice that suggest that there might have been a sexual abuse within the family, the accommodation of the child must be separate from the family. If the minor is unaccompanied the Federal Office for Immigration and Asylum has to search for family members and accordingly has to assist unaccompanied minors in their search at their request. However in all cases of family reunion the legal representative of the child has to take into account the best interest of a child and therefore has to make an application for the required judicial dispositions to the family court if necessary. Upon that application the court can e.g. withdraw the parental custody for the child, deny the contact to the family or allow contact only in presence of a third person.</p>
<p>Belgium / Belgique</p>	<p>The Aliens Act provides for the family reunification of unaccompanied foreign minors in their country of origin (section 61/18). Before such a decision is taken, a family assessment is sent to the Belgian Embassy responsible for the country of origin. The child's return is considered only if this is in his/her best interests. Proof of parentage (failing which a DNA test can be arranged) is necessary for parents to be reunited with their child in Belgium. Account is taken of any indicators of potential abuse or problematic situations.</p> <p>As far as the Federal Agency for the Reception of Asylum-Seekers is concerned, if an individual joins an unaccompanied foreign minor accommodated at an asylum-seeker reception centre, the Agency will take account of the child's overriding interests in determining the place of reception/accommodation. Decisions are taken on a case-by-case basis and depend on various criteria, such as the information given on family ties and observations and guidance of the reception centre staff with regard to the unaccompanied foreign minor, etc.</p>

<p>Replies by / Réponses de Missing Children Europe / Child Focus</p>	<p>The <u>Guardianship Service</u> makes various training opportunities available to its guardians in order to develop their skills. Some courses with a psycho-social focus help guardians identify risk situations better, especially with regard to sexual exploitation or abuse. Other services available are: a helpdesk and assistance from reference staff (multidisciplinary network consisting of social workers, human-science graduates and law graduates) with an in-depth knowledge of the relevant psycho-social networks; family assessments by the IOM (on-the-spot visits and socials report on family situations); appointment of professional or experienced guardians for particularly vulnerable young people; basic training dealing with all aspects of the psycho-social network (Youth Welfare Service and Judicial Protection Service) that could help/guide guardians in analysing the situation; clarification of parentage through a DNA test and interview – as long as parentage is not definitively established (and when European minors are clearly vulnerable), a guardian is appointed to supervise the child.</p> <p>.....</p> <p>.....</p> <p>MindSpring is an ad hoc training for migrants, a program on mental health and psychoeducation. It is designed for adults, but the Centre of General Wellbeing has also developed a version for minors (MindSpring Junior). MindSpring is provided in the language of the receivers, by trained people (i.e. usually a mix of professionals and volunteers) and it is organised by the Centre of General Wellbeing. The training focuses on concepts such as identity, networks and kinships, future expectations, etc. The initiative was developed during 2015-2016 and it was funded partly by the municipality of Ghent and partly by the Flemish Government. At this moment no more financing is received from the Flemish Government, so the municipality of Ghent is paying everything.</p>
<p>Bosnia and Herzegovina / Bosnie- Herzégovine</p>	<p>In accordance with the Law on Foreigners, the competent authorities examine and analyse in detail all possible risks of abuse and exploitation of a child in the event of family reunification. In accordance with the Rulebook on the Protection of Foreign Victims of Trafficking, a child victim of trafficking will not be returned to the country of origin or habitual residence or to a country that accepts him if, after risk and security assessment, there are reasons for believing the return of the child threatens his security or security of members of his family.</p> <p>Foreigners are placed in the Immigration Centre, as well as in specialized institutions (safe houses) that fulfil the statutory conditions and with which the Service for Foreigners' Affairs has signed a contract. Families with juveniles are kept in the Immigration Centre only as a last resort and for the shortest possible period of time. A minor foreigner who has entered BiH illegally and is not accompanied by a parent or legal representative or an authorized person or has remained unaccompanied by such persons since entering BiH, who the Service cannot immediately return to the country from which he arrived or hand over to a representatives of the country of his citizenship, is temporarily placed by the Service in a unit of the institution specializing in minors. The Service notifies of it the competent centre for social work, which immediately appoints a temporary guardian in accordance with the law.</p> <p>Unaccompanied minors are kept in the Immigration Centre exceptionally, only as a last resort and for the shortest possible time. A minor foreigner must not be returned to the country of habitual place of residence or to a country that is ready to accept him until his reception by his parent or legal representative or authorized person or a representative of the competent authority in the country of return has been ensured. Unaccompanied minors are under no circumstances returned in a way that violates the European Convention on Human Rights and Fundamental Freedoms and this Law.</p> <p>In the period from 1 January 2018 until 30 June 2018 there were 20 minors accompanied by their parents kept under surveillance in the Immigration Centre.</p> <p>In the shelters of non-governmental organizations, in 2018, there were three migrants potential victims of trafficking in human beings, two of them being children (one child accompanied and one juvenile unaccompanied).</p>

	<p>The Asylum Sector of the Ministry of Security of BiH registered 155 juvenile asylum seekers in the period from 1 January 2018 until 17 July 2018. In this number, 3 juveniles were unaccompanied and, in accordance with the Law on Asylum⁶, a guardian was appointed to them.</p> <p>In 2018, over 610 migrants, including 150 children, passed through Salakovac RRC. According to July 2018 data, there were 142 people in the centre, of which 59 were children.</p> <p>There is no information of any juvenile migrant in Bosnia and Herzegovina being a victim of sexual exploitation or abuse, nor have any criminal cases of sexual abuse and sexual exploitation against children staying at the Immigration Center and Salakovac RRC recorded.</p> <p><u>Additional information sent on 22 March 2019:</u> As stated in our previous reply “In accordance with the Law on Foreigners, the competent authorities examine and analyze in detail all possible risks of abuse and exploitation of a child in the event of family reunification.” This applies for all categories of migrant children. We also mentioned in our previous reply that unaccompanied minors under no circumstances will not be returned to their homeland in a way that violates rights provisioned by European Convention on Human Rights and Fundamental Freedoms.</p> <p><u>Additional information sent on 24 May 2019:</u> All decisions regarding issues of migration are operationally dealt with by Operational Headquarters for Migration Issues in Bosnia and Herzegovina and operational feadquarters for migration issues at the level of entities level and Brčko district, as explained under the R30 below.</p> <p><u>Further clarification on 4 June 2019:</u> The decision to reunify children to their family follows EU regulations: it is based on all available information on the family, obtained through internal or international cooperation, and assessed bearing in mind the best interest of the child.</p>
Bulgaria / Bulgarie	<p>If necessary, the Agency for Social Assistance, and in particular the Social Assistance Directorate, as a child protection authority besides the state authorities and institutions involved in child protection from human trafficking, shall seek the assistance of social service workers, professionals working in Crisis Centers for children victims of trafficking and abuse; of non-governmental organisations with experience and expertise in the field of combating human trafficking, violence and abuse of children.</p> <p>In order to prevent sexual exploitation, abuse, trafficking and domestic and non-domestic violence settings, as well as to prevent crimes against children and minimize the danger of victimization or reintroduction of the victim to the dangerous and criminal environment, the Agency for Social Assistance and its Territorial Units shall implement the following approved coordination mechanisms:</p> <ol style="list-style-type: none">1. Coordination mechanism for referral and care of unaccompanied children and children victims of trafficking returning from abroad;2. Coordination mechanism for interaction in cases of children who are victims or at risk of violence and cooperation during crisis intervention (developed by SACP); <p>The two mechanisms have been created to ensure effective coordination in the implementation of the specific obligations for cooperation of the institutions involved. The preventive action of the mechanisms is aimed at protecting and providing a safe environment for the victims, as well as limiting the possibility of the person to become a victim of crime.</p>

⁶Article 12 (BiH Official Gazette, 11/16, 16/16).

When there are suspicions of sexual exploitation or abuse of children in the family and data that the involvement and exploitation of the children takes place with the knowledge, consent, act or omission of the family and relatives, the child must be placed outside the family and other alternative forms of childcare should be sought: accommodation in foster families, residential care social services and specialized institutions. The Social Assistance Directorate alerts the authorities of the Ministry of Interior, the court and the prosecutor's office to take action in competence with regard to parents who are reported to involve the child in activities that adversely affect its development or who through their acts or omissions endanger the child. The Children are monitored by the Child Protection Department in order to provide the necessary support and to prevent reintroduction of the children to the dangerous situation, violence and abuse.

In 2017 SACP identified the need to update the Coordination mechanism for interaction in cases of children who are victims or at risk of violence and cooperation during crisis intervention, the update being envisaged to be implemented in 2018.

In 2017, Bulgaria adopted a National Program for the Prevention of Violence and Abuse of Children (2017-2020). It regulates the coordination between state authorities, the representatives of the civil society and the non-governmental sector with regard to measures for violence prevention. An Action Plan for the Program is also drawn up and a report is made for the previous year.

Additional information sent on 28 May 2019:

The state policy for child protection is implemented through the implementation of a number of legal acts - Child Protection Act, Protection Against Domestic Violence Act, Family Code, Criminal Code. The Child Protection Act is ensuring the protection of the fundamental rights of the child in all spheres of public life for all groups of children, according to their age, social status, physical, health and mental condition. The State authorities, within the framework of their competence, implement the child protection policy through the established and effective child protection system. To the "Social Assistance" Directorates (there are 147 directorates on the territory of the country), which are specialized bodies for the implementation of the child protection policy, are created "Child Protection" departments working in cooperation and coordination with state bodies and natural and legal persons, which have as their object the protection of the child. The protection of the child under the provisions of the Child Protection Act shall be implemented through the measures laid down in the Act for protection in a family environment or outside the family.

Children who are victims of violence or at risk of violence, children who are victims of trafficking in human beings for the purpose of sexual exploitation and abuse are the main groups of children committing by the Social Assistance Agency and its territorial units according to their functional competence.

Regarding to the prevention of sexual exploitation and sexual abuse of children in cases of reintegration into the family, all legal mechanisms related to the monitoring of child victims and thorough investigation by social and police authorities are used to prevent the re-use of children in harmful for their development activities. In these cases is implementing, a Coordination mechanism for interaction in cases of children who are victims or at risk of violence and cooperation during crisis intervention and Coordination mechanism for referral and care of unaccompanied children and children victims of trafficking returning from abroad. The State Agency for Child Protection coordinates with all responsible institutions and monitors in all cases.

The Coordination mechanism for referral and care of unaccompanied children and children victims of trafficking returning from abroad is acting since 2010. To accomplish speeding coordination between the social and police authorities in Bulgaria, the State Agency for Child Protection provides immediate transmission of the full information on the cases and methodological support to the specialists in order to guarantee the rights of the victims.

Children who are victims of violence or at risk of violence and children who are victims of human trafficking for sexual exploitation and abuse are key groups with which the Social Assistance Agency and its territorial units are involved, according to their functional competence. In these cases priority is being given to ensure a safe place for accommodation and access to health, social and educational services, as well as legal protection for children. Children receive socio-psychological

support when they arrive in the country at the relevant border crossing point and are welcomed by a representative of the Social Assistance Directorate of the Agency for Social Assistance. The Child Protection Departments at the Social Assistance Agency perform a social survey against a child for whom they have received a signal or information that he/she is a victim of trafficking or returns to the country unaccompanied. Data is collected about the child's family background, the reasons for his removal from the country and his involvement in trafficking.

An important point in the work of social workers is to make an adequate assessment of the child's needs, risk assessment and planning of activities and measures to ensure its protection and safety. A child protection measure is taken in accordance with the provisions of the Child Protection Act in order to ensure their security and to prevent the consequences of trafficking, exploitation and abuse.

As an initial measure against child victims of trafficking, they are accommodated in the Crisis Center where they can stay for a period of 3 to 6 months. When a family protection measure is taken, the work is aimed at family counseling of parents and relatives of the child on issues related to responsible parenting, the rights of the child, etc. In some cases, the involvement and exploitation of children occurs with the knowledge, consent, action or inactivity of the family and relatives, therefore, the return of the child to the family or the placement of the child in relatives and relatives is not in his interest. In this case, the child is necessarily placed outside the family and other alternative forms of childcare are look for - foster family accommodation, resident type social services, specialized institutions, etc. Parents who are reported that they engage the child in activities that affect his / her development or with actions or inactions that put the child at risk, are led on legal responsibility. The Court and the Prosecutor's Office are informing to take action on jurisdiction. After leaving the Crisis Center, and if it's necessary, children can be directed to use other community services. The cases of child victims of trafficking are actively monitored by the Child Protection Departments of the Agency for Social Assistance for a period of 1 year in order to provide the necessary support and prevent new children from being trafficked and prevent the possibility of other family children to be involved in this process. At the discretion of the social worker, the observation period may be extended depending on the specificity of the particular case.

The State Agency for Child Protection, furthermore coordination, also is doing control over every case related to guaranteeing the rights of each child. Find attach a letter No 04-02-10 /30.05.2018 providing detailed information on all the recommendations contained in the report on the Protection of Children Affected by the Refugee Crisis of Sexual Exploitation and Sexual Abuse of the Lanzarote Committee.

Additional information sent on 30 May 2019:

In connection with the question on the procedure for returning an unaccompanied child to a family in another Lanzarote State Party in the case of sexual violence, I would like to inform you that the following procedures apply to family reunion:

1. When a child is in the process of obtaining refugee status, family reunification shall be carried out on the request of the unaccompanied child to be assembled with his or her close relatives in in another Lanzarote State Party. Family surveys and assessments of cases of sexual abuse of the child are carried out by the social services at the request of the family and by the authorities of the country where the child's relatives live. The reunification of the child is under the authority of the State Agency for Refugees and the analogous structure in the country where the child's relatives are located. There is an opportunity to work through UNHCR offices for child reunification in both countries.
2. When the child has refugee status in Bulgaria and wants to meet with his family in another Lanzarote country, the mechanism is with the participation of the State Agency for Child Protection, the Bulgarian Red Cross or the International Organization for Migration. The State Agency for Child Protection through the Bulgarian embassies and consular representations in the respective country seeks assistance from the competent authorities for the investigation of their relatives and exrtended family. The study of the family and the child's relatives is detailed and thorough, including the police services, especially in cases of suspicion of sexual violence against the child. After the consent of the relatives and the consent of the respective country, the child is prepared for reunification with his family. Everything is done to establish contact between the child and his family. We need to recieve a social report from the country where the child's

	<p>relatives live and need to wait for a permission from the state to take the child or for him/her to be accompanied by a social worker to the country. The correspondence with the Bulgarian embassies is in writing and the date of departure of the child is specified after specifying the way of return.</p> <p>If a child has been the subject of sexual violence that has been established in our country before taking the procedure for his / her reunification with the family or other relatives of the injured child, urgent measures are taken to protect him / her from the harmful environment, he/she receives the necessary services to recover from the experience of violence. With regard to the perpetrators of this violence, criminal liability is sought by the judicial authorities in Bulgaria.</p> <p>Finally, I would like to point out that these procedures respect the principle of best interests of the child and of non-discrimination.</p> <p><u>Further clarification on 4 June 2019:</u> The decision to reunify children to their family follows EU regulations: it is based on all available information on the family, obtained through internal or international cooperation, and assessed bearing in mind the best interest of the child.</p>
Croatia / Croatie	<p>In the Republic of Croatia, a new Protocol on the Treatment of Unaccompanied Children is currently pending. Representative of the Ministry of Demographics, Family, Youth and Social Policy as well as members of the Expert Working Group for drafting of the subject Protocol suggested the implementation of Recommendation 27 from the Special Report of the Lanzarote Committee in it. In conjunction with that, the recommendation would be implemented in a way that the initial assessment of the unaccompanied child's needs would include an assessment of the needs as well as the type and degree of risk of sexual abuse and exploitation of the child by using available methods, techniques and instruments of assessment. When assessing risk, an expert worker of the social welfare centre and/or a special guardian takes into account the information gathered from previous conversations and observations, gathers information on the family of the child and its experiences during the travel. Upon voluntary return of the child, the guardian assesses if that is in accordance with the best interest of the child and notifies the competent social welfare centre on this, if it assessed that the child's welfare is compromised (e.g. due to suspicion of sexual abuse and exploitation) in a return procedure, may, on behalf of the unaccompanied child, issue a humanitarian application if the international protection has not been granted to a child. A special guardian accompanies the unaccompanied child upon its return until its parents or a competent social welfare service takes over.</p> <p><u>Additional information sent on 31 December 2018:</u> The Centre for social care and child's guardian approach with special care to the assessment of the family situation and in the best interest of a child in accordance with all applicable national and international provisions, using all the expert knowledge and available assessment instruments. The new Protocol on the treatment of unaccompanied children ("the Protocol") was adopted by decision of the Government of the Republic of Croatia on 30 August 2018. The Protocol defines obligation of social workers / special guardians to complete the form "Initial assessment of the needs of unaccompanied children". Initial assessment of the needs of an unaccompanied child is based on information gathered during interviewing a child and observation, as well as on all available data about the child, such as family information, to eliminate suspicion of sexual abuse and exploitation of a child, i.e. violence. Consideration is given to information on experiences during travel and to the protective factors that are available to a child. Furthermore, the Protocol prescribes the obligation to carry out a multidisciplinary assessment of the child's needs no later than three months after the date of the unaccompanied child accommodation, with the aim of identifying longer and sustainable solutions and developing an individual plan for an unaccompanied child. The team assessment of needs includes all data, opinions, assessments and findings available from: the initial needs assessment, initial health check-up, possible medical examination, with age determination or other specialist medical examinations, opinions and security assessments by the Ministry of the Interior, conversation, observation of the child's functioning and individual opinions of members of the team of experts during the accommodation. Such a comprehensive assessment results in an individual plan with proposing a decision on more durable solutions for the child, such as joining the family, initiating an international protection procedure, returning to a country of origin or integration in the Republic of Croatia.</p> <p>The Protocol prescribes the Dublin Regulation as a procedure primarily conducted to determine the member state of the European Union responsible for examining a child's application for international protection. The purpose of the procedure is the unification of the unaccompanied child with the family members or relatives in a member state of the European Union, thus making the State concerned responsible for examining the child's application. The procedure is initiated ex officio on the basis of data available from the application for international protection, i.e. all relevant facts and circumstances during the hearing, in order to</p>

	<p>find out more information about family and relatives, in particular, to eliminate suspicion of sexual exploitation of the child. The procedure is conducted by the Asylum Sector and if an unaccompanied child does not have any family members or relatives in the European Union or if they refuse to join, the regular procedure for the approval of international protection in the Republic of Croatia continues. In searching for family members, conducted by the Red Cross Search Service, consideration is given to the assessment of the child's well-being, taking care to avoid harming the person during the procedure, security of searchers, but also of the searched person, protection of personal data and other confidential information, protection of searched person if the searched person does not want to be found and refuses any contact with the searcher.</p> <p><u>Additional information sent on 1 March 2019:</u> Initial assessment of the needs an unaccompanied child is based on information gathered during interviewing a child and observation, as well as on all available data about the child, such as family information, to eliminate suspicion of sexual abuse and exploitation of a child, i.e. violence.</p> <p>After that multidisciplinary assessment of the child's needs has to be carried out no later than three months after the date of the unaccompanied child accommodation, with the aim of identifying longer and sustainable solutions and developing an individual plan for an unaccompanied child.</p> <p>Such a comprehensive assessment results in an individual plan with proposing a decision on more durable solutions for the child, such as joining the family, initiating an international protection procedure, returning to a country of origin or integration in the Republic of Croatia.</p>
<p>Cyprus / Chypre</p>	<p>In cases of family reunification, the Asylum Service of Ministry of Interior, through the Dublin Regulation, cooperates with the competent authorities of the member state, where the family reunification is going to take place, in order to receive all the necessary information for the safe family reunification of the minor. If any suspicions are raised concerning the safety of the minor, i.e. suspicions of sexual exploitation and/or abuse, the procedure of family reunification will not proceed.</p> <p>Furthermore, the Social Welfare Services of the Ministry of Labour, Welfare and Social Insurance, cooperate with international organisations, i.e. the International Office of Migration, the International Social Services, in order to receive all the necessary information on the safe return and/or family reunification of the minor.</p>
<p>Czech Republic / République tchèque</p>	<p>The access to social and legal protection is ensured to all unaccompanied children regardless their nationality or legal status, immediately after the relevant bodies come into contact with them. The evaluation of the best interest of the child is afterwards for sure the main premise not only for deciding procedure of the bodies of social and legal protection of children, but for the Ministry of the Interior, as well as Police in cases of unaccompanied foreigners at the territory of the Czech Republic. The best interest of child is necessary to take into account during the unification of the family as well.</p> <p><u>Additional information sent on 10 April 2019:</u> The access to social and legal protection is ensured to all unaccompanied children regardless their nationality or legal status, immediately after the relevant bodies come into contact with them. The evaluation of the best interest of the child is afterwards for sure the main premise not only for deciding procedure of the bodies of social and legal protection of children, but for the Ministry of the Interior, as well as Police in cases of unaccompanied foreigners at the territory of the Czech Republic. The best interest of child is necessary to take into account during the unification of the family as well.</p> <p>There are several possibilities in place how to achieve the family reunification in the case of unaccompanied minor child present on the territory of the Czech Republic. The best interest of the child is taken into account and assessed (family risk assessment) within the all further mentioned proceedings.</p> <p>The obligation to ensure a family risk assessment prior to reunification is provided by the Act on social-legal protection no. 359/1999 Coll. as amended. The Act on social-legal protection provides for the obligation for the bodies of social and legal protection of children to inform the Embassy of the child's country of origin and/or the office of international legal protection of children and cooperate together on the family reunification in the case of the unaccompanied minor.</p>

In the case of the asylum claim of the minor the contact with the Embassy is prohibited by law (Asylum Act, No. 325/1999 Coll., as amended).

The further concrete proceedings with regard to family risk assessment are described in practical recommendation from Ministry of Labour and Social welfare.

Moreover Asylum Act explicitly provides for the obligation to act with the due account on the UAM life and liberty when family members are tracing on the territory of the third country of origin.

In the case that family reunification is not possible for any reason UAM is entitled for permanent residence permit according to Foreigners Act, no. 326/1999 Coll., as amended.

Additional information sent on 25 April 2019:

Whenever the child who is not habitually resided in the Czech Republic is unaccompanied in the territory of the Czech Republic he/she is provided with immediate support necessary for the protection of his/her life and for the fulfillment of his/her basic needs. The local authority responsible for the protection of the child (in Czech called administrative authority for social and legal protection of the child) files a motion in court to issue a preliminary order by which the child is placed in a suitable environment. The court decision on the motion has to be adopted within 24 hours. Indeed, every unaccompanied minor on the territory of the Czech Republic has a care order (the most usually the preliminary order) by which he/she is placed in alternative care. The decision-making process on whether the child should be reunified with his/her family thus falls under the control by the court that eventually has to decide on the abolishment of the care order (preliminary order).

If in a concrete case there is a suspicion that the child might have been a victim of sexual exploitation or sexual abuse the court has the legal obligation to investigate on the suspicion before it decides on the reunification of the child with his/her family. In such a case the court gathers supplementary evidence. In addition, the court is required as well to inform the police or the public prosecutor about the suspicion, if it does not seem completely implausible.

The Czech court is required to assess the danger the child could face if he/she were reunified with his/her family also by the legal norms of international private law determining the jurisdiction of the civil courts in family law matters. For the Czech Republic the relevant document in this area are especially the Council Regulation (EC) No. 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No. 1347/2000 (hereinafter "the regulation Brussels II bis"), and the Convention of 19 October 1996 of Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children (hereinafter "the Hague Convention"). Article 11 (1) of the Hague Convention provide for that the authorities of the State in whose territory the Child is present have jurisdiction (and are therefore obliged to) take any necessary measures of protection. These measures of protection shall lapse, according to Article 11 (2) of the Hague Convention, as soon as the authorities which have jurisdiction under Article 5 to 10 have taken the measures required by the situation. In other words, both cited provisions make it clear that the State in whose territory the child is present is responsible for ensuring the protection of the child until it has the certainty that appropriate protection of the child is ensured by the State who should normally have the jurisdiction to deal with issues regarding the protection of the child and the care for the child.

The Ministry of Labour and Social Affairs that stays on the top of hierarchy of administrative authorities responsible for the protection of the child and is thus responsible for their methodological guidance published in 2016 the Methodological Recommendation no. 1/2016 for Local Authorities When Ensuring Public Protection of Unaccompanied or Separated Minors. In this Methodological Recommendation the Ministry introduced the scheme of assessment of the best interest of the child in the context of repatriation as this has been described by the UN Committee on the Rights of the Child in its General Comment no. 6. The

	<p>Methodological Guidance concretely mentions that authorities whenever considering possible repatriation of the child should assess (see CRC/GC/2005/6, para. 84):</p> <ul style="list-style-type: none">- the safety, security and other conditions, including socio-economic conditions, awaiting the child upon return, including through home study, where appropriate, conducted by social network organizations;- the availability of care arrangements for that particular child;- the views of the child expressed in exercise of his or her right to do so under article 12 and those of the caretakers;- the child's level integration in the host country and the duration of absence from the home country;- the child's rights "to preserve his or her identity, including nationality, name and family relations" (art. 8);- the "desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background" (art. 20)." <p>The Czech Republic is aware that the question of Lanzarote Committee does not concern the situation of repatriation of the child in his/her country of origin but in its view the same criteria should be assessed also when considering to reunify the child with his/her family in a third country. In addition, it is clear that the suspicion of sexual exploitation and sexual abuse play an important role when assessing the safety and security of the child in the country in which the child should be reunified with his/her family.</p> <p><u>Additional information sent on 10 May 2019:</u> If a child is found outside the Czech Republic, information about the child's situation can be obtained: (a) on the basis of a requested investigation [within the European Union under Article 55 of Regulation (EC) No 2201/2003 (Brussels IIa Regulation), outside the European Union under Article 32 of the 1996 Hague Convention on the Protection of Children]; (b) carrying out investigations through the International Social Service; (c) carrying out a consular visit in accordance with Article 36 paragraph 1 of the Vienna Convention on Consular Relations. According to the practical experience of the Office for International Legal Protection of Children, several methods are often used simultaneously.</p> <p><u>Additional information sent on 13 May 2019:</u> The situation of children in the Czech Republic, who are supposed to be reunited with their family living in another country, is part of the Methodology on Unaccompanied Minors which was published by the Ministry of Labour and Social Affairs. According to this methodology in cases of reunification of families it is always necessary to obtain maximum information on family, in particular on the family's ability to ensure appropriate care of the child. For that purpose, the cooperation with the embassy/consulate in the country of reunification could be used as well as cooperation with the Office for International Legal Protection of Children which can use its contacts with the similar institutions in other states. The reunification of an unaccompanied minor with his/her family can be only proceeded when it is in the best interest of the child.</p> <p><u>Further clarification on 4 June 2019:</u> The decision to reunify children to their family follows EU regulations: it is based on all available information on the family, obtained through internal or international cooperation, and assessed bearing in mind the best interest of the child.</p>
Denmark / Danemark	<p>The Danish Ministry of Immigration and Integration has provided the following information:</p> <p>As included in the Committee's Special Report from March 3rd 2017, the best interest of the child is a core element in family reunification cases. This is still the case in Denmark, when processing requests for family reunification.</p> <p>Moreover, the Danish National Police has provided the following information:</p>

The Danish National Police can inform that there has not been taken any specific measures to avoid risks that children are abused or exploited in case of family reunification in Denmark, besides the existing measures, also mentioned in the report, which aims to prevent neglect and dysfunctional family relations, including abuse and exploitation of children. These existing measures also include children, who have been reunified with their parents in Denmark.

The existing measures includes the statutory obligation, which states that all personnel in the public sector, including all personnel in the Danish police force, have to notify municipal authorities if they become aware of circumstances that give rise to the assumption that a child under 18 years may need special support or may have been exposed to any kind of abuse. This obligation to notify is meant to prevent any kind of abuse, neglect or exploitation of children on a very early stage.

The Danish National Police is currently revising the national guidelines to the police districts regarding notifications to municipal authorities about children under the age of 18. The revision of the guidelines shall among other things contribute to an increased focus on children's failure to thrive, including an increased focus on which indicators that may be relevant to be aware of when conducting police business and the possibilities to seek the social authorities' assistance.

In order to strengthen the above-mentioned system within the local police authorities the Danish National Police has developed and in some of the police districts recently implemented an IT-tool called "Socialsøg". This tool enables the local police authorities to collect and systemize a wide range of information that gives rise to a concern that a child are not thriving because of its parents' (criminal) behavior. The IT-tool facilitates that the local police authorities on a very early stage can notify the municipal authorities about parents' worrying behavior in situations, where the police authorities have no jurisdiction to react themselves. The tool will soon be implemented nationwide.

Children's House

As mentioned in the report Denmark has implemented so-called Children's Houses, which the social authorities are obligated to use if there has been a case, or merely a suspicion, of violence or sexual abuse of a child, including children, who have been reunified with their parents in Denmark. These Children's Houses facilitates that the children are being properly heard and dealt with by professionals, who are used to and trained to work and talk to children. The local police authorities are among other authorities represented at these facilities and cooperates with other authorities to co-ordinate and handle these cases; e.g. the local police can complete interviews with the children in a child-friendly environment.

Additional information sent on 12 April 2019:

As Denmark highlighted in the Committee's Special Report from 6 March 2017, the best interest of the child is a core element in family reunification cases. This means that the best interest of the child is central when the Danish Immigration Service deals with applications for family reunification.

If information in a case indicates that granting family reunification will not be of the child's best interests, the Immigration Service may request a statement from the local authorities where the reference (parent or caregiver) in Denmark resides on whether it would be obviously contrary to the child's best interest to grant family reunification. The statement is issued without consent of the reference or references referred to in the statement.

Also, if information in a case gives reason to believe that there is a conflict between the child's own desire and the parents' wish with regard to the question of family reunification, there may in very special cases be a need for a separate consultation of the child.

No residence permit will be issued to a child if the authorities assess that family reunification will be obviously contrary to best interest of the child.

In general, family reunification will also not be granted if the reference residing in Denmark has been convicted of one or more offences committed against underage children, including offences of sexual exploitation or sexual abuse. The same applies if the reference's spouse or cohabitant has been convicted of offences committed against underage children.

In the application process, the reference residing in Denmark is asked to sign a statement that he or she is not convicted of any offences against underage children. The same applies to the reference's spouse or cohabitant.

Unaccompanied minor asylum seekers

Unaccompanied minor asylum seekers can be transferred in order to be reunited with family members in cases where the minor has family members in countries, which have acceded to the Dublin Regulation (Member States). Transfer can also take place in cases where the unaccompanied minors receive a final rejection on their asylum application and must return to their family in the country of origin.

If an unaccompanied minor already has family in a Member State, it is assessed whether the minor can be transferred to that country under the Dublin Regulation to be reunited with these family members. Transfer can only be carried out if it is established that it is in the best interest of the child.

The assessment of whether a transfer under the Dublin Regulation is in the best interest of the minor is always based on an individual evaluation of all available information of relevance for the specific case, including the minor's own explanation, and information from family members and from the receiving country, etc.

If there is any information indicating a potential risk for the minor in case of transfer, this information will be thoroughly assessed.

It is possible to exchange information on family relationships with the potential receiving country under Article 6 (5) of the Dublin Regulation.

A personal representative is appointed to all unaccompanied minors as soon as possible. The personal representative shall support and guide the minor through the asylum process and is present during the minor's interviews with the authorities. If the representative is not present, an observer from the Danish Red Cross will be present to support the minor.

Prior to making a decision whether to transfer an unaccompanied minor, the minor and the personal representative will be invited to comment on the best interest of the child assessment.

If a transfer is considered to be in the best interest of the minor, the Danish Immigration Service will request the receiving Member State to take charge the case. The requested Member State will in that case make an assessment of their view on the case, including their take on the best interest of the minor.

If the requested Member State accepts to take over the minor's case and a transfer is still considered to be in the best interest of the minor, the Danish Immigration Service will make an assessment and determination of the best interest of the minor.

The assessment includes all information from the minor's case; including the minor's own opinion, and taking into account the minor's age and maturity.

If a transfer to another Member State is in the minor's best interest, but information exists on matters of concern related to the specific minor, the Danish authorities may, prior to a transfer, inform the receiving Member State of these matters of concern in order to ensure that appropriate measures can be taken by

	<p>the receiving Member State pursuant to Article 31 of the Dublin Regulation. Article 32 provides a broader opportunity for the exchange of health specific information; however that requires consent from the applicant.</p> <p>Decisions under the Dublin Regulation can be appealed to the Refugee Appeals Board, which also will conduct an assessment of the best interest of the minor. The minor, like adult applicants, can receive legal assistance from the Danish Refugee Council in connection with an appeal.</p> <p>Information that indicates the existence of a potential risk for the minor in case of transfer to their country of origin will be assessed thoroughly throughout the processing of the asylum application.</p> <p>If an unaccompanied minor receives a final rejection to his/her asylum application, the Danish Immigration Service will examine whether or not the minor can be granted a residence permit as an unaccompanied minor due to Section 9 c (3) (II) in the Danish Aliens Act.</p>
Finland / Finlande	<p>The Government notes that children's asylum applications must be accompanied with legalised documents proving the applicant child's family connection and custody relationship with the sponsor. Such documents include the child's birth certificate and possibly a separate child custody certificate.</p> <p>The sponsor's background is checked for instance from the police data system, and if necessary, social welfare authorities are requested to give an opinion on the best interests of the child. The Finnish Immigration Service may file a child welfare notification concerning child asylum seekers waiting for a decision on their applications in Finland.</p> <p>A child over 11 years of age is usually heard orally at a Finnish mission abroad or the Finnish Immigration Service to find out the child's family ties. The child's own wish to immigrate into Finland or to continue his or her stay in Finland is also taken into account in the decision. Moreover, if necessary, the reported person with custody of the child is heard orally at a Finnish mission to find out whether he or she in fact has custody of the child.</p> <p>If the child applies for asylum with only one parent or one person with custody of him or her, the other parent or person with custody of the child is requested to give their consent to the child's emigration. Whenever possible, the other parent or person with custody of the child is heard orally, which makes a separate consent unnecessary. These measures are aimed to ensure that one of the parents or persons with custody of the child is aware of the child's emigration into Finland.</p> <p><i>The Finnish Red Cross</i> notes that it takes care of the practical travel arrangements for a family reunification of refugees covered by the State's compensation for travel expenses after the Finnish Immigration Service has made a favourable decision and notified the Finnish Red Cross of it. It also provides information on the rules of family reunification. The Finnish Red Cross notes, furthermore, that it neither has access to the information used for examining the family situation, nor does it make the decision concerning family reunification.</p> <p>The Finnish Red Cross has noted, however, that in the case of a minor, his or her representative decides whether a tracing request is to be made to the Finnish Red Cross, and whether the request is to be maintained or terminated. All inquiries about tracing requests concerning minors are made through the representative. If some exploitation is noticed or other suspicions arise in connection with a tracing request, the Finnish Red Cross may search the right channel for supportive measures case by case.</p> <p><u>Additional information sent on 30 January 2019:</u> The Government has and is further taking measures to implement Recommendation 27 on the necessary measures to avoid risks that the child may be abused or exploited in case of family reunification. Children's asylum applications must be accompanied with legalised documents, proving the applicant child's family</p>

	<p>connection and custody relationship with the sponsor. Also the sponsor's background is checked for instance from the police data system, and if necessary, social welfare authorities are requested to give an opinion on the best interests of the child, which is also highlighted in the Analysis. It is important to note – as noted also in the Analysis - that the Finnish Immigration Service may file a child welfare notification concerning child asylum seekers waiting for a decision on their applications in Finland. A child over 11 years of age is usually heard orally at a Finnish mission abroad or the Finnish Immigration Service to find out the child's family ties. The child's own wish to immigrate into Finland or to continue his or her stay in Finland is also taken into account in the decision. If necessary, the reported person with custody of the child is heard orally at a Finnish mission to find out whether he or she in fact has custody of the child.</p> <p>As explained in the Government's reply, measures are taken also to ensure that one of the parents or persons with custody of the child is aware of the child's emigration into Finland.</p>
France	<p>La France dispose d'un cadre général de protection de l'enfance qui trouve évidemment à s'appliquer, quelle que soit la situation du mineur.</p> <p>Au titre de l'article L 411- 1 du CESEDA, il existe un droit de demande au regroupement familial. S'il est fait droit à cette demande, l'accueil est pris en charge par l'Office français de l'immigration et de l'intégration (OFII).</p> <p>Dès lors qu'il est porté à la connaissance d'un agent de l'Etat, en l'espèce possiblement l'OFII, ou toute autre personne, d'une information qualifiée de préoccupante (Article R226-2-2 CASF), le président du conseil départemental est chargé du recueil, du traitement et de l'évaluation de cette information (Article L 226-3).</p> <p>Une prise en charge par l'autorité judiciaire peut ensuite être envisagée (Article 375 Code civil).</p> <p>Article R226-2-2 CASF L'information préoccupante est une information transmise à la cellule départementale mentionnée au deuxième alinéa de l'article L. 226-3 pour alerter le président du conseil départemental sur la situation d'un mineur, bénéficiant ou non d'un accompagnement, pouvant laisser craindre que sa santé, sa sécurité ou sa moralité sont en danger ou en risque de l'être ou que les conditions de son éducation ou de son développement physique, affectif, intellectuel et social sont gravement compromises ou en risque de l'être. La finalité de cette transmission est d'évaluer la situation d'un mineur et de déterminer les actions de protection et d'aide dont ce mineur et sa famille peuvent bénéficier.</p> <p>Article L226-3 CASF Le président du conseil départemental est chargé du recueil, du traitement et de l'évaluation, à tout moment et quelle qu'en soit l'origine, des informations préoccupantes relatives aux mineurs en danger ou qui risquent de l'être. Le représentant de l'Etat et l'autorité judiciaire lui apportent leur concours. Des protocoles sont établis à cette fin entre le président du conseil départemental, le représentant de l'Etat dans le département, les partenaires institutionnels concernés et l'autorité judiciaire en vue de centraliser le recueil des informations préoccupantes au sein d'une cellule de recueil, de traitement et d'évaluation de ces informations. L'évaluation de la situation d'un mineur à partir d'une information préoccupante est réalisée par une équipe pluridisciplinaire de professionnels identifiés et formés à cet effet. A cette occasion, la situation des autres mineurs présents au domicile est également évaluée. Un décret précise les conditions d'application du présent alinéa. Après évaluation, les informations individuelles font, si nécessaire, l'objet d'un signalement à l'autorité judiciaire.</p>

Les services publics, ainsi que les établissements publics et privés susceptibles de connaître des situations de mineurs en danger ou qui risquent de l'être, participent au dispositif départemental. Le président du conseil départemental peut requérir la collaboration d'associations concourant à la protection de l'enfance.

Mesure subsidiaire : Le procureur de la République peut également recevoir un signalement qui lui est adressé directement par toute personne ou autorité.

Article 375 Code civil

Si la santé, la sécurité ou la moralité d'un mineur non émancipé sont en danger, ou si les conditions de son éducation ou de son développement physique, affectif, intellectuel et social sont gravement compromises, des mesures d'assistance éducative peuvent être ordonnées par justice à la requête des père et mère conjointement, ou de l'un d'eux, de la personne ou du service à qui l'enfant a été confié ou du tuteur, du mineur lui-même ou du ministère public. Dans les cas où le ministère public a été avisé par le président du conseil départemental, il s'assure que la situation du mineur entre dans le champ d'application de l'article L. 226-4 du code de l'action sociale et des familles. Le juge peut se saisir d'office à titre exceptionnel.

Elles peuvent être ordonnées en même temps pour plusieurs enfants relevant de la même autorité parentale.

La décision fixe la durée de la mesure sans que celle-ci puisse excéder deux ans. La mesure peut être renouvelée par décision motivée.

Cependant, lorsque les parents présentent des difficultés relationnelles et éducatives graves, sévères et chroniques, évaluées comme telles dans l'état actuel des connaissances, affectant durablement leurs compétences dans l'exercice de leur responsabilité parentale, une mesure d'accueil exercée par un service ou une institution peut être ordonnée pour une durée supérieure, afin de permettre à l'enfant de bénéficier d'une continuité relationnelle, affective et géographique dans son lieu de vie dès lors qu'il est adapté à ses besoins immédiats et à venir.

Un rapport concernant la situation de l'enfant doit être transmis annuellement, ou tous les six mois pour les enfants de moins de deux ans, au juge des enfants.

Informations complémentaires envoyées le 8 janvier 2019 :

Dans le cadre du second plan national (2019-2021) de lutte contre la traite des êtres humains, piloté par la MIPROF, l'accent est porté sur la sensibilisation des administrations consulaires afin de détecter en amont de tout regroupement des victimes de traite et d'abus.

Cette sensibilisation s'inscrit dans l'objectif général du second plan national de lutte contre la traite des êtres humains de formation des professionnels en contact avec des victimes de traite et d'abus. Il est envisagé d'établir une circulaire interministérielle pour établir des indicateurs, précis et communs, afin d'aider les professionnels à l'identification des victimes.

Informations complémentaires envoyées le 24 avril 2019 :

La circulaire interministérielle du 25 janvier 2016 relative à la mobilisation des services de l'Etat auprès des conseils départementaux concernant les mineurs privés temporairement ou définitivement de la protection de leur famille et les personnes se présentant comme tels (http://www.textes.justice.gouv.fr/art_pix/JUSF1602101C.pdf) est le texte de référence en la matière puisqu'elle préconise auprès des services concernés (dont le ministère de la Justice mais également le ministère de l'Intérieur) la procédure de recueil d'information concernant la famille du mineur concerné par un retour auprès de sa famille dans un autre Etat que celui où il est lui-même accueilli.

Le juge des enfants saisi de la situation d'un mineur non accompagné, le juge aux affaires familiales chargé de la tutelle de ce mineur ou le procureur de la République peuvent avoir recours aux mécanismes de coopération civile internationale, en passant par l'autorité centrale française, pour solliciter un rapport sur la famille susceptible de le recueillir dans l'Etat où elle-même se trouve (cf. circulaire précitée, en son annexe 3 qui indique aux magistrats la procédure à suivre).

Les instruments à mettre en œuvre sont, selon les Etats concernés, le règlement « Bruxelles II bis », pour les Etats de l'Union européenne, la convention de La Haye du 19 octobre 1996 sur la protection des mineurs, ou d'éventuelles conventions bilatérales.

Par ailleurs, il découle des articles 5 et 37 de la Convention de Vienne sur les relations consulaires du 24 avril 1963 en vigueur entre la France et 190 Etats, qui concernent la protection consulaire des mineurs, qu'il existe, à la charge des Parties, une obligation d'informer, sous certaines conditions, les consulats du pays d'origine de la situation de leurs ressortissants mineurs isolés. La circulaire rappelle cette obligation et invite à nouer des contacts avec les services consulaires du pays d'origine afin de faciliter l'établissement de documents d'identité et la reprise de contacts avec la famille (cf. annexe 9).

La circulaire, en son annexe 14, rappelle également que la prise en charge des mineurs étrangers par l'Aide sociale à l'enfance n'exclut pas la possibilité de recourir à l'aide au retour volontaire. En effet, le départ d'un mineur peut être décidé en accord avec le juge des enfants, dans le cadre d'un dispositif ayant pour objet une réunification familiale dans son pays ou dans un pays d'accueil. Pour être envisagé, ce regroupement familial doit être conforme à l'intérêt supérieur de l'enfant et fondé sur le volontariat. L'Office français de l'immigration et de l'intégration (OFII) intervient pour mettre en œuvre ce regroupement à tous les stades de sa réalisation, aussi bien en amont de l'embarquement, pendant le voyage, qu'en aval dans le pays d'accueil.

La circulaire préconise qu'en France, avant le départ, l'OFII engage les démarches en vue de l'organisation du voyage, après avoir été saisi d'une demande de rapatriement du magistrat. La demande du magistrat doit indiquer l'état-civil du mineur, les coordonnées de la structure en charge du mineur ainsi que, si possible, l'adresse dans le pays d'accueil. Après réception de la demande du magistrat, l'OFII doit procéder à :

- l'établissement des contacts avec la famille en vue de préparer le regroupement ;
- l'information des autorités consulaires du pays du mineur ;
- l'obtention du document de voyage pour le mineur démuné de passeport ;
- la réservation du billet d'avion pour le mineur et pour l'accompagnateur OFII ;
- la communication des dates de départ et des modalités pratiques arrêtées pour le transfert (ASE, magistrat, foyer d'hébergement, Protection judiciaire de la jeunesse) ;
- la saisine du magistrat aux fins de délivrance d'une ordonnance confiant le mineur à l'OFII le jour de son départ pour rejoindre sa famille.

Le jour du départ, l'OFII, veille à la prise en charge et à l'accompagnement du mineur dans le pays d'accueil, en s'appuyant sur ses représentations à l'étranger, en relation au préalable avec la famille présente ou l'organisme habilité dans le pays de destination. Après l'arrivée effective du mineur, l'OFII s'assure de la signature d'une décharge par la famille ou l'organisme habilité, et confirme l'arrivée effective du mineur isolé étranger aux acteurs concernés (Magistrat, ASE, foyer d'accueil, PJJ).

Sollicité par nos soins, l'OFII nous a néanmoins indiqué ne pas prendre contact directement avec la famille à l'étranger lors de la préparation au transfert du mineur.

Informations complémentaires envoyées le 10 mai 2019 :

Quelle que soit sa qualité (juge des enfants, juge des tutelles, juge aux affaires familiales), le juge saisi de la situation du mineur peut, s'il l'estime utile, avoir recours aux outils de coopération civile internationale pour solliciter des éléments sur l'environnement familial du mineur et sa capacité à le prendre en charge dans l'hypothèse d'un retour dans son pays d'origine.

Le juge pourrait ainsi solliciter l'autorité centrale française (le BDIP à la DACS) pour solliciter un rapport sur la famille susceptible de le recueillir dans son Etat d'origine (voir la circulaire sur les MNA du 25 janvier 2016, annexe 3 : http://www.textes.justice.gouv.fr/art_pix/JUSF1602101C.pdf).

Les instruments de coopération familiale à mettre en œuvre seraient, selon les Etats concernés, le règlement « Bruxelles II bis » pour les Etats de l'Union européenne, la convention de La Haye du 19 octobre 1996 sur la protection des mineurs pour les Etats signataires, ou d'éventuelles conventions bilatérales.

	<p>Les instruments relatifs à l’obtention de preuve internationale pourraient également être utilisés. Il s’agirait, selon les Etats concernés, du règlement n° 1206/2001 pour les Etats de l’Union européenne, de la convention de La Haye du 18 mars 1970 pour les Etats qui en sont signataires ou d’éventuelles conventions bilatérales. En l’absence d’instrument international, une commission rogatoire internationale pourrait également être ordonnée par le juge, qui serait adressée à l’Etat destinataire par voie diplomatique.</p> <p>La façon dont la réunification familiale se déroule est, cette fois aussi, la même que la famille réside dans son pays d’origine ou qu’elle réside dans un Etat Partie à la convention de Lanzarote.</p>
<p>Georgia / Géorgie</p>	<p>Under the Article 46 of the Law of Georgia on “International Protection” family reunification procedure for the unaccompanied minor is commenced immediately after granting international protection to her/him. While considering application on family reunification, the Best Interest of the Child is prioritized along with assessing family ties. As for the assessment of the Best Interest of the Child, state authorities take due account on the principle of family unity; well-being of the minor, protection of her/his health, safety and security, considering her/his maturity compared to her/his age. This procedure is devoted to avoid any possible risks of abuse or exploitation in case of family reunification.</p> <p>Accordinging the Child Protection Referral Mechanism, the social worker is authorised to assess whether a child is the victim of any type of violence and make a decision to remove the child from family or environment where the violence was committed.</p> <p><u>Additional information sent on 23 April 2019:</u> Social Service Agency which is the central unit of custody and care according to the CRC general principles requires assessment from the responsible agency of the state where the family of the child should be united.</p>
<p>Germany / Allemagne</p>	<p><i>Minimum Standard 2: Personnel and personnel management</i></p> <p><i>Raising awareness and training</i></p> <p>Depending on the target group, the following content and topics are to be covered:</p> <p>....</p> <ul style="list-style-type: none"> - the specific risks for women and children, women and children with disabilities and LGBTI* persons, of becoming victims of sexual violence or exploitation; - effective prevention and early detection of violence and exploitation; - adequate intervention when violence is suspected or has already occurred (everyone must be aware of the referral procedures and the existing cooperation agreements in various federal states on particularly vulnerable persons and cases of violence) and support opportunities for persons - affected by violence and/or exploitation and potential perpetrators; - dealing with violence among refugee and migrant children and adolescents, as well as in families and long-term relationships; (p15) <p><i>Minimum Standard 4: Prevention of and dealing with situations of violence and suspected violence/risk management</i></p> <p><i>Standardized procedures in cases of violence</i></p>

Every case of suspected violence, and every incidence of violence, is to be taken seriously and investigated. To this end, special procedures specific to the centre are to be developed for analysing and dealing with suspicions and indications of violence perpetrated by the staff (internal and external), by residents and by external third parties. (p 21)

I would like to draw attention once again to page 15 of the “Minimum Standards for the Protection of Refugees and Migrants in Refugee Accommodation Centres” published by UNICEF and the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, which we quoted in our answer: (<https://www.bmfsfj.de/bmfsfj/service/publikationen/mindeststandards-zum-schutz-von-gefluechteten-menschen-in-fluechtlingsunterkueften/117474>)

“The protection plan can only be effectively embedded in the organisational structure of the centre if ALL employees, volunteers and external service providers are adequately sensitized, receive an in-depth induction and continuous training.”

This training is also intended to cover the risk situation mentioned in recommendation R27. Here are some further excerpts:

“the specific background, living conditions and sex/gender-specific reasons for flight as well as risks and potential experiences of violence while fleeing their home country or at the refugee accommodation centre;”

“various forms/manifestations and dynamics of violence and the consequences of violence, especially the specific risks for particularly vulnerable groups of persons;”

“various forms/manifestations and dynamics of violence and the consequences of violence, especially the specific risks for particularly vulnerable groups of persons;”

“the specific risks for women and children, women and children with disabilities and LGBTI* persons, of becoming victims of sexual violence or exploitation;”
“effective prevention and early detection of violence and exploitation;”

“adequate intervention when violence is suspected or has already occurred [...] and support opportunities for persons affected by violence and/or exploitation and potential perpetrators;”

“dealing with violence among refugee and migrant children and adolescents, as well as in families and long-term relationships;”

“designing or planning child-friendly spaces and services;”

“supporting and involving parents;”

In our view, the passages “as well as in families” and “involving parents” in particular show that the training must include the identification and prevention of abusive situations within the family.

Additional information sent on 26 February 2019:

Unaccompanied foreign minors (FUMs) who arrive in Germany alone, i.e. without their families or a person having parental authority, constitute a group of persons meriting particular protection. In the absence of persons having parental authority, the local municipalities take charge of ensuring that the FUMs are

housed, cared for and looked after in a manner conducive to the children's welfare. This is assured by the overriding priority accorded to child and youth welfare, by which it is also ensured that the needs of unaccompanied minors are met. Book VIII of the Social Code (Sozialgesetzbuch VIII) serves as the legal framework given precedence before all other statutory norms when it comes to guaranteeing child welfare. During the temporary assumption of custody pursuant to Section 42a of the Social Code (SGB VIII), the FUM's family relationships are cleared up in a one-on-one interview with the FUM, along with other matters, as part of a so-called 'clearance process.' In this context, the reunification of the FUM's family, respectively maintaining the unit of the family, is accorded very high priority. However, the Youth Welfare Office (Jugendamt) is to work towards family reunification only if this would actually serve the child's welfare. Thus, family reunification is to be avoided in all cases where this would endanger the child's well-being. As a consequence, the specialists working in child and youth services review the scenarios with great care. The child or adolescent must be duly involved in making the decision regarding family reunification and the transfer of custody (cf. in particular Section 42a (5), second and third sentences of the Social Code (SGB VIII)).

Additional information sent on 8 April 2019:

During this early stage of the proceedings, it should be evaluated whether the possibility of a swift family reunification exists. Reunification with a relative should not occur if it would lead to an endangerment to the child's best interests and the risk cannot be averted in another manner (e.g., in the case of a planned forced marriage of a minor girl). This is consistent with the preconditions of sections 1666, 1666a of the German Civil Code (Bürgerliches Gesetzbuch – BGB), which requires the family court to undertake measures to protect the child, including removal from his or her parents, in order to avert dangers to the child's best interests. Endangerment to the child's best interests within the meaning of section 1666 (1) BGB means a current danger that is present to such an extent that if things continued to develop, considerable damage could be predicted with certainty. The point at which the boundary is breached and the child's best interests are endangered must be determined on a case-by-case basis, taking into account the respective specific circumstances. The competent Youth Office is to assess the risk of endangerment pursuant to section 8a (1), first sentence of the Eighth Book of the Social Code (SGB VIII) in cooperation with several experts as soon as the Youth Office is made aware of weighty indications that an endangerment is present. Application of SGB VIII and therefore also the assessment of whether an endangerment to the child's best interests exists is a task for the Länder pursuant to Articles 30 and 83 of the Basic Law.

Additional information sent on 16 April 2019:

Irrespective of whether the family of the unaccompanied minor lives in Germany or in another country, it will – as a general rule – always be assumed that restoring the family unit, i.e. reuniting the child with his/her parents/family will be in the best interests of the child. Other considerations will apply only if the particular circumstances of the case – e.g. as gleaned from comments made by the minor him/herself – suggest that such reunification would seriously jeopardise the child's best interests. This may be the case, for example, if the minor objects to the reunion him/herself and expresses concern that he/she will be sexually abused, physically ill-treated or forcibly married in the case of family reunification. In these cases the family court will examine whether the parents should be stripped of parental custody (section 1666 et seqq. of the Civil Code).

Additional information sent on 3 May 2019:

The German authorities are of course in charge of deciding whether or not a family reunification takes place.

Rejection by the child itself is only one possible reason for denying family reunification. In any event, the German authorities check the child's statements regarding his/her family for plausibility.

Other additional indications of possible family abuse scenarios which could lead to the rejection of the family reunification include suspicious injuries, severe mental harm or (confirming) reports from other refugees or friends of the affected child.

In family reunification cases with an international dimension involving family members who are minors, there is a fundamental requirement to have the local child and youth welfare authorities first review whether the adult relatives are in fact suited and prepared to take good care of the minors concerned. The International

	<p>Social Service [Internationaler Sozialdienst – ISD] advises the child and youth welfare services on all matters related to the child’s best interests, including the issues of family reunification and the protection of unaccompanied refugee children and young people. The German branch of the International Social Service is part of an internationally active non-governmental organisation. The International Social Service has around 120 partners worldwide with whom it works closely. On the subject of family reunification, the ISD provides legal information to those seeking advice on socio-educational issues, and engages in networking with the relevant actors in each specific scenario. Furthermore, by obtaining social reports from other (EU) countries the ISD can assist in the review of relatives and pass on child protection notifications.</p> <p>In addition, on the basis of Article 55 of the Brussels IIa Regulation, as well as Article 32 para. 1 and Article 34 of the Hague Child Protection Convention, the competent child and youth welfare authorities have the possibility of obtaining social reports on the current family situation in the foreign country in order to prepare for a family reunification, and can also exchange information relevant to the protection of the child. If there are suspicions that the child’s best interests are in danger, protection notifications can be issued to the competent foreign authorities.</p>
<p>Greece / Grèce</p>	<p>The National Dublin Unit of the Asylum Service developed a new tool for the Best Interest Assessment (BIA) of UAM’s aiming to facilitate the family reunification requests under Dublin Regulation 604/2013/EU (with the contribution of UNHCR, UNICEF and EASO).</p> <p>The purpose of this tool is to gather all the necessary information required by member states when assessing family reunification cases of UAMs (http://asylo.gov.gr/en/?page_id=81)</p> <p>Additionally, according to Law 4540/2018, the General Directorate for Social Solidarity of the Ministry of Labour, Social Security & Social Solidarity is designated as the Responsible Authority for the protection of unaccompanied minors. Among others, the Responsible Authority should conduct a family search on behalf of the unaccompanied minors with the assistance of verified Organizations, as soon as a relevant request is made. The Responsible Authority is now working on the procedures and the mechanism to be followed, in order to safeguards the children’s best interests.</p> <p><u>Further clarification on 4 June 2019:</u> The decision to reunify children to their family follows EU regulations: it is based on all available information on the family, obtained through internal or international cooperation, and assessed bearing in mind the best interest of the child.</p>
<p>Hungary / Hongrie</p>	<p>Section 2 k) of Act LXXX of 2007 on Asylum determines the categories of persons requiring special treatment, including among them the victims of sexual violence. While carrying out each asylum procedure, it shall be examined whether the person falls under any of the category to be regarded as a person requiring special treatment.</p> <p>Regarding the issue, we would also like to refer to the provisions of section 33 of Government Decree no. 301/2007 (XI. 9.) on the implementation of Act LXXX of 2007 on Asylum, according to which the unity of the family has to be maintained, where appropriate and possible, even during the separate placement of a person requiring special treatment. Throughout reception, the measures should primarily be taken in a way that the best interest of the child applying for protection is taken into consideration, this is a subjective matter, thus it shall be examined on a case by case basis, and can give reason to omit uniting the family, if necessary. During the placement in the reception centre, children have to be provided with meals, clothing, mental health care, medical care, safekeeping and education which are suited for the age, health condition and other needs of the children and which help their physical, mental, emotional and moral development. On the basis of the relevant legislation on child protection, unaccompanied minor applicants are placed in child protection institutions, if they are recognized as minors by the asylum authorities. The designated accommodation for unaccompanied minors can be changed only in exceptional cases and only with regard to the interest of the unaccompanied minor. During the placement of an unaccompanied minor, the unity of the family has to be maintained by the joint placement of siblings, having regard to their age and maturity. To provide children who were victims of rape, serious neglect, exploitation, torture, inhuman or degrading treatment or who suffered trauma during an armed conflict should be provided with adequate rehabilitation, or in case of need, mental health care and advisory</p>

	<p>service, therefore, the Immigration and Asylum Office notifies the competent healthcare institutions and, in case of unaccompanied minors, the competent child protection institutions.</p> <p><u>Additional information sent on 11 April 2019:</u> If the asylum authority or the reception system operated thereby is officially notified of or observed itself that reuniting the unaccompanied minor with their parents or legal representatives would endanger the best interest of the child, the asylum authority should consult the child protection authority and the asylum authority of the receiving Member State before the reunification. Within the framework of such cooperation with the national and foreign authorities, the main task is to evaluate the possible physical and mental development of the child.</p>
Iceland / Islande	<p>According to Art. 69 of the Law on Foreigners no. 80/2016 family reunification in Iceland cannot take place if the applicant (parent or custodian, relatives etc) has violated Chapter XXI – XXIV of the Criminal Code which includes all crimes related to sexual abuse and sexual exploitation. With regard to family reunification abroad, the above mention Act on Foreigners stipulates that a child cannot be returned unless an assessment of the best interest of the child has been carried out (Art 102). The assessment is made by the Directorate of Immigration in collaboration with the Government Agency for Child Protection and, if needed, by the collaboration of the National Police with Europol/Interpol or other international agencies. If such a decision of return is made on the basis of the principle of family reunification, the appropriate authorities in the country of origin would be involved and assume the responsibility to ensure the safety of the child on return.</p>
Italy / Italie	<p>In the asylum procedures and in family reunification procedures whenever the child manifests signs of uneasiness in relation to his/her family, inquiries are conducted to verify the presence of any kind of abuse by the family.</p> <p><u>Additional information sent on 9 April 2019:</u> Concerning the family reunification abroad, the new legislation on unaccompanied foreign children (law 47/2017) provides that the Juvenile Court is responsible for the procedure (before the competence was entrusted to the General Directorate of immigration of the Ministry of Labour).</p> <p>The law also provides (art. 8) that the measure of repatriation of the unaccompanied child must be voluntary (the child’s consent is therefore essential) and must be adequately assisted. The repatriation measure can only be adopted "if the reunification with his or her family in the country of origin or in a third country corresponds to the best interests of the child, by the competent Juvenile Court, after hearing the child and the guardian and considering the results of family investigations in the country of origin or in a third country and the report of the competent social services on the situation of the child in Italy".</p> <p>Family investigations in the countries of origin are carried out by the IOM - International Organization for Migration. The family investigation is carried out by IOM staff directly at the residence of the family of the minor, after the necessary telephone contacts. For the carrying out of family surveys, IOM adopts a qualitative methodology, which includes field missions aimed at meeting families in their living and relational environment, and at analyzing the economic and social characteristics of the local context, with particular attention to both resources and positive aspects, as well as any limits and risk factors expressed by the context of origin of the child.</p> <p>Following the indications of the Juvenile Court, the IOM then carries out family investigations and evaluations in the countries of origin or residence of the family and reports the results to the court. The court then adopts the measure when the reunification with his or her family in the country of origin or in a third country corresponds to the best interests of the child, after hearing the child and the guardian and taking into account the results of family investigations in the country of origin.</p> <p><u>Additional information sent on 26 April 2019:</u> Regarding the possible risks of sexual exploitation or sexual abuse of the child prior to reunification - no specific procedures in case of family reunification taking place in Italy are carried out in our country, unless parents have already received some judiciary measures or are in charge of social services. This mean that Italian</p>

<p>Replies by / Réponses de Missing Children Europe / SOS Il Telefono Azzurro Onlus</p>	<p>authorities check whether the family meets all the requirements envisaged for reunification and assess possible risks of sexual exploitation or sexual abuse of the child by the family (who lives in Italy), prior to reunification of that child to his/her family, just in the specific situation of a suspected or proven case of sexual abuse or exploitation of the child.</p> <p>So, it's absolutely correct that, in Italy, in family reunification procedures whenever the child manifests signs of uneasiness in relation to his/her family, inquires are conducted to verify the presence of any kind of abuse by the family. According to this, I will try in the next few text to explain to You what types of inquires these are, answering to Your request about what measures are in place to avoid risks that unaccompanied children are sexually abused or exploited in case of family reunification.</p> <p>So, in Italy, the procedure for family reunification of children is the same for both Italian citizens and unaccompanied foreign children. It consists of a request to the competent authorities (immigration office of the Police) by the family in which the applicant must prove that he has got a residence permit for study, work or other family reasons or because he has obtained the asylum, or is in possession of a permanent or temporary employment or even self-employed. Usually, the visa for reunification of a child is issued taking into account these documents but the Police may do, if it deems it appropriate or if it is at the expense of the applicant, a further territorial investigation, directly investing the social services in the territory.</p> <p>Once the child is placed in the territory he is the beneficiary of all the interventions for the protection reserved for children; therefore, in case of suspected abuse or maltreatment, after having heard the child, an appropriate report is made to the ordinary and juvenile prosecutor, who opens the investigation procedure through the police judicial and can instruct the territorial services to carry out specific social-family investigations (which can also include home visits and checks with the school or other institutions attended by the child). If the prosecution deems a hypothesis of a sexual crime to be probable, the ordinary court opens criminal proceedings, while the juvenile court opens a voluntary jurisdiction procedure to protect the child (e.g. possible limitation or forfeiture of parental responsibility).</p> <p>.....</p> <p>.....</p> <p>The introduction of the legal guardian represents an important innovation in the safeguard of unaccompanied minors from violence and abuse, however it also has its own critical aspects. The legal tutor is defined as "an independent person who safeguards a child's best interests and general well-being, and to this effect complements the limited legal capacity of the child". In Italy, the guardianship's figure is assumed as a voluntary and not remunerated collaboration. The selection and training of the volunteer guardians are set up by Regional Offices for Childhood and Adolescents. Once the selection and training processes are performed, the volunteer tutors are listed in an 'ad-hoc' national database, which can be consulted by institutions in-need for finding the specific persons. The outcomes of the selection process are then published on the Regional Ombudsmen's websites.</p> <p>The designation of the legal guardian is then formalized by the Juvenile Court. The guardian should ensure that the child is well informed and legally assisted, that their best interests are properly assessed, crucially, with the child's active participation. The strongest motivation why the legal guardian figure has been debated a lot lately, comes from the lack of selection and training necessities to become an eligible legal tutor: these procedures don't seem to be appropriated, and are accompanied by a significantly dysfunctional bad timing. Legal guardian's tasks and responsibilities seem to be often confused with the ones of others actors involved in the UAMs integration system, so when this new figure colludes with the other ones, can emerge discrepancies and overlaps.</p>
<p>Latvia / Lettonie</p>	<p>In accordance with Section 54, Paragraph two of the Asylum Law an unaccompanied minor who has been granted international protection and who is not married has the right to receive the mother and father who have arrived from a foreign country. While in accordance with Clause 12.7 of the Cabinet Regulation No.564</p>

„Regulations Regarding Residence Permits” of 21 June 2010, sponsorship to family reunion shall be submitted by legal representative of a minor, if opinion is received from the Orphan's Court that it is in the minor's interest.

In accordance with **Section 7, Paragraph five of the Asylum Law**, if the application is submitted by an unaccompanied minor, the Orphan's and Custody Court together with the social service office of the local government, the State Border Guard, and the Office of Citizenship and Migration Affairs shall take measures to look for family members of the minor and ascertain the possibilities of returning such person to family.

In accordance with provisions of **Section 9, Paragraph six of the Asylum Law**, in evaluating the best interests of the child, the Orphan's and Custody Court shall take into account the possibility of family reunification of the minor, the welfare and social development of the minor, particularly his or her origin, protection and safety considerations, especially the probability that the minor is a victim of human trafficking, and also the interests and opinion of the minor according to his or her age and maturity.

In order to ascertain the reasons for asylum, in accordance with provisions of **Section 25 of the Asylum Law**, the State Border Guard, in conducting an initial interview, and the Office of Citizenship and Migration Affairs, in conducting a personal interview, shall ensure that it takes place without the presence of family members of the asylum seeker (unless any objective conditions, due to which it is necessary). Interviews shall take place guaranteeing confidentiality, conducted by officials who are sufficiently competent to take into account the personal and general circumstances or vulnerability of the asylum seeker, with unaccompanied minor asylum seekers they are conducted in the presence of a legal or appointed representative, with a minor asylum seeker it takes place in a way appropriate for children. Interviewers have acquired knowledge and skills in work with children and how to identify possible violence or trafficking in human beings, e.g., inquiry in an appropriate way taking into account child's age and using internationally recognised methods (EASO Training modules). Also it is important to sustain friendly and welcoming environment. Gender of the interviewer and interviewee is also taken into account when organizing the interview and asylum seeker (representative) has rights to change the interviewer. If necessary, the State ensures and funds translation. If it is necessary to procure translation for less widespread language, the confidentiality of the interview is ensured.

The application of all the conditions covered by this Asylum Law in practical work shall ensure that the asylum procedure identifies cases of suspected sexual abuse or violence against children.

If there is a suspicion that unaccompanied minors are victims of human trafficking or suffered from sexual abuse or sexual violence, the State Police shall be immediately involved. Accordingly, a child may receive assistance and protection, regardless of whether a person is an asylum seeker, refugee or has obtained an alternative status.

Moreover it should be noted that officials of the State Border Guard and of the Asylum Affairs Division of the Office of Citizenship and Migration Affairs have learned several training modules of the European Asylum Support Office, such as “Child Interviews”, “Interviews of specially vulnerable persons”. In November and December of the last year, the employees have learned the module on human trafficking and are therefore prepared to recognize cases of risk of child sexual abuse or violence against the child. Employees of both the Asylum Affairs Department and the Asylum Seekers Accommodation Centre have attended seminars on the Child Rights Protection System and are informed of what measures have to be taken and what institutions should be informed and involved in cases where there are concerns about sexual exploitation of children or violence against them.

Officials of the State Border Guard, the Office of the Citizenship and Migration Affairs, the State Inspectorate For Protection Of Children's Rights and the Legal Aid Administration have developed their knowledge in the workshops organised within the framework of the project by the State Border Guard “Identification of the need for protection in the event of the arrival of groups (massive) and communications at border crossing points”, “Identification and working with more

vulnerable asylum-seekers”, “The latest developments in the field of asylum”, “Plan for interviews of the asylum seekers, interruptions and collection of the results”, for which implementation representatives of the United Nations High Commissioner for Refugees have been involved.

Additional information sent on 20 December 2018:

Evaluating this recommendation, Latvia has come to the conclusion the existing legislative framework is appropriate to recognise and prevent cases when child may be abused or exploited in case of family reunification. Therefore, now Latvia, taking into account the significance and relevance of the recommendation, focuses more on practical implementations and trainings for those officials that work with asylum seekers and refugees. For example, practitioners have learned several training modules of the European Asylum Support Office, such as “Child Interviews”, “Interviews of especially vulnerable persons”. In addition, training on human trafficking has taken place therefore practitioners are more prepared to recognize cases of risk of child sexual abuse or violence against the child.

Additional information sent on 9 April 2019:

According to Section 6, Paragraph six of the Asylum Law during the asylum procedure the personal and property relations of the unaccompanied minor shall be represented by the Orphan's and Custody Court or a guardian appointed thereby, or the head of a child care institution. Section 7, Paragraph fifth of this law establish, that if the application is submitted by an unaccompanied minor, the Orphan's and Custody Court together with the social service office of the local government, the State Border Guard, and the Office of Citizenship and Migration Affairs shall take measures to look for family members of the minor and ascertain the possibilities of returning such person to family. The Orphan's and Custody Court shall immediately decide on appointing a guardian for the unaccompanied minor. The Orphan's and Custody Court shall take a decision to appoint a guardian, finding out the opinion of the Office of Citizenship and Migration Affairs. Primarily an unaccompanied minor shall be provided care with a guardian or a foster family.

According to Section 54 of the Asylum Law a refugee or a person having acquired alternative status has the right to reunite with family members who are in foreign countries. An unaccompanied minor who has been granted international protection and who is not married has the right to receive the mother and father who have arrived from a foreign country. In accordance with provisions of Section 9, Paragraph six of the Asylum Law, in evaluating the bests interests of the child, the Orphan's and Custody Court shall take into account the possibility of family reunification of the minor, the welfare and social development of the minor, particularly his or her origin, protection and safety considerations, especially the probability that the minor is a victim of human trafficking, and also the interests and opinion of the minor according to his or her age and maturity.

According to Section 54, Paragraph 5 of the Law On Orphan's and Custody Courts, if the parents of a child are not known or a child is a foundling, the Orphan's and Custody Court, in the territory of operation of which the child has been found, shall take a decision on out-of-family care of the child.

Whereas Section 74 of the Law on the Protection of the Children's Rights establish that if in accordance with international or national law a child is a refugee or a person to whom has been granted alternative status, the child shall receive protection and assistance irrespective of whether the child is together with parents or other adults or alone in accordance with the Asylum Law. The Orphan's and Custody Court together with the local government social service office and immigration institutions shall carry out measures to find the parents of a child and to determine what possibilities there are for the child to return to his or her family. If it is not possible to find the parents of a child, the refugee child and the child to whom has been granted alternative status shall be provided with the same care as any other child who has been left without parental care.

The legal procedure by which the family reunification of a refugee or a person to whom the alternative status or temporary protection has been granted in the Republic of Latvia are set out in the Cabinet Regulation No.564 „Regulations Regarding Residence Permits” of 21 June 2010 (notably - section IV “Additional Documents for a Request of a Residence Permit if Residence is related to Family Reunification”) (the Cabinet Regulations: <https://likumi.lv/ta/en/en/id/212441-regulations-regarding-residence-permits>). According to Clause 12.7 documents for the approval of a sponsorship to family reunion shall be submitted by legal

representative of a minor, if opinion is received from the Orphan's and Custody Court that it is in the minor's interests. According to Clause 13 documents for the drawing up of a sponsorship shall be submitted to the Office of Citizenship and Migration Affairs. After that the Office of Citizenship and Migration Affairs take formalities to ensure the reunification of the family. A person's affinity is also being tested. The procedure for the approval of the invitation referred to in Clause 12 of the Regulations Regarding Residence Permit is prescribed in the law "Procedures for Approval of Invitations and Drawing up of Written Requests". We would like to draw attention to the fact that the framework of Latvian legislation is drafted in accordance with the Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification.

With regard to ensuring the best interests of children, Section 6 of the Protection of the Children's Rights establish that in lawful relations that affect a child, the rights and best interests of the child shall take priority. In all activities in regard to a child, irrespective of whether they are carried out by State or local government institutions, public organisations or other natural persons and legal persons, as well as courts and other law enforcement institutions, the ensuring of the rights and interests of the child shall take priority.

To ensure the best interests of the child in this process, the State Inspectorate For Protection Of Children's Rights in cooperation with The State Border Guard, has developed guidelines on "Ensuring representation of unaccompanied minors and unaccompanied asylum seekers and on cooperation between the authorities involved", which have been sent to all the Latvian Orphan's and Custody Courts for observance and use (Guidelines in Latvian language: http://bti.gov.lv/lat/barintiesas/metodiskie_ieteikumi_/?doc=5339). The purpose of the Guidelines is to establish an effective unaccompanied minor protection system and to develop practical co-operation between institutions performing procedural activities. The main objectives of these guidelines are:

- 1) to raise awareness of the need for unaccompanied minor protection, depending on the status of the minor;
- 2) to develop common standards of protection;
- 3) find long-term solutions
- 4) to promote cooperation between the institutions involved.

According to the legal provisions in Latvia, to ensure the rights of unaccompanied minors (for the granting of status; of representation; of the health care; of to the accommodation; of education, etc.) is the responsibility of a number of public administrations, including the Orphan's and Custody Court, and is to be implemented through cooperation between these authorities.

The Orphan's court plays a major role in ensuring the best interests of children in the process of family reunification as the appointment of a guardian or legal representative is the main guarantor of the protection of the child if the child is temporarily or permanently separated from the parent.

According to the guidelines, the role of the Orphan's court as a minor's representative is important because the function of the Orphan's court is to provide support and assistance to an unaccompanied person and to represent him, to ensure the best interests and needs of the child, to exercise the child's legal capacity. Thus, when exercising the duty of the legal representative, the Orphan's Court must participate in the unaccompanied minor's interview and the adoption of the specific procedural decisions, as well as in procedural measures following and in discussions with the minor, as well as to represent the unaccompanied minor in court and to participate, if possible, in all other procedural activities. It should be noted, that the State Border Guard is not entitled to question unaccompanied minor, to inspect his or she's property, to draw up a detention report, etc. without the presence of the Orphan's and Custody court as the legal representative of the child.

As mentioned in the previous information submitted, interviews shall take place guaranteeing confidentiality, conducted by officials who are sufficiently competent to take into account the personal and general circumstances or vulnerability of the asylum seeker, with unaccompanied minor asylum seekers they are conducted in the presence of a legal or appointed representative, with a minor asylum seeker it takes place in a way appropriate for children. Interviewers

have acquired knowledge and skills in work with children and how to identify possible violence or trafficking in human beings, e.g., inquiry in an appropriate way taking into account child's age and using internationally recognised methods (EASO Training modules). Also, it is important to sustain friendly and welcoming environment. Gender of the interviewer and interviewee is also taken into account when organizing the interview and asylum seeker (representative) has rights to change the interviewer. If necessary, the State ensures and funds translation. If it is necessary to procure translation for less widespread language, the confidentiality of the interview is ensured. Moreover, it should be noted that officials of the State Border Guard and of the Asylum Affairs Division of the Office of Citizenship and Migration Affairs have learned several training modules of the European Asylum Support Office, such as "Child Interviews", "Interviews of specially vulnerable persons". In November and December of the last year, the employees have learned the module on human trafficking and are therefore prepared to recognize cases of risk of child sexual abuse or violence against the child. Employees of both the Asylum Affairs Department and the Asylum Seekers Accommodation Centre have attended seminars on the Child Rights Protection System and are informed of what measures have to be taken and what institutions should be informed and involved in cases where there are concerns about sexual exploitation of children or violence against them. Officials of the State Border Guard, the Office of the Citizenship and Migration Affairs, the State Inspectorate For Protection Of Children's Rights and the Legal Aid Administration have developed their knowledge in the workshops organised within the framework of the project by the State Border Guard "Identification of the need for protection in the event of the arrival of groups (massive) and communications at border crossing points", "Identification and working with more vulnerable asylum-seekers", "The latest developments in the field of asylum", "Plan for interviews of the asylum seekers, interruptions and collection of the results", for which implementation representatives of the United Nations High Commissioner for Refugees have been involved.

We would like to point out that the minor in this process has the following rights and guarantees: to contact his national diplomatic authority; to receive free legal assistance; to get acquainted with the decision of the detention with the help of a representative; to communicate in a language that a minor understands or should reasonably understand (if necessary, an interpreter is provided); to receive nutrition, first-aid and hygiene items during accommodation; to health services for accommodation time; to be heard during the applicable procedures; to be introduced to the procedural decision (the translation is provided in a language he understands or should understand); the right to appeal against procedural decisions; the right to education; the right to health care. According to the national legislation and guidelines mentioned before, the special needs of the child is taken into account in all decisions and actions relating to the child.

An unaccompanied minor is entitled to apply for a voluntary return and reintegration support program provided by the International Organization for Migration.

According to Section 9 of the Asylum Law an unaccompanied minor shall be accommodated at the accommodation centre for asylum seekers, placed in a childcare institution or in a foster family. A decision to accommodate an unaccompanied minor at the accommodation centre for asylum seekers, placement in a childcare institution or in a foster family shall be taken by the Orphan's and Custody Court in co-operation with the social service, by ascertaining the opinion of the Office.

An unaccompanied minor is accommodated at the accommodation centre for asylum seekers or childcare institution until the moment when he or she is ensured appropriate care with a guardian or in a foster family, or it is established that appointing of a guardian or placement in a foster family is not appropriate for the particular unaccompanied minor. In evaluating the best interests of the child, the Orphan's and Custody Court shall take into account the possibility of family reunification of the minor, the welfare and social development of the minor, particularly his or her origin, protection and safety considerations, especially the probability that the minor is a victim of human trafficking, and also the interests and opinion of the minor according to his or her age and maturity, inconformity with the following conditions:

- 1) an unaccompanied minor shall be accommodated together with adult relatives;
- 2) children from one family shall not be separated, except in cases where it is done in the best interests of the children;
- 3) the place of accommodation of an unaccompanied minor shall only be changed if it conforms with the interests of this person.

A minor asylum seeker is provided with opportunities for acquiring education in the official language in a State or local government educational institution. The Cabinet shall determine the procedures by which a minor asylum seeker shall be provided with opportunities for acquiring education. Expenses of a local

government incurred in accommodating an unaccompanied minor in a foster family, the remuneration for the fulfilment of a foster family duties, as well as the benefit for the dependent child and the allowance for the purchase of clothing and soft furnishing disbursed in the amount provided for in the binding regulations of the local government, shall be covered from the State budget funds granted for this purpose to the Ministry of Welfare for the current year. If an unaccompanied minor has started acquisition of basic education or general education and continues it after attaining 18 years of age, and is accommodated at a childcare institution or in a foster family, the State shall reimburse the expenses to the local government for accommodating such person at the childcare institution or in the foster family until the end of such study year when the person has attained legal age.

According to Section 11 of the Asylum Law, an asylum seeker has the right to, in accordance with the procedures laid down in the laws and regulations to receive emergency medical assistance, primary health care, outpatient and inpatient psychiatric assistance in case of serious mental health disorders, and also any medical assistance to minors, non-provision of which may pose a threat to the development and health of the child, from the State funds, taking into account the special reception needs of the asylum seeker. The Orphan's and Custody court, the guardian, the head of the childcare institution, when performing the function of the legal representative of the minor, shall, if necessary, take steps to ensure the receipt of the medical assistance to the minor, bringing the child to the relevant medical specialist.

If accompanied minor's nationality or the country of residence is identified, the State Border Guard, through the Consular Department of the Ministry of Foreign Affairs, shall contact the diplomatic or consular representation of the country concerned, the relevant competent authorities or non-governmental organizations protecting the rights of the children, and takes other necessary measures to ensure the execution of the expulsion order or decision on forced return and the transfer of an unaccompanied minor to a family member, a legal representative of the parents, a representative who supervises the rights of the child in that country, or a representative of the institution providing placement of the child in an appropriate reception institution.

In conclusion, in compliance with the guidelines mentioned before, with regard to the measures to be taken by the Orphan's and Custody Court, it should be noted that the Orphan's and Custody Courts must participate in ensuring the representation of minors and related duties in order to ensure a harmonized implementation of the system of protection of the rights and interests of minors.

Additional information sent on 18 April 2019:

Latvia would like to draw attention to the fact that the institutions involved in the field of this matter have comparatively little practical experience with the return of minors to the family. Practical cases have only occurred to the member states of the European Union, therefore all activities were carried out in accordance with Regulation No 604/2013 of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), in particular the regulations set out in Article 6 on guarantees for minors.

In order to reunite a minor with family members, procedural steps are taken in both participating Member States to find out the opinions of the family members and the best interests of the child. If one of the parties has reasonable doubts, that there is some kind of threat to the best interests of the child, it shall inform the responsible services of the other State.

An unaccompanied minor is appointed a representative (an Orphan's and Custody court representative) who clarifies the child's opinion (if necessary, organizes consultations with psychologists, etc.) and who gives conclusion on whether the return of the child to his/her family is in the best interests of the child. Based on this conclusion, the responsible services decide for further actions regarding the case.

According to the Border Guard Law, one of the tasks of the Border Guard is to control how the regulations regarding the entry, residence, exit and transit of foreigners in the territory of the Republic of Latvia are observed, as well as within the scope of their competence to perform the activities provided for in the Asylum Law, consequently, the State Border Guard in accordance within the Immigration Law, documents and controls the entry and residence of foreigners in the Republic of Latvia.

According to Immigration Law the State Border Guard, on detecting a minor foreigner who is not accompanied by a parent or his or her legal representative and whose staying in the Republic of Latvia is illegal, shall without delay inform the State Police and the Orphan's and Custody court and shall act in such a way as to ensure the child's rights and interests during the whole removal process in accordance with the laws and regulations governing the protection of the rights of the child. In addition, according to the Vienna Convention on Diplomatic Relations, Latvian law authorities immediately have to provide information on detected minors to the embassy of the country concerned.

If a minor foreigner's, who is not accompanied by a parent or his or her legal representative, identity and nationality or country of residence is identified, the State Border Guard, through the Consular Department of the Ministry of Foreign Affairs, contacts the diplomatic or consular representation of the country concerned, the relevant competent authorities or non-governmental organizations, which monitor children's rights in this country, and to take the necessary measures to ensure that a minor foreigner who is not accompanied by a parent or his or her legal representative is transferred to family members, a legal representative of the parents, a representative who supervises the rights of the child in that country, or a representative of the institution providing placement of the child in an appropriate reception institution.

The search for family members is organized immediately after obtaining information on the whereabouts of relative or legal representative of a minor foreigner, based on information provided by the minor foreigner or information received from the Consular Department of the Ministry of Foreign Affairs. When assessing the best interests of the child, a decision may be made to bring the minor back together with family members in his or her home country or in one of the European Union's Member States. However, in special cases, taking into account the best interests of the child, when family reunification is in conflict with the best interests of the child, his or her return shall be postponed and the question of his or her legal status in the Republic of Latvia shall be considered or transferred to the competent authorities of the country of citizenship.

An unaccompanied minor can express a wish to acquire refugee or alternative status in accordance with the procedures laid down in the Asylum Law. During the asylum procedure the personal and property relations of the unaccompanied minor shall be represented by the Orphan's and Custody Court or a guardian appointed thereby, or the head of a child care institution (hereinafter also - the representative of a minor). If the application is submitted by an unaccompanied minor, the Orphan's and Custody Court together with the social service office of the local government, the State Border Guard, and the Office of Citizenship and Migration Affairs take measures to look for family members of the minor and ascertain the possibilities of returning such person to family. The Orphan's and Custody Court shall immediately decide on appointing a guardian for the unaccompanied minor. The Orphan's and Custody Court shall take a decision to appoint a guardian, finding out the opinion of the Office. Primarily an unaccompanied minor shall be provided care with a guardian or a foster family. An unaccompanied minor shall be accommodated at the accommodation centre for asylum seekers, placed in a child care institution or in a foster family. A decision to accommodate an unaccompanied minor at the accommodation centre for asylum seekers, placement in a childcare institution or in a foster family shall be taken by the Orphan's and Custody Court in co-operation with the social service, by ascertaining the opinion of the Office of Citizenship and Migration Affairs. An unaccompanied minor is accommodated at the accommodation centre for asylum seekers or childcare institution until the moment when he or she is ensured appropriate care with a guardian or in a foster family, or it is established that appointing of a guardian or placement in a foster family is not appropriate for the particular unaccompanied minor. In evaluating the best interests of the child, the Orphan's and Custody Court shall take into account the possibility of family reunification of the minor, the welfare and social development of the minor, particularly his or her origin, protection and safety considerations, especially the probability that the minor is a victim of human trafficking, and also the interests and opinion of the minor according to his or her age and maturity.

Taking into account that the personal and property relations during the asylum procedure of minors are represented by the Orphan's and Custody court or its appointed guardian, or by the head of the childcare institution, all procedural activities with the minor are carried out by the State Border Guard in the presence of minor's representative.

After receipt of an application or after reception of an asylum seeker, the State Boarder Guard identifies the asylum seeker and ascertain his or her nationality, performs negotiations and the initial interviews for information:

- regarding his or her conditions of entry and stay in the Republic of Latvia and other countries;
- which is necessary in accordance with Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining for international protection lodged in one of the Member States by a third-country national or a stateless person to determinate the Member State responsible for examining an application;
- about his or her individual situation and circumstances necessary for deciding whether or not to accept an application for examination and for basic information on the reasons for requesting international protection.

It is important to note that if during the asylum procedure the State Border Guard suspects that an unaccompanied minor is a victim of human trafficking or has suffered sexual abuse or sexual abuse, the State Police is immediately involved.

The State Border Guard shall submit all the information at its disposal about minor asylum seeker, the information obtained during the negations and the initial interview and the submission to The Office of Citizenship and Migration Affairs for the relevant decisions.

A person whose application has been examined in accordance with the procedures laid down in the Asylum Law and in relation to whom a decision has been taken to refuse to grant refugee or alternative status, a decision to discontinue examination of the application or a decision to refuse to resume examination of the application, shall be issued a voluntary return decision or a removal order shall be taken in relation to such person in accordance with the procedures of the Immigration Law, except the case when he or she has another legal basis to reside in the Republic of Latvia.

In the event that the removal of the unaccompanied minor is not possible due to the principle of non-refoulement or the circumstances that led to the return decision or for humanitarian reasons have changed, the return decision will be revoked and the Office of Citizenship and Migration Affairs will address the issue of granting legal status to this foreigner.

In conclusion, we would like to inform that additionally to the guidelines mentioned in previous answer the Practical guide for caseworkers and case officers for Transnational Child Protection has been developed by the Council of Baltic Sea States Secretariat (http://www.childrenatrisk.eu/public/PROTECT/Guide_for_case_workers_and_officers.pdf).

The Ministry of Welfare has presented these guidelines to practitioners as good practice to be used in family reunification cases. This practical guide for caseworkers and case officers presents an overview of measures to promote the human rights and best interests of children in cross-border situations. It is an easily accessible tool for handling cases of children who are outside their country of origin or habitual residence. The guide describes standards and obligations under international and European law that ensure children's safety and well-being regardless of their national origin or immigration status.

Additional information sent on 13 May 2019:

If there is consulate or embassy of Latvia in the country in which the family reunification is carried out, the State Border Guard and the Orphan's Court shall cooperate through this channel. However, if there are no such representations in the country, other channels may be used, such as the list in Annex 37 of the

	<p>Schengen Handbook (List of national contact points for contacting in minors' issues), international organisations IOM or other non-governmental organizations, which monitor children's rights in this country."</p>
Liechtenstein	<p>If minor asylum seekers report that they were sexually abused or exploited by relatives or if there is a justified suspicion of such an incidence, the child would be lodged separately from the alleged offender and a family reunification would not be carried out (compare procedure described under R29). Each case will be dealt with and checked individually.</p> <p>Additional information sent on 18 December 2018: In light of the described prohibition of family reunifications in cases of a justified suspicion of sexual exploitation or abuse by relatives, Liechtenstein considers the recommendation as implemented and requests to be struck off the "urge" recommendation list. This request is further substantiated by the above-mentioned circumstances of an extremely low number of asylum-seeking children in Liechtenstein and the absence of cases of suspected sexual exploitation or abuse of asylum-seeking children on Liechtenstein territory.</p>
Lithuania / Lituanie	<p>Having received information about an unaccompanied minor alien, the Migration Department must, together with the non-governmental or international organisations of the Republic of Lithuania and the temporary guardian/curator of the unaccompanied minor alien, immediately organise search for the minor's family members.</p> <p>The Migration Department, Territorial Police Office or the State Border Guard Service, having received information on the family members of unaccompanied minor alien or other legal representatives, shall inform the Center in writing within three working days of receiving the information, indicating the names of the unaccompanied minor alien family members or other the location of legal representatives or information about their arrival in the Republic of Lithuania and their legal status in the Republic of Lithuania. The Migration Department also provides information on the safe return of an unaccompanied minor to a foreign country of origin or other country. If the Center receives information about the location of the unaccompanied minor's family members or other legitimate representatives or arrives in the Republic of Lithuania outside the Migration Department, the Center shall immediately inform the Migration Department thereof in writing and by electronic means.</p> <p>The Center, having received the information specified in Item 24 of the Description of the Procedure, and having assessed the best interests of an unaccompanied minor alien, no later than within five working days after information about the location of the family members or other legal representatives of an unaccompanied minor alien or information about their arrival in the Republic of Lithuania and their legal status In the Republic of Lithuania, on the day of receipt, the city council shall compile and submit to the Division a recommendatory opinion on the decision on the transfer of an unaccompanied minor alien to family members or other legitimate representatives in the municipality in whose territory the Center is located.</p> <p>It is emphasized that an unaccompanied minor alien is not returned to a foreign state in the cases where his/her life or freedom is in danger or where he/she may be subjected to persecution on grounds of race, religion, nationality, membership of a certain social group or political opinion or to a country from where he may later be expelled to such country or if there are serious grounds for believing that in that country the minor alien will be tortured, subjected to cruel, inhuman or degrading treatment or punishment.</p> <p>In conclusion it is important that family reunification should IS pursued after examination of the situation, assessing the child's best interest and identifying any risk for the child being abused or exploited in case of family reunification.</p>
Luxembourg	<p>En cas de soupçon d'exploitation ou d'abus sexuels à l'encontre d'un enfant, l'Office luxembourgeois de l'accueil et de l'intégration (OLAI) alerte immédiatement le Parquet/le juge de la jeunesse ou la Police Grand-Ducale.</p> <p>Additional information sent on 9 April 2019:</p>

	<p>Dans la mesure où une Ambassade du Luxembourg ou une Ambassade qui représente les intérêts luxembourgeois avertit la Direction de l'Immigration (par exemple par le biais d'un avis dans le contexte d'une demande de Visa) d'un cas éventuel d'exploitation ou d'abus sexuels à l'encontre d'un enfant, le ministre ayant l'Immigration dans ses attributions ou l'agent du poste diplomatique ou consulaire représentant les intérêts du Luxembourg peuvent, pour obtenir la preuve de l'existence de liens familiaux, procéder à des entretiens avec le regroupant ou les membres de famille, ainsi qu'à tout examen et toute enquête jugés utiles sur base de l'article 73, paragraphe (2) de la loi modifiée du 29 août 2008 sur la libre circulation des personnes et l'immigration.</p> <p>Si des soupçons apparaissent à l'encontre du membre de la famille qui se trouve déjà au Luxembourg, le ministre ayant l'immigration dans ses attributions instruit la Police grand-ducale afin d'exercer le contrôle et la surveillance des étrangers avant tout regroupement familial.</p> <p>Si, après le regroupement familial un signalement est fait par un agent de l'OLAI ou des services de l'immigration, le juge de la jeunesse va immédiatement prendre une mesure de protection et éloigner l'enfant des personnes potentiellement dangereuses pour lui.</p>
<p>Malta / Malte</p>	<p>Upon suspicion of sexual exploitation or abuse, AWAS refers the case to Aġenzija Appoġġ which is the National Agency responsible for the protection of children, families and the community. Such cases are then investigated by the said Agency in cooperation with law enforcement. Services, including psycho-social services are offered to the victims/survivors.</p> <p><u>Additional information sent on 25 March 2019:</u> There were only a very small number of family reunifications. When a child is going to be reunited with his/her family, the case is always referred to UNHCR and Red Cross for the necessary assessments. The process is also monitored by the Child Advisory Board and the appointed interim legal guardian. No family reunification take place if there is any risk for the child.</p> <p><u>Additional information sent on 27 March 2019:</u> Maltese Authorities dont distinguish between where the family is residing. The law states clearly that all children are treated equally irrespective of their nationality and provenience. If a family is residing in a party external to the Convention the same procedures apply too. the same resources are dedicated to the investigation ensuring the child is being united with the right people. Local police authorities typically use all possible collaborations with Europol and Interpol as well as other NGOs available in the different countries or national government organisations to ensure the safety of the reunification.</p>
<p>Republic of Moldova / République de Moldova</p>	<p>For unaccompanied minors seeking asylum in the Republic of Moldova, the legal framework guarantees the right to family reunification. Starting from the best interests of the child, taking into account the unaccompanied minor's opinion depending on age and degree of maturity, the Bureau for Migration and Asylum shall initiate as soon as possible all necessary actions to identify the unaccompanied minor's parents or other person responsible for his care. At the same time, the reunification of the family in the case of unaccompanied minors, refugees or beneficiaries of humanitarian protection, is made according to the best interests of the child. Each case is examined individually. If family members are qualified as agents of persecution of the minor, the Bureau for Migration and Asylum will not grant permission to reunify the family.</p> <p>There aren't any specific tools or mechanisms. Qualification of family members as agents of persecution might be done after interviewing the minor, and in case that his claim for asylum is based on elements that show that acts of persecution regarding the minor were produced by one of the family member. Each asylum case is examined individually and appreciation of agents of persecution is done by decision maker responsible for case.</p> <p><u>Additional information sent on 10 April 2019:</u> Art. 14 of the Law No. 270 of 18 December 2008 on asylum in the Republic of Moldova provides that the minor asylum seeker or beneficiary of international protection, temporary protection or political asylum, accompanied or unaccompanied, is protected and receives the appropriate assistance in order to enjoy all</p>

	<p>the rights recognized by the UN Convention on the Rights of the Child and other international human rights instruments to which the Republic of Moldova is a party.</p> <p>According to the national legislation, unaccompanied minors, asylum-seekers or beneficiaries of international protection are enforced to protect children at risk and children separated from their parents under the same conditions as minors who are citizens of the Republic of Moldova. The Bureau for Migration and Asylum, through the Directorate for Asylum and Integration, undertakes all necessary measures for the rapid registration of unaccompanied minors and their referral to the guardianship authority in order to ensure all the protection measures foreseen.</p> <p>The assessment, assistance and monitoring of the child at risk is done through the use of the case management method according to the Guidelines on the Inter-sectoral Cooperation Mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking (GD No.270 of 08.04.2014).</p> <p>Reunification of families, in the case of unaccompanied minors - beneficiaries of international protection takes place in compliance with the principle of the best interests of the child. If the unaccompanied minor's family has been identified, the Asylum and Integration Directorate shall consider the possibility and the conditions for achieving the reunification by issuing a motivated decision of its own motion. At the same time, the consent of the minor's legal representative or, as the case may be, the unaccompanied minor's consent, is requested. It is worth mentioning that in case of detecting the risk of persecution of the minor, reunification of the family will be refused.</p> <p><u>Additional information sent on 23 May 2019:</u> Regarding assessment of risks of sexual violence against an unaccompanied child living in Moldova in case of family reunifications, there is no particular procedure for such. The migration authority reported that they never had cases of abuse of children that fall under the mentioned category and the existing general procedures related to working with such children are sufficient for their protection against sexual violence.</p>
Monaco	<p><u>Additional information sent on 25 April 2019:</u> Les stipulations de la convention de voisinage franco-monégasque du 18 mai 1963 qui régissent les conditions de séjour des étrangers à Monaco et posent le principe de l'autorisation préalable de la France pour tout établissement à Monaco, n'envisagent pas le regroupement familial.</p> <p>Une telle situation ne serait envisageable que dans le cadre d'une prise en charge gouvernementale et donc un accompagnement étroit des services sociaux qui en assureraient le suivi régulier. Toute dégradation de la situation ferait ainsi l'objet d'un signalement.</p> <p><u>Additional information sent on 17 May 2019:</u> <i>Situation 1 : possible regroupement familial d'un enfant isolé dont la famille est déjà à Monaco</i> Comme expliqué par le passé, il semble peu probable que la famille d'un enfant migrant puisse s'installer en Principauté au regard d'une part, des conditions édictées par la Convention franco-monégasque qui impose notamment des moyens financiers de subsistance suffisante pour assumer l'ensemble de ses charges, et d'autre part, de la rareté et donc la cherté des loyers.</p> <p>En dehors de ces conditions d'accueil la Principauté est susceptible d'accueillir des familles de réfugiés, reconnus comme tels par le HCR. Toutes les vérifications nécessaires sur la qualité des personnes et toutes démarches concernant un éventuel regroupement familial seraient alors déjà réalisées.</p>

	<p>Dans l'hypothèse où la famille résiderait déjà à Monaco, l'enfant serait accueilli par le seul Foyer de l'enfance, le Foyer Princesse Charlène, sous le contrôle du juge des tutelles, le cas échéant sur réquisition du Procureur général, le temps de confirmer la filiation et de vérifier l'environnement familial que le jeune migrant rejoindrait.</p> <p>Dès l'instant où la famille est déjà établie à Monaco, on s'assurerait surtout des conditions de retour de l'enfant dans sa famille par un accompagnement des services sociaux, toujours sous le contrôle de l'Autorité judiciaire, jusqu'à ce que la réintégration au sein du foyer familial ne soulève plus aucune difficulté.</p> <p>Le juge tutélaire est compétent pour prendre toutes mesures que nécessitent la protection des mineurs, étant observé qu'en cette matière il peut se saisir d'office (article 830 du Code de procédure civile ; voir également s'agissant des mesures d'assistance éducative, l'article 319 du Code civil).</p> <p>Ainsi, et dans l'hypothèse où il est porté à la connaissance des autorités compétentes (services sociaux, police, procureur général etc.) qu'un enfant pourrait subir des violences sexuelles, le cas échéant dans le cadre d'un regroupement familial, il est constant que le juge des tutelles, soit d'office, soit sur réquisition du Procureur général, déciderait de la remise du mineur à une personne digne de confiance ou à une institution appropriée qui est, dans la Principauté, le Foyer Princesse Charlène.</p> <p><i>Situation 2 : possible regroupement familial d'un enfant isolé dont la famille ne réside pas à Monaco mais dans l'un des Etats Parties à la Convention de Lanzarote</i> Dans le cas où un mineur isolé aurait été recueilli sur le territoire monégasque, il serait placé au Foyer de l'Enfance Princesse Charlène. Comme indiqué à d'autres occasions, l'enfant serait totalement pris en charge (prise en charge médicale comprise).</p> <p>Dans le cas où il serait possible d'envisager un regroupement familial, les autorités judiciaires, policières et consulaires de chaque pays se mettraient en lien pour l'organiser. Bien entendu le personnel du foyer se mettrait à disposition pour faciliter cette organisation sur un plan pratique (aide à la réalisation de démarches administratives, accompagnement à l'aéroport ou gare...).</p>
<p>Montenegro / Monténégro</p>	<p>In accordance with the Law on International and Temporary Protection of Foreigners (“Official Gazette of Montenegro”, No. 2/2017), an asylee and a foreigner shall be entitled to reunification with their family members.</p> <p>Family members of an asylee or a foreigner granted subsidiary protection shall, on that ground, be granted asylum or subsidiary protection, and the decision shall be taken by the Ministry. This Law is aligned with Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification. In the procedures conducted under this Law, due consideration shall be given to the best interests of a minor, taking into account:</p> <ol style="list-style-type: none"> 1) the minor’s well-being and social development and his origin; 2) the minor’s safety and security, in particular where there is a risk of the minor being a victim of human trafficking; 3) the views of the minor, in accordance with his age and maturity, and 4) family reunification possibilities. <p>In pursuing the best interests of an unaccompanied minor, the minor’s guardian shall undertake all the necessary actions, including contacts and interactions with state authorities, state administration bodies, foreign bodies, international and nongovernmental organisations in order to reunite the minor with his family, if that is in the best interest of the minor.</p>

	<p>Also, in the Reception Centre, adequately trained staff work to establish a relationship of trust with children both accompanied and unaccompanied, especially to recognize any form of family violence, especially sexual.</p> <p><u>Additional information sent on 21 December 2018:</u></p> <p>In addition to the previously submitted data referring to the Law on International and Interim Protection, which describe in details that the best interest of the child will be taken into account in the process of family reunification, we would like to highlight the adoption of the "Standard operating procedures (SOPs) for dealing with unaccompanied and/or separated children, with a special focus on proactive identification of potential victims of violence or human trafficking" developed by the National Office for Fight Against Trafficking in Human Beings and UNICEF, with the cooperation of the Ministry of Interior, the Ministry of Labour and Social Welfare, the Ministry of Labour, the Supreme Court, the Supreme State Prosecutor's Office, as well as the UNHCR. Civil servants in charge of the process of family reunification are guided by the clearly defined steps outlined in this SOP document.</p> <p>The first measure envisaged by this procedure is the identification of the family. Prior to family reunification, a clear step is to collect information and data on the identity of parents of a child separated from parents and unaccompanied, the identity of the brothers and sisters, the identity of close relatives, the place of residence and the status of relatives of these persons. It is envisaged this step to include filling out forms for the verification (checking) of family relationships, with instructions for verifying the family relationship with regard to young children and children who are not able to provide information. The second measure is risk assessment, in the case of making a family reunification decision, which is also the measure required by the above recommendation, that is, to do an assessment based on factors indicating that family reunification may not be in the best interest of the child. Some of these risks are the suspicion of the legitimacy of family relationships, the existence of indications of past, and/or present, abuse or neglect of a child, if a child has revealed abuse/neglect from the past, the child is reluctant to unify with a family member and others.</p> <p>We place the special emphasis on the fact that this standard operating procedure directs civil servants and other external partners (UNHCR, Red Cross of Montenegro) towards information on how to protect children from all forms of exploitation in the process of family reunification, by carrying out as much detailed checks as possible from the very first contact with a child, and then in the process of family reunification.</p> <p>Based on the above, it is our opinion that this coordinated system protects children affected by the refugee crisis against this type of risk.</p>
Netherlands / Pays-Bas	<p>We are alert in every case for signs of abuse or otherwise. Especially when it comes to unlawfully transferring children to the Netherlands. Mainly situations of foster children are vulnerable here: it is difficult to find out what the relationship is between the foster child and the biological and foster parents. That makes the situation susceptible to abuse. The extent to which there is then exploitation is difficult to say. For the real signs of exploitation / abuse, we are also dependent on the eyes and ears of BZ when the family reports to the embassy.</p> <p><u>Additional information sent on 27 February 2019:</u></p> <p>There are two possible scenarios.</p> <ol style="list-style-type: none">1. The unaccompanied child (without parents or legal guardian) who arrives in the Netherlands, but not his/her family(members) with whom they are to be reunited, who request asylum in the Netherlands. In the asylum procedure the best interests of the child are taken into account. The employees in the immigration chain and of the involved authorities chain (IND, COA, NIDOS, police, the Repatriation and Departure Service of the Netherlands etc.) are trained in being alert on signals of abuse and of trafficking in human beings. The collected information of the asylum procedure is the starting point of the reunification (return/travelling behind) family procedure regarding the unaccompanied child. In the asylum procedure the unaccompanied child is interviewed by special trained (in working with children) employee. They are trained in noticing different behavior of minors, like signals of abuse, and to act in conformity. In the hearing of the child there will

	<p>be attention of difficult subjects, like (sexual) abuse. The unaccompanied child will also be put under guardianship of Nidos (an organization that exists for this purpose) and stay in a special for the category established asylum seekers 'Centre. The guidance of Nidos will extend until the end of the reunification/travel behind procedure. Unaccompanied minors who are potential victim of human trafficking (if there's a slightest indication) will get more secure, protective custody. The COA has developed a risk assessment instrument regarding the safety of minors, to use by employees of the protective custody on a periodic basis.</p> <p>The descendant relationship of the child and family (f.e. parent) will have to be determined in case of family reunifications. In the Netherlands family links are verificated (if necessary by DNA tests) in the context of family reunification procedure, also as a measure of prevention of child abuse and exploitation in the Netherlands. If there are any contraindications or suspicions of abuse in the procedure the IND-employee will examine this, f.e. by interviewing the unaccompanied minor (if he/she is 12 or older) or interviewing the parent(s) or other family members (brothers/sisters) at a Dutch embassy. Dutch embassy staff is trained in signals of abuse or human trafficking and in case of those signals they inform the IND. The IND can reconsider the decision regarding family reunification or do further investigation. Only birth parents can be considered for traveling behind in case of family reunification.</p> <p>2. The parents have arrived in the Netherlands and are requesting family reunification. When it involves biological children, in the Netherlands the identity of the parents will be investigated. The identity will have to be plausible, before family reunification will take place. The descendant relationship of children and parents will have to be proved by a DNA test. In case of signals of abuse or human trafficking or a contraindication the family member(s) will be interviewed at a Dutch embassy. Dutch embassy staff is trained in signals of abuse or human trafficking and in case of those signals they inform the IND. In cases of family reunification with foster children, also will be determined what the identity of the children is, who their biological parents are etc.</p> <p>Also in case of other family reunifications the IND screens the requester and his/her family members. Always is in all cases attention paid to signals of abuse, human trafficking, war crimes etc.</p> <p>Good practice: In the asylum seekers' Centre in Ter Apel organizations have developed a protocol that describes how to act when a potential victim of human trafficking/ abuse is identified. The exchange of information between relevant organizations in the immigration chain is one of the subjects.</p> <p><u>Additional information sent on 25 March 2019:</u> In this situation, when the parent(s) are already in the Netherland, will the interviews with them in case of a requested family reunification take place by and at the location of the IND (in the Netherlands). Even as Dutch embassy staff the staff of the IND is alert at signals of abuse or human trafficking.</p>
<p>North Macedonia / Macédoine du Nord</p>	<p>In the procedure for determining the best interest of the child, social services have already implemented this mechanism for the assessment of the risks associated with family reunification. At the same time, the preparation of a special Protocol for family reunification and the targeting of members of the family is ongoing and it will more accurately define the analysis of the best interest of the child in this context.</p>
<p>Poland / Pologne</p>	<p>In the cases related to reunification of families under the Dublin III Regulations, Polish issues a decision based on all available information (provided in the application to accept responsibility or data submitted by the foreigner while applying for asylum). There were just a few cases related to this procedure in the Department of Refugees Procedures of the Office for Foreigners, and all of them ended positively - small children were reunited with their parents. The employees always consider the wellbeing of the child evaluated according to their knowledge and experience.</p> <p>In the case when the Office for Foreigners is in hold of information suggesting any danger, it cooperates with the Polish Boarder Guard and other Member States in order to take care of children, e.g. separate a dangerous father from the rest of the family in the territory of Poland, or even separate some family members. If sexual abuse of a child is suspected, the Polish caregivers always cooperate with psychologists, prosecutors and medical services.</p>

Bearing it in mind that a body responsible for medical information exchange is the Border Guard, the Department of Refugees Procedures of the Office for Foreigners, it is impossible to issue a negative decision in the course of the Dublin procedure based on the medical/psychological situation. The employees who handle the case must evaluate the information available at the time of issuing the decision, which is usually laconic. It would be useful if the applying member state could describe the problem in the liability request (if it is in hold of such information). In case of recognizing any factors which suggest sexual exploitation or any other issue related to a minor child, the employees make every effort to determine the details, not to violate the rights of the child.

Family reunification during proceedings on legalization of stay of minor children who are third-country nationals.

If there are reasonable grounds to determine that granting of the temporary residence permit related to family reunion to a minor child or direct ascendant or to an adult who is responsible for a minor foreigner who was granted the refugee status or subsidiary protection, may lead to exploitation of a minor child, then pursuant to the Act on Foreigners, it is possible to secure the interest of such a minor child by rejecting to provide this minor child or its direct ascendant (or legal guardian) with the temporary residence permit (Article 100(1)(4) - *the foreigner may be refused a temporary residence permit if (...) it is justified by the protection of national security or the protection of public security and order or obligations resulting from ratified international agreements binding Poland*).

When it comes to the Poland's international obligations related to the protection of children rights, namely the *Convention on the Rights of the Child* adopted by the UN General Assembly on 20 November 1989 in the Hague, the *Convention on Protection of Children and Co-operation in respect of Intercountry Adoption*, adopted in Hague on 29 May 1993, the *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*, adopted on 25 October 2007 in *Lanzarote*, may provide grounds for refusal of the temporary residence permit, justifying it with violation of rights of the child protected with conventions.

It should be clarified that in the course of an administrative proceedings pursuant to Article 109(1) of the Act on Foreigners, before issuing a decision on providing a foreigners with the temporary residence permit, the voivode applies to the Commander-in-Chief of the Border Guard, the Voivodeship Police Commander, the Head of the Internal Security Agency, if necessary to the consul with jurisdiction over the last place of the foreigner's residence abroad or to other authorities, requiring information on whether the entry of the foreigner to the territory of the Republic of Poland and their stay within this territory may pose any threat for the national security or public security and order.

If the aforementioned bodies have some information on convicting the foreigners in relation to sexual crimes against children, a court order prohibiting the contact with a child or other important information suggesting a threat for the health, life or psycho-physical development of the child, it is possible to reduce the risk by refusing the permit pursuant to Article 100(1)(4) of the *Act on Foreigners*. However, it is possible to collect such evidence through the above-mentioned channels only with regard to a direct ascendant or an adult who is responsible for the minor foreigner, who has been granted with a refugee status or subsidiary protection.

In relation to Article 167 of the *Act on Foreigners*, among others the interest of the minor child as well as the character and stability of family bonds within the territory of the Republic of Poland should be considered within the procedure of granting or refusing the temporary residence permit.

In the case of sexual exploitation of a child who is affected by the refugee/migration crisis (or a suspicion thereof), the Police undertakes certain operational and procedural actions similar to those undertaken in the case of a sexual crime committed to the detriment of a minor who is a Polish citizen. It takes into account the specificities of situations where an immigrant or refugee child becomes a victim. In such a case, if a minor travels without a guardian or with a guardian but its sexual exploitation is suspected, the law enforcement authorities undertake appropriate actions based on the developed procedures, which may include a

	<p>special algorithm prepared for the Police and Border Guard related to identification of a minor victim of human trafficking, with special emphasis put on the possible sexual exploitation. After potential modifications, the algorithm may be also effectively employed in relation to refugee and migrant children who are or who can be victims of sexual abuse. The algorithm in question identifies among other the children who are especially exposed to a threat of becoming a victim, highlighting the foreign children who migrate unaccompanied by their parents, difficulties in identification of the minor victim, circumstances and situation which require attention from the services during the identification process, preliminary identification and actions which the officers should undertake. Furthermore, the algorithm raises the problems of identification of a potential child victim in transit.</p> <p>The circumstances pointed out in the algorithm, which the law enforcement authorities should pay attention to while contacting a minor affected by the migration crisis, and which may trigger some suspicion as to its sexual abuse, are among others the explicit discrepancy of the physical characteristics between the child and its guardians (if it is accompanied by them) such as skin color of complexion, not using the same language as the guardians, some visible discrepancy in the appearance of the child in the travel document, control over the child's behavior by its guardians, a noticeable increased level of the minor's fear in the presence of the uniformed services, a child being ashamed of giving information about what it does and where it lives, or any marks on its body which may prove that it suffered some physical violence in the past.</p> <p>During preliminary identification of a potential victim of sexual abuse, the algorithm recommends a conversation (interview) with a minor in some friendly environment, in the presence of an interpreter. The questions must not induce the child's feeling of guilt and the actions should be carried out by the same officer in order to build some mutual trust. If there is a suspicion of sexual exploitation, it is recommended to also involve a psychologist and end the questions concerning the circumstances of the child abuse (as this will be continued within court proceedings according to Article 185a of the Code of Criminal Procedure). As stated in the Code of Criminal Procedure, a victim of sexual exploitation or any other sexual abuse, who was not 15 years old at the time of questioning, should be questioned as a witness only if their testimony can be significant for settlement of the case, and only once, unless any relevant circumstances for which a repeated questioning is necessary emerge, or this is required by the defendant, who did not have a lawyer during the first questioning of the victim.</p> <p>Of course, the child should be separated from any third-parties (including the family members) from the very beginning if there is a suspicion that they can be perpetrators or accomplices in the offense. Furthermore, the algorithm also points to further actions that must be carried out, including informing the child of its rights and duties, contacting a competent institution providing aid to victims, actions intended to determine and confirm the identity of the child and submitting an application to the Family Court for a probation officer or a guardian, and for a place for the minor in a care facility or a foster family. It should be noted that the above-mentioned algorithm was presented at the EU forum during the expert meeting of the representatives of the EU Member States on implementation of the EU <i>Directive on combating the sexual abuse and sexual exploitation of children</i> with special emphasis on migrating children, organized in Brussels on 17 January 2018, where it encountered interest of the participants and upon request of the meeting organizer - the European Commission Directorate General for Migration and Home Affairs - shared with the EU member states for its further use as best practices.</p>
Portugal	<p>Portugal has not been targeted as destination/crossing point concerning the recent refugee crisis.</p> <p>The refugees who are in Portugal have arrived through the relocation, resettlement and 1:1 EU-Turkey scheme measures taken in benefit of Greece and Italy. So far, under the relocation scheme, refugee children arriving in Portugal are accompanied by their families and no victims of sexual abuse and exploitation have been identified.</p> <p>It must be specified that according to national legal framework, minors who are applicants or beneficiaries of international protection shall be represented by an entity or nonprofit organization, or any other form of legally permitted representation, without prejudice to the tutelary measures applicable under the guardianship of minors. Notwithstanding the specific procedure for unaccompanied minors, whenever there is a situation of a minor accompanied by an adult</p>

	<p>who might not be his/her parent or legal guardian, SEF communicates the application to the family court, for the purpose of representation and for the proper promotion and protection measures.”</p> <p>In addition to asylum seekers received in the context of the EU relocation scheme, other children, both accompanied and unaccompanied, apply for international protection in the country every year.</p> <p>Regarding family tracing in the case of unaccompanied asylum-seeking children, the Asylum Act establishes that, in light of the best interest of the child, SEF (jointly with other relevant entities and the Ministry of Foreign Affairs) must trigger the family tracing process. In light of the above, CPR promotes family tracing in partnership with Cruz Vermelha Portuguesa if considered to be in the best interests of the child and taking into consideration his/her opinion.</p> <p>Family reunification in Portugal is governed by the Asylum Act and the Aliens Act.⁷</p> <p>The family unity provisions included in the Dublin Regulation⁸ offer another avenue for family reunification that must be taken into account in the context of asylum.⁹ In this regard, “in the very few instances where CPR has contacted the SEF regarding the potential application of family unity criteria, in particular Article 8 regarding unaccompanied children under its care, evidence and information required from the SEF for applying those provisions have included identification documents, address and contacts of relatives residing in other EU Member States. It should be noted that in general such contacts did not result in the outgoing transfer of the unaccompanied children that will generally have absconded prior to any relevant development in the procedure.”¹⁰</p>
<p>Romania / Roumanie</p>	<p>In the case of the family reunification procedure, all aspects that could create a risk of abuse or exploitation for children are analyzed from the point of view of the Principle of the superiority of the interest of the child.</p> <p>Also, Law no. 272/2004 on the protection and promotion of the rights of the child provides for the obligation for the personnel of public or private institutions which, given the character of their profession, have contact with children and have any suspicions concerning a possible case of abuse, negligence, exploitation and any form of violence on the child or ill-treatment applied to the child, to immediately inform the general directions for social assistance and child protection.</p> <p>Moreover, any person who, through the nature of his or her profession, works directly with a child and has suspicions concerning the existence of a case of child abuse or neglect, must notify the public social security service or the general department for social security and child protection in whose territorial range was identified the respective case¹¹.</p>

⁷ For more information on the rules governing family reunification for beneficiaries of international protection, see: CPR, AIDA Country Report: Portugal, 2017, March 2018, pp.105-108.

⁸ **Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person, available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/;jsessionid=jHNITp3HLjqw8mqGbQSpZh1VWpjCyVQq14Hgcztw4pbfSQZffnrn!557467765?uri=CELEX:32013R0604>.**

⁹ For more on the application of the Dublin Regulation in Portugal, see CPR, AIDA Country Report: Portugal, 2017, March 2018, pp. 32-39.

¹⁰ CPR, AIDA Country Report: Portugal, 2017, March 2018, p. 33.

¹¹ Law no. 272/2004 on the protection and promotion of the rights of the child:

ARTICLE 89

- (1) The child has the right to be protected against any forms of violence, neglect, abuse or maltreatment.
- (2) Any natural or legal person, as well as the child, can notify the authorities empowered by law to take appropriate measures, in order to protect the child against any forms of violence, including sexual violence, harm or physical or mental abuse, maltreatment or exploitation, abandonment or neglect.
- (3) The staff of the public or private institutions who come into contact with the child through the nature of their profession and have suspicions concerning a potential case of child abuse, neglect or maltreatment, must urgently notify the general department for social security and child protection.

Also, any other natural or legal person, as well as the child, can notify the authorities empowered by law to take appropriate measures, in order to protect the child against any forms of violence, including sexual violence, harm or physical or mental abuse, maltreatment or exploitation, abandonment or neglect.

Law No. 272/2004 also provides expressly for the obligation of the public social assistance service to immediately inform the general direction of social assistance and child protection when it ascertains that the physical, mental, spiritual, moral or social development of the child is jeopardized¹².

Moreover, based on the provisions of art. 52 para. 4 of Law No. 272/2004, „teachers have the obligation to refer to the district centers for resources and educational assistance / the Bucharest Centre for Resources and Educational Assistance the cases of abuse, negligence, exploitation and any other form of violence on children and to inform the public social assistance service or, as case may be, the general direction of social assistance and child protection about these cases.”

The Government’s Decision No. 49/2011, Annex 1, contains as a working principle the following: “Respect of the confidentiality and of the professional deontological norms without prejudice to the activity of reporting cases of violence or to the activity of investigation of these cases.”

The guaranties for protecting children against sexual abuse or sexual exploitation in family context exist for the children affected by the refugee crisis, as well as for all children.

[Additional information sent on 17 April 2019:](#)

[According to art. 8 of Law 122 of May 4, 2006 on asylum in Romania, all decisions on juveniles are taken in the best interests of the child.](#)

[In the case of unaccompanied minors who are beneficiaries of an international protection claim for family reunification, their interests are represented by legal representatives appointed by the Territorial Competent Authority for Social Assistance and Child Protection \(DGASPC\). At the same time, according to art. 72, paragraph 2 of Law 122/2006 on asylum in Romania when the unaccompanied minor's reunification procedure is initiated ex officio, the consent of the legal representative and, if necessary, of the unaccompanied minor is sought, whose opinion on reunification with the family will be taken into account.](#)

ARTICLE 96

- (1) Any person who, through the nature of his or her profession, works directly with a child and has suspicions concerning the existence of a case of child abuse or neglect, must notify the public social security service or the general department for social security and child protection in whose territorial range was identified the respective case.
- (2) For the notification of the cases of child abuse or neglect, at the level of each general department for social security and child protection, a “child telephone line” will be established, and the number should be widely publicized

(...)

ARTICLE 102

In case the child abuse or neglect were committed by persons who, based on a legal working contract or another type of contract, were providing the protection, upbringing, care and education of the child, the employers of these persons must notify immediately the criminal investigation authorities and must separate the respective persons from the children who are in their care.

¹² ARTICLE 41

- (1) If there are reasons to suspect that the child’s life and security are endangered in the family, the public social security service or, if the case, the representatives of the general department for social security and child protection at the level of each sector have the right to visit the children at their residence and to gather information on how the children are being cared for, on the children’s health and physical development, education and professional training, and may grant, where needed, the necessary advice.
- (2) If, following the visits stipulated under paragraph (1) it is noticed that the child’s physical, mental, spiritual, moral or social development is endangered, the public social security service must immediately notify the general department for social security and child protection, in view of undertaking the measures stipulated by the law.
- (3) The general department for social security and child protection must refer the case to the court, in case it considers that the conditions required by the law regarding the partial or complete termination of the parental rights of one or both of the parents are met.

	<p>Thus, in line with the family reunification of unaccompanied minors who are beneficiaries of a form of protection, insofar as there are suspicions / indications of possible sexual exploitation of the minor by members of their own family, this information must be brought to the attention of the legal representative and may constitute a legal basis, based on the aforementioned provisions, in order not to proceed with the reunification of the minor with his / her family members.</p> <p><u>Additional information sent on 10 May 2019:</u> If there are suspicions that the minor is / could be subjected to sexual exploitation by family members, these issues require a careful analysis based on assessing the minor's statements, taking into account his / her opinion and all the peculiarities of the case, the collaboration with the legal representative of the minor in order to obtain all necessary information, with the purpose of making a decision on reunification that respects the best interests of the child.</p> <p>When there are doubts about the possible sexual exploitation of the minor by members of their own family who are in a state party to the Lanzarote Convention, information will be requested from the authorities of that state through the diplomatic missions of Romania.</p>
Russian Federation / Fédération de Russie	<p>The Family Code of the Russian Federation regulates the whole complex of relations in the family. According to Article 1, the Family, Maternity, Paternity and Childhood in the Russian Federation are protected by the State. Article 48 establishes the procedure for determining the origin of the child, defines the list of documents for administrative and judicial procedure (if necessary).</p> <p>Article 56 fixes the child's right to protection from abuses by parents (or persons who replace them), the child has the right to apply for his/her protection to the guardianship and custody body independently, and upon reaching the age of fourteen, to the court of law.</p> <p>Article 57 establishes the right of the child to express his/her opinion when deciding on any family-related issue that affects his/her interests, and the right to be heard in any judicial or administrative proceedings. The consideration of the opinion of a child who has reached the age of ten is mandatory, except in cases where it is contrary to his/her interests.</p> <p>The Criminal Code of the Russian Federation in Article 156 establishes criminal liability for non-fulfillment or improper performance of duties on the upbringing of a minor by the parent or other person entrusted with the respective duties, as well as by a pedagogical worker or other employee of an educational organization, healthcare organization, organization that provides social services, or other organization that is obliged to supervise a minor, if the act is connected with ill-treatment of a minor.</p> <p>Article 63 considers the crime against a minor as an aggravating punishment.</p> <p>In cases of family reunification, it is necessary to follow the verification procedures specified in the following documents:</p> <ul style="list-style-type: none">- Federal Law of May 31, 2002 N 62-FZ (Edited on July 29, 2017) "On the Citizenship of the Russian Federation"- Federal Law of June 5, 2012 No. 62-FZ "On the Accession of the Russian Federation to the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation with respect to Parental Responsibility and Measures for the Protection of Children",- Resolution of the Plenum of the Supreme Court of the Russian Federation of May 16, 2017, N 16. <p><u>Additional information sent on 8 May 2019:</u> Hereby the Russian Federation considers it relevant to make the Lanzarote Committee aware of the figures related to the Statistics on refugee children, including unaccompanied children.</p>

According to the data of the Ministry of Internal Affairs of the Russian Federation in **2018, 60 (2017 - 90, 2016 - 149)** children were included by their parents into the application list for refugee status recognition.

Petitions of minors who arrived on the territory of the Russian Federation unaccompanied by their parents and guardians were not received by the territorial bodies of the Ministry of Internal Affairs of Russia in 2018.

The number of children included by their parents in the application list for temporary asylum in the territory of the Russian Federation in **2018 is 1,506 (2017 - 2,839, 2016 - 4,627)** people.

The number of minors who arrived in the territory of the Russian Federation unaccompanied by their parents and guardians, and who applied for temporary asylum in **2018 is 4 (2017 – 5. 2016 - 59)**.

1. International legislation

Regarding the minors' protection against sexual abuse and exploitation in case of family reunification, it should be noted that Russia acts on the basis of international standards, which are specified in International Conventions on the rights of children and their protection.

Russia implements the procedures for the protection of the rights of children in line with the UN Convention on the Rights of the Child (1989) and acts on grounds of "the best interests of the child" principle (Article 3, paragraph 1).

In addition, Russia implements the protection of children's rights in cases of family reunification on the basis of those international treaties to which the Russian Federation is a Party, including:

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (2000);

Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children (2002);

Council of Europe Convention on Action against Trafficking in Persons (2005);

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, (2007).

All children who have received refugee status or are on the territory of the Russian Federation but who do not have such status enjoy the same rights as children of the Russian Federation on the basis of the laws we have previously listed.

2. National legislation

The issues of protecting the rights of children in the context of family reunification in Russia are examined and solved on the basis of consistent national legislation (the list is not limited to the following documents):

- The Federal Law 124-FZ "On Basic Guarantees of the Rights of the Child in the Russian Federation (1998)",

- The Federal Law No. 4528-1 (1993) "On Refugees", provides for a complex protection of rights of the refugee children, including those who arrive unaccompanied, in terms of their legal status, legal protection in case of a child being a victim of crime, sexual abuse, etc.; determines the refugee child's rights to medical care, housing, education, etc.

- The Federal Law N 62-FZ (2002/2019) "On Citizenship of the Russian Federation", provides for a simplified Russian citizenship procedure for a child whose parents are already in Russia.

- The Federal Law FZ 120-FZ (1999) "On the Basis of the System for the Prevention of Neglect and Juvenile Delinquency." provides for protection and assistance to children left without parental care, including refugee children who are viewed equally to the Russian children being in a difficult life situation.

- The Procedure for Interagency Cooperation in Identifying, Preventing, and Eliminating Violations of the Rights and Legitimate Interests of Minors (developed and approved in accordance with the established procedure in accordance with paragraph 4.2 of the protocol of the operational meeting of the Security Council of the Russian Federation dated March 28, 2017 and subparagraph of paragraph 1 of the protocol of the meeting of the Government Commission on Minors and Protection of Their Rights dated December 21, 2016 N 14, provides interdepartmental coordination (described in details in Clarification on the Reply to Recommendation 30)

- Family Code of the Russian Federation (information under Article 48,56,57 was sent earlier)

- Criminal Code of the Russian Federation (information under Article 156, the protection of children of victims of sexual violence was sent earlier)

3. Procedures based on the above legislation.

3.1. According to the Federal Law "On Refugees", **a person under the age of 18 years old, who arrived in the Russian Federation without his/her parents or guardians, can be legally recognized as refugee or can obtain other legal status on the territory of the Russian Federation**, the authorities should take into account the interests of the person in accordance with this federal law, other federal laws and regulatory legal acts of the Russian Federation after receiving information about the parents or guardians of the person (Article 3, paragraph 5).

In accordance with the provisions of this Law, a foreign citizen can apply for recognition as a refugee in a Russian overseas consulate mission, on the border or on the territory of the Russian Federation.

According to the Federal Law 62-FZ "On Citizenship of the Russian Federation", a minor citizen of a foreign state who wishes to reunite with his/her close relatives on the territory of the Russian Federation, when applying to the Federal Migration Service, can directly obtain Russian citizenship and omit the stage of obtaining permission for temporary residence and residence permit.

Petitions submitted to the overseas missions are reviewed and decided upon by the Federal Migration Service (FMS) of Russia. Petitions received at the border and on the territory of the country are reviewed and approved by the relevant territorial bodies of the FMS of Russia.

Applications for refugee recognition are filed by all adult applicants, as well as by unaccompanied minors.

The guardianship and custody body at the place of temporary registration of the foreign unaccompanied child appoints the legal representative of the minor to protect his / her interests in any government agency, including the migration service. Russian legislation regulates this situation in accordance with Article 22 of the International Convention on the Rights of the Child.

The guardianship and trusteeship agencies provide support to foreign children who find themselves in social centers and state shelters. The employee of the shelter, by decision of the guardianship authority, becomes the legal representative of the child in the migration service and other structures. However, first of all, all services carry out activities to search for relatives of the minor.

According to the procedure after the submission of documents, their preliminary consideration in the FMS is carried out within a period of up to 5 days (with the issuance of a certificate which confirms the rights of a foreigner and his family to stay in the Russian Federation), a full-scale examination of documents and facts may run up to 3 months.

3.2. Within these terms, a system check is carried out to confirm the possibility of the child's reunification with his/her family. (Art. 48 of the Family Code).

The investigation is carried out in the following areas.

3.2.1. First of all, documents are examined from the point of evidence for family ties evidence, the status of the guardian.

3.2.2. The family that is declared as subject for reunification is also checked.

For this, international databases are used (Interpol and Europol databases). The Ministry of Internal Affairs interacts with the relevant authorities of the country of origin of the child and his/her family for the verification of persons with whom the child's reunification is planned. The investigation focuses on criminal records, previously committed sexual crimes and other offenses.

Inside the Russian Federation, law enforcement agencies and social welfare authorities (guardianship bodies) check the information in the databases of the Ministry of Internal Affairs about family members with whom child's reunification is planned.

3.2.3. Primary work is carried out with a minor

In the Russian Federation all asylum seekers/refugees/migrants undergo compulsory medical examinations and fingerprint registration.

If in the course of a compulsory medical examination the doctor suspects that the child has been or may be a victim of sexual violence/abuse/exploitation in the future, the doctor informs the prosecutor's office, the social welfare body, the guardianship and custody agency, the commission on children's affairs and their protection. This commission coordinates interagency cooperation on the protection of the rights of the child, including the protection from all form of violence (see the description of the interagency activities and their cooperation - the reply to Recommendation 30).

3.2.4. If there is a suspicion that the child might become a victim of violence in the family, a set of measures is being taken to protect the child according to the Federal Law "On the Basis of a System for the Prevention of Neglect and Juvenile Delinquency".

Under Procedure for Interagency Cooperation, the issue is considered by the Commission on Juvenile Affairs. It coordinates the activities of the guardianship and law enforcement agencies to check the family with which the child is to be reunited, and also provides medical and psychological assistance to the child - see the reply to Recommendation 29.

For the period of the inspection, a foreign child, is placed in a temporary settlement center / rehabilitation center for medical and psychological-pedagogical support for children, depending on the degree of his/her physical and psychological conditions.

Special attention is paid to the psychologist's engagement in the communication with the child. The language support is provided under the legislation.

In case of law enforcement investigation, the child is interviewed according to the specific requirements of the national legislation in terms of the presence of a child's representative/social welfare representative, psychologist, length of interview, etc.

At the same time, a specific check is carried out on the living conditions of the family, relationship among the family members and their personal profiles.

If suspicions about the risk of sexual violence against a minor in case of family reunification still remain, the reunification procedure is stopped.

In the absence of parents, in case of deprivation of their parental rights and in other cases of loss of parental care, the right of a child to be brought up in a family is ensured through the guardianship and custody bodies through guardianship / adoption, according to art. 121 of the Russian Family Code, should the facts of no parental care be established.

3.2.5. Within the period of not more than three months, a decision is undertaken on the future of the minor.

In Russia it is adoption or appointment of a guardian that is considered as a priority care for children left without parents.

Under the Russian law adopters have the same legal status as the parents and bear the same responsibilities for bringing up adopted children as their parents do. The law entrusts similar duties to guardians for minors' upbringing (Art. 148, Family Code).

In Russia, there is a database of persons who have been checked by the guardianship authorities. There is a list of documents and a procedure for the verification of the identity of guardians / adopters. These actions are carried out by the respective agencies in order to make a positive or negative decision on the potential adopter/guardian applications.

Under the Russian Civil and Family Codes, the applicant's living conditions, his/her personal qualities and motives, the ability to raise a child, the relationship among family members of the guardian / foster family, etc. are checked.

A guardian for a minor who has reached the age of 14 may be appointed by the guardianship and custody body upon the application of such a minor with an indication of a specific person.

In order to supervise the activities of guardians / adoptive parents, the guardianship and custody body conducts regular and unscheduled on-site inspections of the living conditions of the child. The authorities check the respect for minor's rights and legal interests, his/her residence and living conditions, physical and psychological conditions, the safety of his/her property, etc.

Upon a minor being placed in custody or guardianship, scheduled and unscheduled inspections are carried out in the form of a visit to a minor's location: once within the first month following the guardianship and custody body decision on the appointment of a guardian; once in three months during the first year following the decision on the appointment of a guardian has been made by the guardianship and custody body; once in six months during the second year and subsequent years after the decision by the guardianship and custody body on the appointment of a guardian.

Similar procedures apply to adopters.

Upon receiving from legal or natural persons in oral or written form the information about the guardian's non-performance, improper performance of his/her duties, information about violation of the rights and legitimate interests of the child, the guardianship body has the right to conduct an unscheduled inspection.

If the family with which the child's reunification is planned, stays in another country, Russian authorities send a request for the information on the family in the framework of interstate cooperation.

	<p>Relevant data can be requested within bilateral cooperation treaties, in the framework of cooperation between member countries of the Lanzarote Convention, through Interpol and Europol, through an International Organization for Migration, Red Cross, depending on a particular family that is subject for reunification.</p> <p>According to the legislation of the Russian Federation, a child cannot be returned without a comprehensive inspection. If it is obvious that there is a threat to his/her life and health, the procedure for family reunification is suspended. If the child / parents / guardian of the child insists on reunification, then the child's referral might be carried out only under the condition that the authorities of the country in which the reunification is scheduled take full responsibility for the fate of the child.</p> <p>The procedures for the settlement of the above issues are carried out according to the provisions of the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children (2002).</p> <p><i>In conclusion the Russian Federation officially points out that in view of the opinion on the lack of structures and procedures, that would specifically deal with refugee children and their protection in cases of sexual violence,</i></p> <p><i>The Russian Federation, bearing in mind the earlier mentioned statistics, legislation, administrative regulations and their implementation with regard to refugee minors in the country, reserves the right to challenge such conclusions as going beyond the text of the Lanzarote Convention.</i></p>
<p>San Marino / Saint-Marin</p>	<p><u>Information sent on 4 March 2019:</u></p> <p>Il n'y a plus de mineurs - accompagnés ou non - présents sur le territoire de la République de Saint-Marin depuis avril 2018.</p> <p>En effet, les mineurs qui étaient arrivés avec leurs familles par les couloirs humanitaires sont partis vers d'autres pays avec leurs familles. Les mineurs non accompagnés, arrivés eux aussi grâce aux couloirs humanitaires depuis l'Italie, sont devenus majeurs entre-temps et sont parfaitement intégrés dans notre société, après avoir reçu toute l'assistance nécessaire.</p> <p>Ils avaient été l'objet d'un suivi, au préalable par les autorités italiennes et les ONG "Papa Giovanni XXIII" et "Comunità Sant'Egidio" qui les avaient accueillis, et ensuite par les services compétents saint-marinais, mais aucun cas d'abus n'avait été signalé (d'autres types de violence, mais non sexuelles).</p> <p>En ce qui concerne les recommandations urgentes, les n. 18, 27, 29, 30 et 33, nous pouvons affirmer que, hypothétiquement, les mêmes dispositions que pour tous les autres cas de mineurs victimes d'abus sexuels seraient appliquées.</p> <p>L'approche des services compétents à Saint-Marin se fait au cas par cas, selon les besoins et situations personnelles.</p> <p>La rec n.27 dépendrait en réalité de la collaboration avec les autorités italiennes puisque l'arrivée de mineurs se fait en coopération avec elles, sur la base de leurs informations, donc tout éventuel regroupement familial le serait également.</p> <p><u>Additional information sent on 11 April 2019:</u></p> <p>Il y a un Comité italien interministériel (pas très nombreux) chargé de s'occuper des regroupements. Rien ne nous empêcherait, ceci-dit, si le cas était avéré, d'utiliser nos propres canaux diplomatiques pour contacter les Autorités du pays d'origine des mineurs. Le regroupement dépend de la collaboration avec les Autorités italiennes parce que les seuls mineurs qui arrivent le font à travers les canaux humanitaires gérés en collaboration avec elles.</p>
<p>Serbia / Serbie</p>	<p>In most cases risk assessment is performed by local center for social work stuff (team consists of social worker, psychologist, pedagogue, jurist). Local center for social work is also appointing a guardian to a refugee/migrant child, (as it is doing for any Serbian child, in situation when it is needed and appropriate), and is discussing "most important issues" with a child and is acting in hers/his "best interest". Professionals might asses that temporary, or even permanent reunification is not in "the best interest of a child" due to a high risk from sexual victimization. What then? Since there are four possible outcomes for a refugee/migrant child:</p>

	<p>stay in Serbia (where a child could be protected in foster care or institution, until his/hers final status is not solved); return to the country of origin; transfer to 3rd country; or asylum application approval. Guardian will discuss with a child what is in its best interest, but certainly it would not be “reunification” with a family if there is a high risk that he/she could be sexually exploited or abuse.</p> <p><u>Additional information sent on 21 December 2018:</u> With regard to the activities that are carried out in situations in which family reunion is planned in the territory of the Republic of Serbia, the guardianship authority shall act as a coordinator of multiple actors from the system and civil sector and take measures under its jurisdiction, all in compliance with the assessments made of the needs of the unaccompanied child in question and considering if a perpetrator is a person who is close to the child (a family member) or a stranger.</p> <p>The measures taken with regard to an unaccompanied child are equivalent to the measures taken in the case of a national, taking into account the difficulties of the assessment made due to language barriers. In the case of A family reunion, the possibilities of the cooperation with international organisations such as IOM and UNICEF are available. They take over the task to undertake further checks and verifications.</p>
Slovak Republic / République slovaque	<p><u>Additional information sent on 7 January 2019:</u> Pertinent problematic falls under the scope of the Migration Office of the Ministry of Interior of the Slovak Republic. In cases of family reunification at the territory of the Slovak Republic, the Migration Office acts in line with provision Art. 10 para. 1 letter c) and Art. 13b para 1. letter c) of the Act no. 480/2002 Coll. on the Asylum and on Amendments and Supplements to Some Acts (hereinafter as “Act on the Asylum”). According to the Art. 10 para. 1 letter c) of the Act on the Asylum, the Migration Office grants the asylum for the purposes of family reunification to parents of asylum seeker younger than 18 years old or person who has the young asylum seeker consigned to personal custody if the asylum seeker provides with the written agreement in advance.</p> <p>For the purpose of family reunification, the Migration Office can also provide supplementary protection. Supplementary protection is granted to the applicant if there are serious grounds for assumption that s/he would be exposed to a real threat of serious harm if s/he returns to her/his country of origin unless otherwise stated in the Act on the asylum. Providing of supplementary protection for family reunification shall also be granted to parents of a foreigner who has been granted supplementary protection under Article 13a, under the age of 18, or a person who has the young foreigner consigned to personal custody, if the minor foreigner provides with the written agreement in advance.</p> <p>In cases of family reunification, the Migration Office shall also proceed in accordance with Regulation (EU) No. 604/2013 (hereinafter as “The Dublin Regulation”). The Dublin Regulation is directly applicable in the territory of member states, provides with safeguards for minors, in its application it stresses the need to assess the best interests of the child, which should take into account, in particular, the possibility of family reunification, well-being and the social development of the child, his/her safety and protection, and his/her views, taking into account his/her age and maturity. In assessing the possibility of family reunification, the member states cooperate and exchange relevant information through the forms set by the European Commission.</p> <p>The Migration Office has three employees trained for interviewing children. These employees have been trained by the European Asylum Support Office (EASO) for this specialised category of vulnerable persons.</p> <p>For the processes of family reunification, it will be necessary to introduce an individual BIA - Best Interest Assessment and, in particular, a risk assessment mechanism in the context of family reunification processes, before the family reunification itself while the risk of sexual abuse of children is also one of the factors being considered. Within the integration of reunited families in the territory of the Slovak Republic, these families are regularly visited and they take part in the activities of a non-governmental organisation implementing an integration project. In this way, the reunited family is under the supervision of both employees of the Migration Office and non-governmental organisation implementing an integration project. However, if the reunification is concerning with the relocation of</p>

child from the Slovak Republic to foreign country, the responsibility of control upon the whole process of family reunification goes to pertinent member state in which the child is supposed to be relocated (for the purposes of family reunification).

According to criminal law provisions of legal order of the Slovak Republic, children shall be protected against sexual abuse and sexual exploitation regardless they are part of the family or not. Screening of family situation in case of suspicion on sexual abuse or sexual exploitation of a child is guaranteed by the valid and effective legal regulation in the Act no. 36/2005 Coll. on Family. Article 37 para 1 of the Act regulates possibility for everybody to notify the authority of socio-legal protection of children, municipality or court in case of inadequate behaviour of children, breach of parents' obligations as well as abuse of children's rights. Also, everybody could notify the authority of socio-legal protection of children, municipality or court that parents are not able to fulfil their obligations emerging from their parents' rights and obligations. When the court receives relevant information regarding the above mentioned, it starts an ex offa procedure according to the Act no. 161/2015 Coll. **Civil Proceedings Code for Non-Adversarial Proceedings**- an urgent/immediate measure related to the issues of protection of minors. The procedure could result into intervention of the court into parents' rights and obligations or consignment of a child from the risky environment. According to **Article 365** of this Act, *"if minor happens to be without any custody or his life, health or positive development is seriously jeopardized or disrupted, by the urgent/immediate measure, the court issues a resolution by which minor is consigned to a temporary custody of natural or legal person who is identified/determined in the resolution.* Within the before mentioned, it is essential to emphasise that the urgent/immediate measures serve for ensuring immediate protection of a child in justified cases. The court decision regarding the order of urgent/immediate measure is issued upon the 24 hours from delivery of the motion. The pertinent court resolution becomes enforceable with its announcement. If the resolution is not announced, it becomes enforceable when issued. Another tool of the child protection is an urgent/immediate measure according to the **Article 367** of this Act (*"By the urgent/immediate measure, the court may order that a person who has minor in his custody is obliged to bring minor to the care of the person who identifies/determines the court or to the shared personal care."*), which regulates exercising the childcare that is necessary to be regulated immediately, but the circumstances do not enable to apply the urgent/immediate measure according to Article 365 of this Act. The court decision regarding this urgent/immediate measure is issued upon the 7 days from delivery of the motion. The pertinent resolution becomes enforceable with its announcement. If the resolution is not announced, it becomes enforceable when issued.

After arrival of a child to the authority of the socio-legal protection of children (for this purposes - Child home for unaccompanied minors), there is a **case conference** with participation of a translator (translation into the language child understands). The aim of the case conference is to plan procedures and methods oriented to the best interests of child aimed at reaching permanent solution. If the child wants to make reunification process with family relative in different country, UNHCR, IOM and state institutions of pertinent country are involved in the process. The authority of socio-legal protection of children and social guardianship participates on searching of parents or different family relatives of the unaccompanied child for purposes of their reunification. Within this process, the authority announces measures that have been adopted in the interest of return or the replacement of the child to embassy of the country in which the child has his/her common residence. The authority also applies for return of the child or his/her replacement to the country in which the child has his/her common residence if it is obvious that the country of child's residence is secure. The authority of the socio-legal protection of children and social guardianship makes suggestion to embassy of the country in which unaccompanied child does not have the common residence and in which there is his/her parent or person who holds the care of the child for reunification and also announce measures adopted in the interest of this reunification. The authority also cooperates with International Organisation for Migration in the process of ensuring the return of the unaccompanied child into the country of origin or the third country as stated above. The part of the process is also thorough screening of family relatives of child and decision taking if the reunification is adequate and secure for the child. Within the screening procedure, possible risks of sexual abuse and exploitation of children are also taken into consideration. It is possible to start the procedure for return or replacement of the child only on the basis of report and documents from relevant authorities regarding assessment of family, social and residential situation in the country of reunification. Only by the thorough screening and assessment of conditions for ensuring the protection of the child, his/her upbringing and universal development and subsequent cooperation of relevant authorities and institutions involved in the socio-legal protection of children, it is possible to avoid the risks of sexual abuse and sexual exploitation of the child.

Additional information sent on 7 January 2019:

The Central Office of Labour, Social Affairs and Family and regional offices of Labor, Social Affairs and Family (hereinafter as "the authority for the socio-legal protection of children and social guardianship"), the Center for the International Protection of Children and Youth, the municipality, the higher territorial unit, the legal entity or the natural person holding the accreditation under the Act no. 305/2005 Coll. (hereinafter as the "accredited body") and the entities implementing the measures of social-legal protection of children and social guardianship under this Act are obliged to ensure that the rights of the child are not jeopardized or violated. All the authorities, legal entities and natural persons referred to in the first sentence by implementing measures under this Act shall provide the child with the protection and care necessary for his/her well-being and protection of his/her protected interests while respecting his/her rights declared in the Convention on the Rights of the Child and the rights and duties of his/her parents, adoptive parents, guardians and persons whose court has entrusted the child with personal care or foster care or with the care of prospective adoptive parents (hereinafter as the "person who personally takes care of the child"). Everybody is obliged to notify the authority for the socio-legal protection of children and the social guardianship of violations of the child's rights. Where the authority for the socio-legal protection of children and the social guardianship is informed of using gross or degrading forms of treatment and forms of punishment of the child, or if it finds the use of such form of treatment of the child during performance of measures under this Act, it is obliged, depending on the nature and seriousness of the treatment/punishment, to apply some of the measures under this Act. When implementing measures under this Act, it is forbidden to use all forms of corporal punishment on children and other gross or degrading forms of treatment and form of punishment of the child that cause or can cause physical injury or psychological harm. The child has the right to ask for help in order to protect his/her rights, the authority for the socio-legal protection of children and the social guardianship, another state authority, e. g. Police Force, to protect rights and interests of a child protected by the law, facilities of the socio-legal protection and social guardianship, the municipality, the higher territorial unit, accredited body, school, school facility or healthcare provider. All authorities, legal entities and natural persons referred to in the first sentence are required to provide immediate assistance to the child in order to protect his/her life and health, to take measures to safeguard his/her rights and interest of the child protected by law, the rights of protected interests, including by mediating such assistance. This also applies if the child cannot ask for help due to his/her own age and intellectual maturity; it can be done through a third person. The child has the right to ask for help in order to protect his/her rights even without the parent's knowledge or the knowledge of person who personally takes care of the child. This is without prejudice to the rights and obligations of parents arising out of the parental rights and duties and the rights of the person who personally takes care of the child as regulated in the Act no. 36/2005 Coll on the Family.

The parent and the person who personally takes care of the child have the right to ask for assistance in exercising their rights and duties, the authority for the socio-legal protection of children and the social guardianship, the other state authority that is competent to protect the rights and interests of the child protected by the law, municipality, a higher territorial unit, an accredited body, a school, a school facility and a health care provider; these authorities and the accredited body are obliged to provide this assistance to the parent and the person who personally takes care of the child within the scope of their competence.

In line with Article 79 para 4 Act no. 578/2004 Coll. on Health Care Providers, Health Care Workers and Professional Organisations in Health Service and on amendments and supplements to some acts, the health care provider who is a holder of permission or license to perform individual medical practise, is obliged to immediately notify the law enforcement authority and office of labour, social affairs and family as an authority of the socio-legal protection of children and social guardianship according to the Act no. 305/2005 Coll. on the socio-legal protection of children and social guardianship, in which area the child resides, the suspicion on sexual abuse, or different abuse of minor, rape of minor, sexual violence against minor, sexual exploitation of minor, sexual intercourse between relatives including minor, maltreatment and neglect of minor.

Additional information sent on 7 January 2019:

In line with the guidelines of the expert analysis: Develop a targeted measure and procedure for identifying the risks of sexual abuse and child protection, we bring to attention the methodology of the health sector published in the Bulletin of the Ministry of Health of the Slovak Republic "Expert Guidelines of the Ministry

	<p>of Health of the Slovak Republic on the symptoms and diagnosis of neglect, abuse or abuse of a minors and on the procedures of the healthcare providers in reporting suspected maltreatment, negligence or abuse of a minor“ which regulates the symptoms and the diagnosis of neglect, maltreatment or abuse of the minors, the procedure of healthcare providers in reporting suspected negligence, maltreatment or abuse of a minor to a prosecutor, police officer - investigator or police authority under the special regulation.¹³</p>
Slovenia / Slovénie	<p>In reunification of families with recognized international protection, the Government Office for the Support and Integration of Migrants cooperates with family members and various organizations. After the reunification, the family is provided with psychosocial support by integration consultant and workers of NGOs. In the event of suspected sexual abuse or exploitation of the child the services react immediately with necessary mechanisms for protection of a child.</p> <p><u>Additional information sent on 10 April 2019:</u></p> <p>In the case of an unaccompanied minor, Slovenia hosts the said minor in accordance with the provisions of Protocol on the Cooperation between the Centers for Social Work and Police (based on Article 82 of the Foreigners Act). Under this Protocol, the Center for Social Work in Postojna is competent for further procedures. The Center first designates a guardian of unaccompanied minor. Guardian is a designated expert. Migrant unaccompanied minors and migrant families with unaccompanied minors are placed in suitable facilities for the accommodation of minors where his or her rights will be guaranteed. If this is not possible, an unaccompanied minor and a family with an unaccompanied minor may be accommodated at the Aliens Center. Possible transport of a minor (unaccompanied legal alien) to the Aliens Center of Postojna is carried out by Center for Social Work, with police cooperation. If a police officer is involved, this task must be carried out, as a rule, in civil clothing and with an unmarked car.</p> <p>At a time when the child is an applicant for international protection, he or she is informed various actors, including through activities that are adapted to the child’s age and perceptions, to raise awareness about the types of violence and also to whom to turn to in case of violence. Social workers through their daily psychosocial care, monitor the family dynamics/psychosocial status of individual family members and take immediate action in case of any suspicion of abuse.</p> <p>As a mechanism of prevention and awareness raising, PATS project can also be pointed out. PATS is a project consisting of informative interviews as well as a variety of activities through which applicants for international protection are given information on trafficking in human beings, sexual violence and gender-based violence.</p> <p>Individual interviews with unaccompanied minors, women and girls over the age of 14 are be carried out immediately after the application. However, if there are any indications that someone has been victim of violence, social services are immediately engaged with an aim to take action.</p> <p>Authorities also provide assistance in case of mergers with the family of a minor. Slovenian authorities contact the foreign security authorities to which we are supplying information. Slovenian authorities request contact information in order to speed up the procedure for family reunification. The fundamental principles enshrined in the UN Convention on the Rights of the Child (the United Nations Convention on the Rights of the Child) are taken into account.</p> <p>There is a regular cooperation with NGOs, experts take part in joint consultations, in various events and coordinations with the aim to provide and promote assistance and appropriate action in cases of child sexual abuse and combating child sexual abuse. The fundamental task of the Police is to protect the life of every individual. Particular emphasis is placed on vulnerable groups such as children (regardless of their status) and making every effort to protect them.</p> <p>Some remarks on the grounds for refusal:</p>

¹³ Art. 79 para. 2 letter b) Act no. 578/2004 Coll. as amended.

In the Republic of Slovenia, a permanent residence permit is issued to a family member of a refugee under Article 47a of the Foreigners Act (Official Gazette of the Republic of Slovenia. RS, No 1/18 — UPB6 and 9/18 — corr.; Hereinafter: ZTuj-2). Temporary residence permit is issued to a family member of a person with a recognised subsidiary protection in the Republic of Slovenia under Article 47b ZTuj-2. A residence permit may be issued if: the identity of the family member is not contested; if the family member (refugee or person with a recognised subsidiary protection in the Republic of Slovenia) proves a family link with the family member; and if there are no grounds for refusal to issue the residence permit referred to in the third, fifth, sixth, seventh, tenth or eleventh indents of the first paragraph of Article 55 ZTuj-2.

The fifth indent of the first paragraph of Article 55 of the ZTuj-2 provides that a residence permit in the Republic of Slovenia shall not be issued to an alien if there are grounds for suspecting that there may be a threat to public policy or public security or international relations of the Republic of Slovenia or if it is suspected that his or her residence in the country will be linked to the commission of acts of terrorism or other violence, illegal intelligence activities, drug production or trafficking or the enforcement of other criminal offences (including sexual offences).

If an application for a permanent or temporary residence permit for a family member of a refugee or a person with subsidiary protection is being made for a minor and there are reasonable grounds to assume that a minor can become a victim of a criminal offence in the Republic of Slovenia (either by the sponsor or by third person), the application for a residence permit shall, for this reason, be refused to prevent the minor from becoming a victim of criminal offence during the period of his stay in the Republic of Slovenia.

If an unaccompanied minor who was granted refugee status or subsidiary protection in the Republic of Slovenia applies for permanent or temporary residence permits for the family member, and it is established in the procedure that a family member will either pursue criminal activity in the Republic of Slovenia or that his/her residence in the country will be linked to criminal activity (e.g. sexual offences), the potential victim of this offences being an unaccompanied minor, the application for a residence card shall be denied. The application is denied in order to prevent the minor from becoming a victim of a crime in the Republic of Slovenia.

Additional information sent on 24 May 2019:

In cases where a family reunification takes place in Slovenia (both family and child reside in Slovenia) an assessment of the suitability of the family would first be made as well as family ties (liens de parenté). The competent institutions would be consulted for possible reservations to family reunification, suspicion of possible sexual abuse included. Competent professionals would thus conduct an interview with a child and a family as well, indications of possible abuse would also be sought. The family situation would therefore be tested at multiple levels, including with law enforcement authorities. A meeting of a multidisciplinary team consisting of experts of various institutions (including NGOs coming into contact with a family) would be convened. On the basis of all obtained facts an assessment of the risk of bringing the family reunification is made (also in view of possible abuse). An assessment of best interests of the child is also undertaken.

Slovenian authorities have dealt also with cases of family reunifications when a family resides in another country. In these cases, the competent authorities of both countries establish contact and mutually verify facts and circumstances, relevant for family reunification. Family ties (including DNA test) and family suitability (housing conditions, family dynamics...) are checked. Regular psychosocial care is administered to a child. It is thus established either that a family reunification is in the best interest of a child or that there are important reservations or indications that such reunification would be contrary to child's best interests. Information between countries is exchanged through established communication channels.

It is important to note that a procedure of family reunification is multisectoral involving also international protection procedure in line with the Dublin regulation.

	<p>The Social Work Centre (CSD) is immediately informed by the Police when an unaccompanied minor has entered the country or resides in a country illegally. The Police notify social workers of the Social Work Centre with the current findings, the status and situation of the alien minor and the appropriate measures envisaged. The Social Work Centre shall assign an expert and deploy it immediately to the police station. An expert shall, with a help of an interpreter, interview a minor, in order to, inter alia, identify any sexual abuse or other type of abuse, to provide him/her with the first social assistance and to obtain a minor's statement on an appointment of a legal guardian for the purposes of the procedure. Expert shall, where appropriate, accompany the minor on a transport to the appropriate establishment for accommodation.</p>
Spain / Espagne	<p>On July 22, 2014, the Minister of Justice, the Minister of Employment and Social Security, the Minister of Health, Social Services and Equality, the State Attorney General, the Secretary of State for Security and the Deputy Secretary of the Ministry of Foreign Affairs and Cooperation signed an Agreement for the approval of the Framework Protocol on certain actions in relation to Unaccompanied Foreign Minors (UAM. s in brief).</p> <p>As preventive measures against human trafficking and against the use of minors, the following can be highlighted:</p> <p>Paragraph 1. Private Interview If Law Enforcement Authorities locate a UAM without enough judgment to be heard accompanied by an adult claiming to have a biological paternal-maternal bond or pretending to have a family bond or to be in charge of the minor, specially qualified staff of the Police, shall proceed to interview the adult to clarify the situation, the migratory decision of the minor, bond and relations with the minor, destination within Spain and people they are going to stay with or to visit.</p> <p>Paragraph 2. Proposal for D.N.A. Testing If the adult claims to have a biological bond (paternal or maternal) with the minor, the Police shall ask the adult to voluntarily give consent-duly informed- to obtain the identifying data from the DNA from mouth epithelial cells (from the minor and from the adult).</p> <p>Paragraph 6. Safety Guarantee for minors in Foster Care centres with their parents. If from the adult's statement or because of any other indicator of information, a situation of immediate vulnerability for the minor is detected, public entity of child protection shall order the separation of the minor and the adult and the minor shall be placed under Temporary Custody while performing the necessary investigative actions that may justify the family reunification with the concerned adult, thus shall be communicated to the prosecutor with the purpose of monitoring and protecting the best interest of the child.</p> <p><u>Additional information sent on 25 March 2019:</u> Article 19 bis of Organic Law 1/1996, of 15 January, on the legal protection of minors states that when a public entity assumes the guardianship of a minor, it shall draw up an individualized protection plan. This shall set out the objectives, the forecast and duration of intervention measures taken, including, where appropriate, the family reintegration programme.</p> <p>In the case of unaccompanied foreign minors, the same article establishes that the search for their family and the restoration of family coexistence will be sought, provided that such measure responds to the best interest of the child and does not place the minor or his family in a situation that endangers his or her security.</p> <p>The services responsible for the protection of minors shall inform the foreign minor, in an understandable language, of the basic content of the right to international protection and of the procedure for its application, as well as existing regulations on the protection of minors.</p> <p>In accordance with the principle of family reunification of the minor, the General State Administration, after having heard the minor and following a report from Child Protection Services, will decide on its return to his or her country of origin or to the country where his or her relatives are located or on his stay in Spain. In</p>

	<p>accordance with the principle of the best interest of the child, repatriation to his country of origin shall be agreed only if the conditions for the effective family reunification of the child are met, or for appropriate guardianship by the child protection services of the country of origin.</p> <p>The procedure shall be initiated ex officio by the General Administration of the State or, where appropriate, at the proposal of the public entity exercising guardianship of the minor. The body responsible for the guardianship of the minor must provide the governmental authority with any information concerning the identity of the minor, his family, his country or his domicile, and provide information on any steps taken to locate the minor's family.</p> <p>The Government authority shall inform the Public Prosecutor's Office of all actions taken in this procedure.</p> <p>The General State Administration is competent to carry out the procedures relating to the repatriation from Spain of a foreign minor. Prior to that, all necessary arrangements are done with relevant embassies and consulates in order to locate the minors' relatives, and failing that, the child protection services of their country of origin who take responsibility for them. In the absence of diplomatic representations, these efforts are channeled through the Ministry of Foreign Affairs. Repatriation will only take place after verifying that there is no risk or danger to the child's integrity.</p> <p><u>Additional information sent on 1 April 2019:</u> The usual process of family reunification in cases of foreign unaccompanied minors (MENA), is to consider on a case by case, and to provide the procedure with all the guarantees regarding the child and to direct all the measures in the best interest of the child. (the request for full reports about the family will be before the regroupment).</p> <p>In the case of a child under guardianship, the contact is made from the child protection service responsible for the guardianship of the child in Spain, with the appropriate one in the country where the family of the minor is located and the necessary family reports will be requested: social and psychological. The procedure is therefore, carried out through the social child protection services of the countries concerned.</p>
Sweden / Suède	<p>The procedure differs a bit depending on if the child is already in Sweden or if the child is residing outside of Sweden when applying for a residence permit.</p> <p>As a part of the application process, there is normally an oral interview with the applicant. Every child who is applying, or is a reference person, has the right to express its views and to be heard. If the child is applying for a residence permit based on family reunification, an interview is normally held at a Swedish Embassy. If the child is too young or if there are other circumstances that make it inappropriate to interview the child, a child-focused interview shall be held with the legal guardian(s). The interviews vary depending on the age of the children, but children should always be given a chance to talk about their own situation. The person who is conducting the interview must be observant if the child mentions anything that could indicate that the child might be abused, or in risk of being abused.</p> <p>Children, who already are in Sweden, will always get a guardian (god man) appointed if they are not together with a parent or any other legal guardian.</p> <p>The Swedish law states that reporting authorities (such as the Swedish Migration Agency) are obliged to immediately report to the social welfare committee if they become aware of, or suspect, that a child is in risk of maltreatment.</p> <p>For instance, a child may be in need of intervention by the social services, when he or she comes alone to Sweden or is abandoned here. This may also be the case when a child comes to Sweden with an adult who claims to be custodian, but there are doubts about the child's welfare. The Migration Agency should also report to the social services if there is suspicion of trafficking in human beings. The same applies if there is a risk of honour-related violence or if the child otherwise is at risk.</p>

	<p>If there is a suspicion of human trafficking, the Swedish Migration Agency should immediately decide whether to contact the Police. In these cases, the Migration Agency should also always make an internal report. When there are indications that an applicant is or has been exposed to trafficking, the applicant and his or her family members shall be called for an oral investigation when the Migration Agency is handling the extension application.</p> <p><u>Additional information sent on 4 March 2019:</u> The procedure differs a bit depending on if the child is already in Sweden or if the child is residing outside of Sweden when applying for a residence permit.</p> <p>As a part of the application process, there is normally an oral interview with the applicant. Every child who is applying, or is a reference person, has the right to express its views and to be heard. If the child is applying for a residence permit based on family reunification, an interview is normally held at a Swedish Embassy. If the child is too young or if there are other circumstances that make it inappropriate to interview the child, a child-focused interview shall be held with the legal guardian(s). The interviews vary depending on the age of the children, but children should always be given a chance to talk about their own situation. The person who is conducting the interview must be observant if the child mentions anything that could indicate that the child might be abused, or in risk of being abused.</p> <p>Children, who already are in Sweden, will always get a special representative appointed if they are not together with a parent or any other legal guardian. Children are in general also appointed a legal representative.</p> <p>The Swedish law states that reporting authorities (such as the Swedish Migration Agency) are obliged to immediately report to the social welfare committee if they become aware of, or suspect, that a child is in risk of maltreatment.</p> <p>For instance, a child may be in need of intervention by the social services, when he or she comes alone to Sweden or is abandoned here. This may also be the case when a child comes to Sweden with an adult who claims to be custodian, but there are doubts about the child's welfare. The Migration Agency should also report to the social services if there is suspicion of trafficking in human beings. The same applies if there is a risk of honour-related violence or if the child otherwise is at risk.</p> <p>If there is a suspicion of human trafficking, the Swedish Migration Agency should immediately decide whether to contact the Police. In these cases, the Migration Agency should also always make an internal report. When there are indications that an applicant is or has been exposed to trafficking, the applicant and his or her family members shall be called for an oral investigation when the Migration Agency is handling the extension application.</p>
Switzerland / Suisse	<p>In connection with a family reunion procedure, the SEM examines whether the kinship relationships between members of the nuclear family are genuine and carries out any investigations necessary to avoid abuses in this area, for example by asking individuals to submit to DNA tests. From the beginning of the procedure, if any doubts arise about the existence of the family ties claimed, investigations are carried out to address them (for example, by conducting interviews) and specific protective measures are put in place if needed, in application of the principle of the best interests of the child (such as the appointment of a guardian or separation from the family).</p> <p>In the Swiss system, there are many people who are responsible for looking after a migrant minor and they are aware of his/her personal situation and of any indication of ill-treatment or sexual abuse or exploitation, for example. As early as the first phase of the procedure, that is to say, within two weeks at the latest after a young person's arrival in Switzerland, a medical visit and registration interview take place, in the course of which the young person is asked about his/her reasons for coming to Switzerland, his/her life history and family ties, etc. A second, more extensive interview is held in the case of all unaccompanied minors and all minors over 14 years of age accompanied by their family. Unaccompanied minors are provided with a legal representative (guardian), who carefully monitors them. Social workers will also supervise and monitor everyone subject to the asylum procedure (including families). Young people are required to attend school.</p>

For example, in an interview conducted by the SEM with a young male aged about fifteen in which he was asked why he had applied for asylum, he gave as his reason ill-treatment within his family. The service for the protection of minors of the canton responsible was alerted after the interview and protective measures were immediately taken (placement) to ensure that the young person did not return to the family home with his parents at the end of the interview. Detection and reporting of this kind may be performed by an interviewer (SEM employee), nurse, doctor, social worker, guardian, teacher or any other person with a supervisory role. In another concrete example, a guardian concerned to hear about a minor's regular disappearance at night from the hostel in which he was living and suspecting possible prostitution or sexual exploitation contacted the juvenile police to agree the appropriate measures to protect the individual (monitoring, intervention, etc.).

During procedures, numerous players involved either in the procedures themselves or in supervising minors are accordingly required to take action if they suspect that sexual abuse has been committed. According to section 22 a of the Confederation Staff Act (LPers, <http://intranet.admin.ch/ch/f/rs/1/172.220.1.fr.pdf>, all employees are required to report to the criminal prosecution authorities any automatically prosecutable offences and misdemeanours that have come to their knowledge or about which they have been informed in the course of their work. For example, in the case of child marriages, the SEM systematically informs the relevant authorities in order to have them not only check the validity of the marriage but also consider the protective measures that have to be taken for each specific case (appointment of a guardian, separate accommodation, etc.). On the basis of Article 302 of the Swiss Code of Criminal Procedure (<https://www.admin.ch/opc/en/classified-compilation/20052319/index.html>), the cantons have enacted similar provisions for their staff.

In the canton of Bern, for example, section 48(1) of the Act on the introduction of the Code of Civil Procedure, of the Code of Criminal Procedure and of the Act on the criminal procedure applicable to minors (LiCPM, <https://www.belex.sites.be.ch/frontend/versions/1327?locale=fr>) provides that the authorities and employees of the canton and municipalities are required to report to the Public Prosecutor's Office any facts that have come to their knowledge in the course of their work and which lead them to suspect that an automatically prosecutable offence has been committed. In the canton of Fribourg, section 62 of the Staff Act (LPers, https://www.fr.ch/spo/fr/pub/doc/juridique/lpers_rpers.htm) also deals with the same question.

When such facts are reported, the cantonal child and adult protection services must take the appropriate measures for each specific case. The measures considered appropriate include, in particular, separation from the family, the appointment of a guardian for young people accompanied by their family, psychological support measures, medical monitoring, placement in a hostel for minors, a foster family or another suitable option to meet the young person's needs. In addition, when examining an asylum application, the SEM will carefully consider the situation of a young person who claims to have been a victim of sexual abuse or exploitation.

Furthermore, most cantons have or will soon have a threat-management system at their disposal (see the report entitled "La gestion des menaces, en particulier dans le contexte de la violence domestique", published by the Federal Council on 11 October 2017, (<https://www.bj.admin.ch/dam/data/bj/sicherheit/gesetzgebung/gewaltschutz/ber-br-f.pdf>)). Threat management applies not only to domestic violence but also to other situations, such as sexual harassment. It enables dangerous excesses by individuals to be detected at an early stage, thereby obviating the risk of offences actually being committed. The three principal stages, "Recognise, Assess and Forestall", require co-operation between many different services and authorities, such as the child-protection authorities, schools, the courts, the prosecuting authorities or the immigration and asylum authorities. Threat management is mainly characterised by inter-institutional collaboration between all the services and offices involved, as well as by clearly regulated responsibilities at all stages of the process. The aim is institutionalised collaboration.

[Additional information sent on 28 March 2019:](#)

[Conformément aux dispositions du Règlement Dublin, l'intérêt supérieur de l'enfant doit être respecté dans toutes les procédures \(art. 6 Règlement Dublin III\). Dans le cas des mineurs non-accompagnés, plusieurs acteurs \(curateur ou tuteur, représentant légal, autorités cantonales\) sont contactés et impliqués – à chaque](#)

	<p>fois – dans le processus de décision afin de déterminer si la réunification de la famille est dans l'intérêt de l'enfant et de son bien-être. Si l'appréciation opérée par le SEM au terme de ces échanges fait apparaître des indices avérés qu'un mineur non-accompagné est (ou risque d'être) victime d'abus sexuels et/ou d'exploitation sexuelle dans le pays en direction duquel il devrait être transféré, les autorités suisses peuvent renoncer à initier une procédure de regroupement familial fondée sur ledit règlement ou interrompre une procédure déjà engagée. La demande d'asile du mineur non-accompagné concerné sera, dans ces cas, examinée en Suisse.</p> <p>A titre subsidiaire, il convient de souligner que dans le cas d'un regroupement familial au titre de l'asile (art. 51 LAsi) en faveur d'un enfant (accompagné ou non) se trouvant encore dans le pays d'origine ou dans un Etat tiers, le SEM peut renoncer à accorder une autorisation d'entrée si des indices avérés suggèrent que le bien-être de l'enfant serait compromis, d'une manière ou d'une autre par la réunification, en invoquant l'existence de « circonstances particulières ». Une autorisation d'entrée déjà accordée peut quant à elle être annulée – sous respect de la procédure établie – si de tels indices devaient apparaître avant l'entrée en Suisse.</p>
Turkey / Turquie	<p>As stated above, unaccompanied children are taken under protection by the MFSA. According to the Child Protection Law, the first choice for protecting a child is supporting the child within his or her family. If this is not possible, he or she will benefit from protection measure of sheltering.</p> <p>Family reunification of unaccompanied children is carried out by the MFSA. For the children affected by refugee crisis, the MFSA and Prime Ministry Disaster and Emergency Management Presidency established in cooperation a specific Child Sheltering Centre for unaccompanied children in Adana province of Turkey. In the case that it is understood that a child has been victim of negligence or abuse by his or her family, MFSA does not make the family reunification for these children.</p> <p>Pursuant to article 5 of Child protection Law, if the family is a source of threat to the child, the child will be put under protection within intuitions of the MFSA.</p> <p>Furthermore, as there is an obligation to report crimes against children, in case of an indication of sexual abuse against children by the family, the personnel must inform law enforcement.</p> <p>When children arrive facilities of DG Migration in provinces, their ties with adults accompanying them are examined, within the process of determining identities of the children. After this examination, local migration authorities decides if the child accompanied or unaccompanied. If the child is unaccompanied, he or she will be taken under protection pursuant to Child Protection Law.</p> <p>In case of a doubt that these children are victim of sexual abuse, exploitation or violence, migration authority informs law enforcement without delay, as well as the MFSA for protection measures about children. Furthermore, local staff of DG Migration receives training about determining child abuse with other issues related to migration.</p> <p>Interviews with these children are carried out by social workers and psychologists who can detect threats that children suffer.</p> <p><u>Additional information sent on 5 April 2019:</u> In accordance with the provisions of the Law on Foreigners and International Protection, the foreigner requesting international protection from Turkey "are obliged to report identity information truly and, if available, submit identification and travel documents to the competent authorities at the time of the registration." For the purpose of fulfilling this obligation, the applicant and his/her belongings may be searched. "Where there is no documentation regarding the identity of the foreigner, information obtained from the comparison of personal data and from investigation are used for the identity determination. In case no information is obtained as a result of the identity determination investigation as well, the statement of the applicant shall be referred to."</p>

	<p><u>Additional information sent on 27 May 2019:</u></p> <p>As is stated in our previous replies to this recommendation, in case where it is understood that an accompanied child in our country has been subjected to sexual abuse by his/her family, the family reunification procedures are not carried out.</p> <p>On the other hand, the risk that a child whose family lives in another country which is a party to the Lanzarote Convention might become a victim of sexual exploitation and sexual abuse in case of family reunification is evaluated through the following means, which also enable the necessary investigation to be carried out regarding especially the family in another contracting country by the official authorities of the relevant state:</p> <ul style="list-style-type: none">- The International Social Services (ISS), which is an independent organization aiming to find a solution to the problems of persons having personal or family-related issues due to voluntary or forced migration or other social problems with an international nature in the country where they reside and to help them in this way, carries out its activities in cooperation with the Ministry of Family, Labour and Social Services in our country. In this regard, it can be requested through the aforementioned Ministry that a social study report be drawn up regarding the families in another contracting state of the unaccompanied children in our country for evaluating the risk that the child might become a victim of sexual abuse.- Pursuant to Articles 3, 5, 6, 8, 9 and 11 of the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, which became effective on 01/02/2017 for Turkey, the competent authorities of the relevant countries can be requested to take the necessary protective and supportive measures. Likewise, pursuant to Articles 29, 30, 31, 32 and 36 of the aforementioned Convention, it can be requested that a report be drawn up regarding children and their families and that all kinds of information and documents on the subject be presented.- As the sexual exploitation and sexual abuse of the child constitute also a crime, it is possible to request the authorities of the country where the family of the child is present to carry out the necessary investigation regarding the family and, to file a criminal complaint through Interpol in urgent cases and through bilateral and multilateral judicial cooperation agreements to which our country is a party in ordinary cases.
Ukraine	<p>The social protection of separated from the family of children who are not Ukrainian citizens is ensured in accordance with the Resolution of the Cabinet of Ministers of Ukraine (No. 832 dated November 16, 2016). Cases of risks that a child may be abused or sexually exploited as a result of family reunification is considered in accordance with current legislation. The Joint Order of the Ministry of Social Policy, the Ministry of Internal Affairs, the Ministry of Education and Science and the Ministry of Health (No. 564/836/945/577 dated August 19, 2014) determines the Procedure for consideration of appeals and communications concerning the ill-treatment or threat of child abuse. Every child is guaranteed the right to liberty, personal integrity, protection of dignity and the best interests of her.</p> <p>The state protects the child from all forms of physical, sexual, economic and psychological violence, ill-treatment, neglect and ill-treatment, involvement in the worst forms of child labor, including from the parents or persons who replace them, and also takes the necessary measures to ensure the rights of children who witnessed a criminal proceeding. The Service for Children is the coordinator of measures to protect children against abuse or threats of their commission. In case of necessity, the entities organize the provision of emergency medical aid (emergency aid), psychological and other types of assistance to a child who has suffered from ill-treatment. Subjects of social work send messages to the Service for Children in the form established by the Ministry of Social Policy, in particular the families in which physical, psychological, sexual, economic violence against children, physical abuse, ill-treatment of children was committed or there is a real threat of its commission. Consideration of reports of families in which physical, psychological, sexual, economic violence against children, physical abuse, or abuse of children was committed, or there is a real threat of its commission, is carried out in accordance with the Order of the Ministry of Social Policy, Ministry of Internal Affairs, Ministry of Education and Science and the Ministry of Health.</p> <p>In case of receiving from the subjects of social work a notice concerning the families in which the physical, psychological, sexual, economic violence against children, physical abuse, ill-treatment of children was committed or there is a real threat his commission, the Service for Children within three working days</p>

involves a center for social services for the family, children and youth, and, if necessary, other social work subjects for verifying the information indicated in the notification and ensuring, in case of rebounds of social support of the family, protection of the rights of children in such a family. For the organization of social protection of a child who is in difficult circumstances, giving her and her parents (or persons replacing them) a complex of social services based on materials prepared by the Center for Social Services for Family, Children and Youth and other entities social work, the Service for children, if necessary, sends the child to the institution of social protection of children. If an immediate threat to the life or health of the child has arisen, the guardianship and guardianship authority, who became aware of this, shall decide on the immediate removal of the child from the parents or persons who replace them.

Additional information sent on 9 April 2019:

The national legislation (the Law of Ukraine "On refugees and persons in need of additional or temporary protection" and other subordinate acts) regulates the issue of ensuring and protecting the rights of refugees, in particular children who are separated from their families or unaccompanied children. The procedure of interaction of all state bodies involved in the provision and the protection of children's rights. First of all, the unaccompanied child is provided with the information on the possibility of submitting an application for a refugee status or a person who needs an additional protection. This is carried out in a clear language for a child (if necessary with the assistance of an interpreter), taking into account child's age and individual characteristics.

The subsequent procedure provides transfer of the unaccompanied child to the State Migration Service and a representative of the Child Service. Then a child is sent to the medical institution for the medical examination and a help in case of necessity. In a case of detection of the fact of violence against the child, in particular sexual abuse or sexual exploitation, all the further steps will be carried out in accordance with the Criminal Procedure Code of Ukraine. If an unaccompanied child is not a citizen of Ukraine, the State Migration Service of Ukraine in cooperation with international organizations searches for parents or other the child's legal representatives.

In a case of family reunification or returning a child to the country of origin the best interests of the child and child's opinion expressed in accordance with the age, psychological and physical development of a child are taken into account.

According to the Law of Ukraine " Combating Trafficking in Persons" (Article 24), "A child who suffered from trafficking of children does not return to the country of origin if there is any evidence that such return threatens his security and does not correspond to his best interests."

Additional information sent on 10 April 2019:

The Resolution of the Cabinet of Ministers of Ukraine dated November 16, 2016 No. 832 approved the Procedure for the interaction of state bodies and local self-government bodies in identifying children who are separated from their families, who are not Ukrainian citizens. This procedure defines the mechanism of interaction between authorities when working with separated children or unaccompanied children. It's not just about returning a child to a country of origin, but it's about looking for a child's parents. As far as risk assessment for a child is possible in case of family reunion, it is currently possible only from the words of the child, or as a result of the medial examination.

Additional information sent on 16 April 2019:

At the moment any situation with unaccompanied child is solving in accordance with the national Law. At any suspicion of sexual exploitation or sexual abuse of any child, including unaccompanied, investigation is conducted according to national and international norms to guarantee the best interest of a child.

Additional information sent on 18 April 2019:

	<p>It is important to note that situation with unaccompanied child/children is under specific attention of the state. And international co-operation in a case of refugees children, child trafficking victims, sexual abuse victims, of course implies as well cooperation with embassies, with different international organisations (IOM, Red Cross among them), Interpol/Evropol etc.</p> <p>The information about features of such work is confidential and is in competence of the Migration Service, the National Police and Ministry of Foreign Affairs.</p> <p><u>Additional information sent on 28 May 2019:</u> It is necessary to note that the situation with refugee children does not demand the special legislative regulation as far as they are not a social focus group. We have no refugees's flow and children too. And present Ukrainian legislation gives necessary warranries for all children, including refugee children.</p>
United Kingdom	<p><u>Information sent on 1 March 2019:</u> The UK family reunion guidance - available from https://www.gov.uk/government/publications/family-reunion-instruction - already addresses this issue:</p> <p>‘The duty, in section 55 of the Borders, Citizenship and Immigration Act 2009, to have regard to the need to safeguard and promote the welfare of children in the UK means that consideration of the child’s best interests is a primary, but not the only consideration, in immigration cases. This guidance and the Immigration Rules it covers form part of the arrangements for ensuring that this duty is discharged. Although Section 55 only applies to children in the UK, the statutory guidance, Every Child Matters - Change for Children provides guidance on the extent to which the spirit of the duty should be applied to children overseas. Caseworkers considering overseas applications must adhere to the spirit of the Section 55 duty and make enquiries when they suspect that a child may be in need of protection, or where there are safeguarding or welfare needs that require attention. In some instances international or local agreements are in place that permit or require children to be referred to the authorities of other countries. Caseworkers must abide by these arrangements and work with local agencies in order to develop arrangements that protect children and reduce the risk of trafficking and exploitation.’</p>

Recommendation R29 / Recommandation R29

The Lanzarote Committee:

urges Parties that have not yet done so to take the necessary legislative or other measures to ensure that child victims of sexual exploitation and sexual abuse affected by the refugee crisis may benefit from therapeutic assistance, notably emergency psychological care (R29).

Le Comité de Lanzarote :

exhorte les Parties qui ne l'ont pas encore fait à prendre les mesures législatives ou autres nécessaires pour veiller à ce que les enfants touchés par la crise des réfugiés qui sont victimes d'exploitation ou d'abus sexuels puissent bénéficier d'une assistance thérapeutique et notamment d'une prise en charge psychologique d'urgence (R29).

Albania / Albanie	<p>Albania is listed in the Special report among the Parties which refer to specific psychosocial assistance foreseen within the context of the refugee crisis.</p> <p>Additional information sent on 18 December 2018: Law 18/2017 "On the Rights and Protection of the Child" provides that for every child is guaranteed free legal and psychological assistance in any judicial and administrative process. This assistance is provided to the child directly and without obstacles, based on the principle of non-discrimination and the highest interest of the child.</p> <p>For children in need of protection from every form of abuse, exploitation, the Child Protection Worker, at local level drafts an Individual Protection Plan that contains, as appropriate, measures for immediate investigation and intervention in cases where the child is at risk for abuse, violence, neglect, and medical assistance, psychological, legal, social or any other necessary rehabilitation or reintegration service. All provided interventions and services in the Individual Protection Plan are offered free of charge.</p>
Andorra / Andorre	<p>Andorre a signé un protocole d'accord avec la Communauté de Sant'Egidio pour la création d'un couloir humanitaire permettant l'arrivée des bénéficiaires dans des conditions de sécurité.</p> <p>À cette fin, le personnel de la Communauté de Sant'Egidio, transféré à Beyrouth, effectue les premiers entretiens de sélection pour les personnes qui sont installées en provenance de Syrie. Une fois que le contenu de la protection temporaire et transitoire et le programme d'accueil et d'intégration dans la Principauté d'Andorre leur sont expliqués, les futurs bénéficiaires signent un compromis d'acceptation et de suivi le programme avec la communauté de Saint'Egidio.</p> <p>Dans le cadre des entretiens, la priorité est donnée aux groupes particulièrement vulnérables et, dans ce cas, la loi prévoit la possibilité de recevoir des mineurs non accompagnés ou séparés de leurs parents.</p> <p>Additional information sent on 10 April 2019:</p>

	<p>L'art. 72 i l'art. 73 de la Loi 14/2019, 15 de février, qualifié des droits des enfants et des adolescents exposent :</p> <p>“Art. 72. Attention aux enfants et les adolescents maltraités.</p> <ol style="list-style-type: none"> 1. Les enfants et les adolescents victimes de tout type de violence, devraient recevoir orientation, conseils et attention complète, immédiate, spécialisée et coordonnée entre les administrations et les services concernés. 2. Le ministère des Affaires sociales met en place une ligne téléphonique reliée aux Applications médiatiques et télématiques, gratuites, permanentes et spécialisées, afin de fournir aux enfants et aux adolescents orientation, conseils, et attention en matière de maltraitance, garantissant toujours son anonymat.” <p>“Art. 73. Récupération et réintégration sociales.</p> <ol style="list-style-type: none"> 1. Les administrations publiques, dans le cadre de leurs compétences, doivent prendre toutes les mesures nécessaires pour assurer la récupération physique et psychologique, et la réinsertion social d'enfants ou adolescents que se trouvant dans une situation de risque. 2. Les enfants et les adolescents en situation de risque ou de négligence ont droit à un accès prioritaire aux services et programmes pour travailler leur récupération et réinsertion, tels que ceux liés à la santé mentale, le conseil juridiques et à la réinsertion sociale. 3. Afin de développer des actions visant à récupérer et à réintégrer les enfants et les adolescents en situation de risque ou d'abandon, les administrations publiques peuvent, dans le cadre de leurs compétences, signer des accords de collaboration avec d'autres entités publiques et privées, conformément à la réglementation en vigueur.” <p>En octobre 2018, le Service d'Assistance aux Réfugiés (SAPRE) et le Centre de Santé Mentale (CSM) du Service Andorran d'Attention Sanitaire ont signé un protocole d'action.</p> <p>Les objectifs spécifiques de ce protocole sont :</p> <ul style="list-style-type: none"> - Établir un circuit d'action coordonnée entre services de santé et services sociaux. - Détecter rapidement les risques psychosociaux pour la population réfugiée d'Andorre. - Prévenir les actions dans le domaine de la promotion de la santé, tant au niveau individuel que communautaire, visant à promouvoir la résilience et la santé mentale. <p>En cas de suspicion d'un problème de santé mentale, SAPRE effectuera un dépistage. Dans le cas de la population d'enfants et d'adolescents, le rôle de l'école et des services de médecine pédiatrique est très important pour le dépistage précoce et, au sein du SAPRE, les coordinations ont donc été établies avec les agents intervenant dans le processus de dépistage.</p> <p>Lorsqu'un mineur est dérivé au CSM, il recevra une première visite pour confirmer le diagnostic et un psychiatre ou un psychologue lui sera affecté en fonction de ses besoins. En tout temps, la coordination avec SAPRE sera maintenue, ainsi que les cas d'abus et / ou d'exploitation sexuelle possibles, avec le Service spécialisé d'attention à l'enfance (SEAI). Ce protocole garantit le traitement thérapeutique urgent de la population réfugiée d'Andorre.</p>
<p>Austria / Autriche</p>	<p>Austria is listed in the Special report among the Parties which refer to specific psychosocial assistance foreseen within the context of the refugee crisis.</p>
<p>Belgium / Belgique</p>	<p>As far as the <u>Guardianship Service</u> is concerned, an integral part of a guardian's role (section 10 of the Guardianship Act) is the assumption of responsibility for dealing with possible traumas experienced by wards, especially in the case of sexual exploitation or abuse. The possibility of making an emergency appointment of a temporary guardian for a particularly vulnerable ward enables psychological or psychiatric support suited to the young person's specific needs to be provided quickly, and the Guardianship Service is particularly keen to appoint individuals with the appropriate experience in this connection.</p> <p>For its part, the <u>Federal Agency for the Reception of Asylum-Seekers</u> organises training for members of asylum-seeker reception centre staff. Training on human trafficking is intended to enable field teams – mainly social workers tasked with supporting residents – to acquire the skills needed to improve the identification and</p>

	<p>guidance of victims of human trafficking, including victims of sexual exploitation. Part of the training deals with the specific situation of unaccompanied foreign minors who have become victims of human trafficking.</p> <p>In late 2016/early 2017, a training course was also held on identifying victims of sexual and gender-based violence. Once identified, victims of sexual exploitation or abuse are referred to general psychological assistance services or to specialised bodies (pursuant to section 30 of the Act on the reception of asylum-seekers and certain other categories of foreign nationals – beneficiaries of reception facilities are given the necessary psychological support).</p> <p>In the <u>Wallonia-Brussels Federation</u>, some youth welfare centres that accommodate unaccompanied foreign minors are specialised in particular in the psycho-social monitoring not only of child migrants but also of child victims of human trafficking. Other children not residing in these specialised centres can make use of mental-health services on a voluntary basis. Depending on their status, children in family care are entitled to urgent medical care (including mental-health care) and unaccompanied foreign minors are entitled to health insurance.</p> <p>In the <u>Flemish Community</u>, owing to the growing influx of asylum-seekers, the General Welfare Centres (Centra Algemeen Welzijnswerk – CAW) were tasked in 2015 with temporarily intensifying the psycho-social support and daily assistance provided to refugees. The centres received additional funds for this purpose in 2016 and 2017. For migrant children, nine mental-health centres (Centra voor Geestelijke Gezondheidszorg (CGG)) were expanded in 2016 to provide individual therapy and support for the primary healthcare services. Moreover, Solentra, a specialised service that provides refugees, migrant children and their families with diagnostic and therapeutic support, has been extended. The 2013 decision on charges payable provides for reduced rates for, among others, patients who attend a mental-health centre without their parent's or guardian's knowledge because of problematic situations arising from their relations with them.</p>
<p>Bosnia and Herzegovina / Bosnie-Herzégovine</p>	<p>All beneficiaries of the above-mentioned institutions are entitled to regular health care and psychological support. In accordance with the Rulebook on the Protection of Foreign Victims of Trafficking, psychological assistance is provided to children victims of trafficking who are placed in the shelter of non-governmental organizations with which the Ministry of Security of BiH has concluded a protocol on cooperation.</p> <p>According to the Rulebook on the manner of operation, functioning and house rules of the Salakovac RRC of Mostar, non-governmental organizations specialized in the provision of legal and psycho-social assistance are given free access to Salakovac RRC to provide legal and psychosocial assistance to beneficiaries. The BiH Ministry of Human Rights and Refugees works in coordination with UNHCR and their partner NGO in Salakovac RRC and through the organization BHWI (Bosnia and Herzegovina Women's Initiative) provides ongoing psychosocial support to all migrants and persons with recognized international protection residing in Salakovac RRC.</p> <p><u>Additional information sent on 22 March 2019:</u> <u>The Bosnia and Herzegovina Women's Initiative (BHWI) continuously provides psychosocial support through the project "Special measures to support the response to the refugee and migrant situation in Bosnia and Herzegovina" in partnership with the UNHCR Representative Office in BiH. For this purpose has been signed Cooperation protocol for the provision of psychosocial support services for asylum seekers, persons under subsidiary protection and recognized refugees with the Ministry of Security of BiH and the Ministry of Human Rights and Refugees of BiH.</u></p> <p><u>Psychosocial support is provided by BHWI for all migrants placed in IPC Salakovac, Asylum center Delijaš, Immigration center Ušivak/Hadžići and wide area of Sarajevo, with special emphasis on vulnerable categories (children, females, single parents, dysfunctional families, people with chronic, intellectual or mental disabilities, and elderly).</u></p>

	<p>Expert psychosocial team is composed of specialized staff: social workers, psychologists / psychotherapists, psychiatrists, cultural mediators, translators, teaching staff (teachers and pedagogues). Team is continuously present at the above mentioned migrant centers every working day, and if necessary, team is on duty call during weekends on disposal for all users.</p> <p>The BHWI team works at all stages of assistance for migrants - identification, prevention and response to all forms of sexual and gender-based violence (SGBV) and exploitation, and reacts accordingly to the developed system of reporting and registration according to standard operating procedures and UNHCR prevention guidelines and reaction to SGBV. Preventive activities are carried out through educational - supportive workshops with the aim of raising awareness of the user about the risks and ways of self protection against sexual violence, exploitation, neglect and abuse, and educating on other relevant topics in accordance with the needs of children and adults.</p> <p>On the basis of specific needs assessment is provided as individual plan. Beneficiaries who have been identified as victims of some form of violence are provided with continuous individual and group psychological assistance and support through counseling and psychotherapeutic work, work with other family members and immediate community.</p> <p>Due to the short-term retention and high fluctuation of users, the interventions are adapted to individual needs and are primarily aimed at triage, quick counseling and crisis intervention. Taking into account cultural and traditional diversity, targeted psychosocial interventions focus on the adoption of functional ways of dealing with stress and the reduction of mental tension in current living conditions, focusing on existing available resources in order to increase the sense of self-efficacy and efficient use of leisure time through occupational activities.</p> <p>Depending on the age of the victim, the severity and type of experienced stress and trauma, and real consequences of those experiences that have been attributed to the daily social, emotional and cognitive functioning of the person, psychosocial treatment is provided through various counseling, therapeutic and educational methods to help recovery of the child or adult in their recovery and reintegration.</p> <p>Similar psychosocial support for migrant children in Una-Sana Canton is provided by UNFPA.</p> <p>It is important to add that all psychosocial support is made possible with great contribution and assistance of social welfare and health care centers in BiH. All migrant children in Bosnia and Herzegovina are provided with adequate psychosocial support no matter of center where there are placed and no matter of their status (asylum seekers, unaccompanied minors, etc.).</p> <p><u>Additional information sent on 1 April 2019:</u> Psychosocial support provided is highly sufficient and this is well explained previously: "The BHWI team works at all stages of assistance for migrants - identification, prevention and response to all forms of sexual and gender based violence (SGBV) and exploitation, and reacts accordingly to the developed system of reporting and registration according to standard operating procedures and UNHCR prevention guidelines and reaction to SGBV... Due to the short-term retention and high fluctuation of users, the interventions are adapted to individual needs and are primarily aimed at triage, quick counseling and crisis intervention."</p>
Bulgaria / Bulgarie	<p>In accordance with the legislation in force in the country and in view of the provisions of the Child Protection Act and its Implementing Regulations, if necessary, adequate measures for the protection of every child, who is located on the territory of the Republic of Bulgaria, are to be implemented.</p> <p>Based on the provisions of Article 2 of the United Nations Convention on the Rights of the Child "States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, etc."</p>

To support the children affected by the refugee crisis and who have been identified as victims of sexual exploitation and sexual abuse, the resources of the Crisis Centers for children victims of trafficking and abuse shall be used, as well as the resources of the social service providers in the community – Centre for Public Support, Centre for Social Rehabilitation and Integration, day care centres and others. The resources of the international and non-governmental organizations, that have experience and expertise in working with children and families at risk in the context of the refugee crisis and migration processes, are also used.

State Agency for Refugees with the Council of Ministers (SAR) is an institution that takes care of all children seeking international protection from physical, psychological and sexual abuse. At this stage unaccompanied minors are accommodated in separate premises from the adults in the Ovcha Kupel NPP, and the unaccompanied underage in the Voenna Rampa NPP. The Asylum, Migration and Integration Fund has provided funding for the establishment of "safe zones" for accommodation of unaccompanied minors and underage persons.

In 2018, the chairperson of SAR with the Council of Ministers approved new standards operating procedures (SOPs) concerning sexual and gender-based violence (SGBV). The first SOPs were developed in 2008 by SAR in partnership with state and non-governmental organizations, as a retaliatory mechanism for action in cases of sexual and gender-based violence and the devastating impact of this violence on women and children.

Experts from SAR with the Council of Ministers provide care and services (health, social and psychological) aimed at protecting the best interests of children seeking international protection. Early identification tools for children with traumatic experience are also implemented. Expert assessments on vulnerability of children are prepared through psychologically standardized and semi-standardized interviews with the child and the family, including with unaccompanied minors and underage persons.

In accordance with the Child Protection Act, the Social Assistance Directorate sends a representative who expresses an opinion on the case. The experts from SAR with the Council of Ministers undertake measures to provide the necessary care and services to all children who have applied for international protection by:

- Identifying any vulnerability at the earliest stage of the procedure, assessing the needs and referring to specialized care and services (medical and psychological);
- Providing social counseling;
- The Psychologists conduct psychological counseling and interviews, prepare complex psychological assessments of the mental functioning of identified persons with special needs, apply a questionnaire for identification of people with traumatic experience who seek protection;
- Supporting the access to healthcare for children by consulting them on health issues, accompanying them to hospitals and enrolling them with a General Practitioner;

The State Agency for Refugees with the Council of Ministers carries out the procedure for granting international protection in accordance with the provisions of the Child Protection Act. Pursuant to Article 15, paragraph 4 of the same regulation, the judicial and administrative authorities shall provide a suitable environment for the hearing of the child according to his/her age. A social worker from the Social Assistance Directorate at the child's current address must be present at the hearing and counseling of the child, and, if necessary - another suitable specialist.

In order to ensure the best interests of the child, the employees of SAR with the Council of Ministers send a letter to the Social Assistance Directorate at the current child's address, the letter seeks to notify the competent authority that a request for protection has been submitted to SAR from a minor/underage foreigner. The letter shall set forth the established identification data of the foreigner, as well as the date on which an interview shall be held with him/her.

	<p>In the National Program for Child Protection for 2018, the State Agency for Child Protection has an operational objective to ensure the rights of children in migration, refugees and unaccompanied children, namely by planning and observing the rights of children placed in Registration and Acceptance Centres of SAR.</p> <p>Another operational objective is related to the prevention of child abuse and concerns conducting training of the investigation authorities on the developed and approved program “Special hearing of children who are victims or at risk of violence”.</p>
<p>Croatia / Croatie</p>	<p>Therapeutic and psychological aid to unaccompanied children - victims of criminal offences of sexual abuse and exploitation has been ensured in the Republic of Croatia in accordance with the Act on compulsory health insurance and health care of foreigners in the Republic of Croatia in the same scope as for a person insured with compulsory health insurance. Furthermore, in accordance with Article 9 of the Protocol on the Treatment of Unaccompanied Children, before accommodation of an unaccompanied child into a social welfare home, a special guardian or an expert worker of the social welfare centre, with the assistance of a police officer, shall take the child to a compulsory (initial) health examination to a paediatric clinic or a general/family medicine office. The examination includes a compulsory whole-body examination in order to detect possible injuries which, if detected, must be noted in the patient medical history. Besides the physical status, a recommendation (referral) for further examinations in specialist and consultant as well as hospital health institutions is obligatory. For the purpose of conducting further examinations, the child can be referred to health institutions for children, e.g. Child and Youth Protection Centre of Zagreb, psychiatric clinics for children and adolescents in the area where the child is accommodated. The duration of procedures where therapeutic aid or urgent psychological aid is provided depends on the individual case of each child and the assessment of a specialist doctor. Furthermore, the Rules of Procedure in Cases of Sexual Violence is in force in the Republic of Croatia. The Rules of Procedure are a result of the need to introduce a standardised procedure for victims of sexual violence regardless of age, location where the violence occurred, gender and/or other personal features. In the context of therapeutic, i.e. urgent psychological aid, the Rules of Procedure suggest institutional assistance and support in the protection of mental health as well as non-institutional aid and support. Institutional aid includes contact of the victim with an expert person from a mental health protection service who has been trained to work with sexual violence victims (e.g. psychologist, psychiatrist) for the purpose of providing support to the victim and preventing the development of traumatic reactions as well for the inclusion of the victim in the expert service for the protection of mental health for therapeutic procedures. Besides the institutional aid and support, the child can be provided with non-institutional aid and support at specialised civil society organisations which provide aid for victims of sexual violence in the area where the unaccompanied child is accommodated.</p> <p>Croatia is listed in the Special report among the Parties which refer to specific psychosocial assistance foreseen within the context of the refugee crisis.</p> <p><u>Additional information sent on 31 December 2018:</u> With regard to Recommendation 29 and providing therapeutic assistance to victims, in the social welfare system, all unaccompanied children are accommodated into a social welfare home that have organized attendance of professional staff-educators 24 hours a day. In addition, each institution has a professional team consisting of a social worker, psychologist and social pedagogues who can provide immediate psychological support as well as regular treatment work. If a child needs psychiatric assistance, in accordance with national legislation, unaccompanied children are entitled to health care in the same scope as Croatian nationals insured with compulsory health insurance, i.e. have the right to primary health care and specialist care in accordance with primary care physician's instructions.</p> <p><u>Additional information sent on 1 March 2019:</u> The same care is also provided for all children, not only for unaccompanied children. according to Law on compulsory health insurance and health care of aliens in the Republic of Croatia.</p>
<p>Cyprus / Chypre</p>	<p>Through the Action Plan (mentioned in the previous question) early detection of vulnerable groups of people (including unaccompanied minors, and families and children at risk), is possible since all the relevant actors (i.e. Social Welfare Services, Asylum Services, Immigration Office, Health Services, Civil Defence, Red Cross, etc.) are present at the point of refugees' entry in the Republic of Cyprus. At the point of entry persons in need of protection are provided with the essentials, a registration takes place and an initial screening is undertaken, aiming towards the identification of persons that possibly belong to such vulnerable groups, so that any special needs are taken into consideration during later procedures.</p>

	<p>Within the framework of the National Strategy, the Ministry of Labour, Welfare and Social Insurance, in cooperation with other relevant Ministries subsidized an NGO (“Hope for Children” CRC Policy Center) for the operation of a Children’s House for handling cases of sexual abuse and/or exploitation of children, based on the multidisciplinary approach of the Barnahus model. Services include forensic interviewing, psychological evaluation, therapy and social support. The Children’s House has been in operation since September 2017.</p> <p>Unaccompanied minors are taken in care of the Director of Social Welfare Services, who acts as a guardian safeguarding access to their rights (i.e. education, health, activities, asylum application, etc.) based on the best interest of the child. Unaccompanied minors are placed in foster or residential care.</p> <p>The Social Welfare Services continue their cooperation with families and children that might have been detected at risk in order to further examine the cases and provide support and counselling services. Also they are in close cooperation with the Asylum Service and the Kofinou Reception Center.</p> <p>All Officers who come into contact with children (including unaccompanied children), receive training on issues concerning children in migration, children at risk, etc. Specifically, the Republic of Cyprus participates in EASO Support Plan, which includes training of professionals on issues of migration. For example, in 2015 and 2016 NIDOS had performed a training of the relevant stakeholders, due to the existing need for identifying best practices and for training staff entrusted with the guardianship and representation of children in need of international protection. The objective of the training was to improve knowledge and expertise in safeguarding unaccompanied minors in need of protection and the further development of the guardianship system.</p>
<p>Czech Republic / République tchèque</p>	<p>Unaccompanied children – foreigners - are usually placed into the specialized education facility for children-foreigners, which is specialized in care for under-age unaccompanied children-foreigners. This facility ensures all necessary care, including psychological, according to current need.</p> <p><u>Additional information sent on 10 April 2019:</u> The necessary care is also provided for the accompanied children affected by the crisis. In the case of asylum seekers they have the same access to health, social and other necessary care as the nationals. Moreover asylum facilities are obliged to ensure necessary care according to the Asylum Act. The necessary care is also available in specific situations for persons in need of such a necessary care according to Foreigners Act.</p> <p><u>Additional information sent on 7 May 2019:</u> The question of whether the specificities of sexual exploitation and sexual abuse are taken into consideration when providing children with psychological care refers, in the opinion of the Czech Republic, to competencies of the providers of this type of care. As has been mentioned in the report of the Czech Republic, whenever the child is unaccompanied or separated, he/she is provided with necessary support by the local authority for the protection of the child. The authority first of all ensures via filing a motion for preliminary order that has to be issued within 24 hours that the child is placed in a suitable environment while this suitable environment is the vast majority of cases a kind of professional care –temporary foster care provided by professional foster parents or institutional care in either facilities for children requiring immediate assistance or educational facilities.</p> <p>Since all of the mentioned types of care are professional-ones, the caregivers are able to ensure that the child is provided with all necessary support, he/she may need, including psychological support. Indeed, this types of alternative care deals also with children who are not in the situation of migration but who have had to be separated from their parents and their families due to sexual exploitation or sexual abuse. The alternative caregivers are thus well prepared to work with children even in such situation.</p> <p>Foster parents mandatorily cooperate with organizations providing support to foster families. These organizations either directly provide psychological support to the child and his/her foster parents or are able to easily ensure provision of necessary psychological support for the child by their team of external coworkers. The</p>

	<p>same is true even for the residential facilities. The facilities for children requiring emergency assistance these are designed especially for children who have become victims of any form of abuse or maltreatment by their parents or other caregivers and are thus directly by the law obliged to provide the child with professional support by social worker and psychologist (see § 42a (1) (g) of the Act no. 359/1999 Coll., on Social and Legal Protection of the Child). If the unaccompanied minor is placed in the educational facility, it is usually the Facility for Children of Foreign Nationals which also employs psychologists.</p> <p>It should be emphasized that all the psychologists who are part of the system of public protection of the child and who specialize in provision of support to children in need should be able to deal with issues relating to sexual exploitation or sexual abuse since they are used to provide support also to children who are not migrants and who habitually reside in the territory of the Czech Republic when they have become a victim of sexual exploitation and sexual abuse.</p> <p>It should be also noted that the system of public protection of children does not differentiate, as regards provision of psychological care, among children according to whether the child has entered the territory of the Czech Republic legally or illegally or whether the child has applied in the Czech Republic for international protection. All children in the system are treated equally and the psychological care is regular part of all types of alternative care for children.</p> <p>As far as children are accompanied by their parents or any other persons responsible for them, they are placed to the foreigners' facilities together. The children daily attend children centers placed in the facilities, where specially trained staff is available. The children can also consult social workers and psychologist.</p>
<p>Denmark / Danemark</p>	<p>The Danish Ministry of Immigration and Integration has provided the following information:</p> <p>As included in the Committee's Special Report from March 3rd 2017, all newly arrived children, who seek asylum, are provided with a psychological screening in order to assess the well-being of the child and to identify if further support is needed. As stated in the response to the questionnaire, in November 2016, asylum seeking children have access to the same level of health care as children residing legally in Denmark. This includes psychiatric and psychological treatment. Neither of these practices has changed.</p>
<p>Finland / Finlande</p>	<p>The Government notes that under section 26 of the Reception Act, persons who receive temporary protection, children applying for international protection and child victims of trafficking in human beings who do not have in Finland a municipality of residence referred to in the Municipality of Residence Act receive health care services by the same criteria as persons with such a municipality of residence in Finland.</p> <p>According to the Integration Act, municipalities are reimbursed for costs incurred by the municipality for the placement of an unaccompanied minor to a family group home or other residential unit and for family care, residential support services and other measures similar to child welfare services, until the young person in question is 21 years old. Furthermore, according to the Act, municipalities are reimbursed for substantial costs incurred by the municipality for the provision of long-term social and health care resulting from a disability or an illness if the person concerned has been in need of care or treatment on his or her entry to Finland. The special reimbursement by the State is intended to ensure that lack of resources in municipalities does not hamper the access of unaccompanied minors to the therapy or crisis psychological treatment they need.</p> <p>A national project (<i>TERTTU</i>) is being carried out to develop asylum seekers' primary health examination protocol. The project pilots the use, in primary health examinations, of an indicator of possibly traumatic experiences (in addition to other mental health indicators), in order to make it easier for asylum seekers in need of help to find the right services. In addition to questions concerning other possibly traumatic experiences, the indicator asks about the sexual exploitation of children. Children aged 13–17 years are asked the following question: Has anyone ever tried to touch you in a sexual manner against your will or forced you to sex? The person with custody of a child aged 0–12 is asked to answer the same question on behalf of the child: Has anyone ever tried to touch the child in a sexual manner against the child's will or forced the child to sex? The purpose is, after the pilot stage, to make this indicator model a standard procedure to be applied to primary health examinations at all reception centres and for all future asylum seekers.</p>

	<p>See also the reply to recommendation 30 (below) and, in particular, the description of the PALOMA project as well as the project of the Finnish Immigration Service therein.</p> <p><u>Additional information sent on 30 January 2019:</u></p> <p>As regards the implementation of Recommendation 29 on therapeutic assistance as referred to in in the recommendation, the Government refers to section 26 of the Reception Act. According to the said provision, children applying for international protection and child victims of trafficking in human beings who do not have in Finland a municipality of residence receive health care services by the same criteria as persons with such a municipality of residence in Finland.</p> <p>According to the Integration Act, municipalities are reimbursed for substantial costs incurred by the municipality for the provision of long-term social and health care resulting from a disability or an illness if the person concerned has been in need of care or treatment on his or her entry to Finland. The special reimbursement by the State is intended to ensure that lack of resources in municipalities does not hamper the access of unaccompanied minors to the therapy or crisis psychological treatment they need.</p> <p>The Government also refers to a national project (TERTTU) as well as to the PALOMA project and the project of the Finnish Immigration service described under Recommendation 30. TERTTU, which is described in more detail in the Government's reply of June 2018, is being carried out to develop asylum seekers' primary health examination protocol. This project pilots the use, in primary health examinations, of an indicator of possibly traumatic experiences in order to make it easier for asylum seekers in need of help to find the right services. In addition to questions concerning other traumatic experiences, the indicator asks about the sexual exploitation of children using the questions described in the Government's reply. The purpose is, after the pilot stage, to make this indicator model a standard procedure to be applied to primary health examinations at all reception centres and for all further asylum seekers.</p> <p>The Government notes that the described projects have been highlighted in the Analysis as promising practices.</p>
France	<p>La France dispose d'un cadre général de protection de l'enfance qui trouve évidemment à s'appliquer et permet une prise en charge d'urgence.</p> <p>L'arrêté du 17 novembre 2016 pris en application du décret n° 2016-840 du 24 juin 2016 relatif aux modalités de l'évaluation des mineurs privés temporairement ou définitivement de la protection de leur famille prévoit, en son article 5 « L'évaluateur est attentif à tout signe d'exploitation ou d'emprise dont peut être victime la personne évaluée. Il l'informe sur les droits reconnus aux personnes victimes d'exploitation ou de traite des êtres humains, et veille à son accompagnement vers le dépôt de plainte ». Cette attention portera également sur tout signe d'abus sexuels.</p> <p>Par ailleurs, l'article 706-48 du code de procédure pénale prévoit que « Les mineurs victimes de l'une des infractions mentionnées à <u>l'article 706-47</u> (notamment les abus sexuels) peuvent faire l'objet d'une expertise médico-psychologique destinée à apprécier la nature et l'importance du préjudice subi et à établir si celui-ci rend nécessaires des traitements ou des soins appropriés.</p> <p>Une telle expertise peut être ordonnée dès le stade de l'enquête par le procureur de la République ». Cette disposition est évidemment applicable aux enfants touchés par la crise des réfugiés dès qu'il sera identifié qu'ils se disent victimes de ce type d'abus.</p> <p>Le code de procédure pénale prévoit également en son article 706-50, la désignation d'un administrateur ad hoc auquel il pourra être recouru notamment si l'enfant se disant victime d'abus sexuel est séparé de sa famille ou si pour diverses raisons, les parents ne semblent pas en mesure d'assurer correctement la protection de l'enfant et la défense de ses intérêts dans le cadre de la procédure pénale.</p>

	<p>L'article 706-50 dispose « le procureur de la République ou le juge d'instruction, saisi de faits commis volontairement à l'encontre d'un mineur, désigne un administrateur ad hoc lorsque la protection des intérêts de celui-ci n'est pas complètement assurée par ses représentants légaux ou par l'un d'entre eux. L'administrateur ad hoc assure la protection des intérêts du mineur et exerce, s'il y a lieu, au nom de celui-ci les droits reconnus à la partie civile. En cas de constitution de partie civile, le juge fait désigner un avocat d'office pour le mineur s'il n'en a pas déjà été choisi un.</p> <p>Les dispositions qui précèdent sont applicables devant la juridiction de jugement ».</p> <p>Enfin, l'alinéa 2 de l'article 706-53 du code de procédure pénale prévoit également« au cours de l'enquête ou de l'information, les auditions ou confrontations d'un mineur victime de l'une des infractions mentionnées à l'article 706-47 sont réalisées sur décision du procureur de la République ou du juge d'instruction, le cas échéant à la demande du mineur ou de son représentant légal, en présence d'un psychologue ou d'un médecin spécialistes de l'enfance ou d'un membre de la famille du mineur ou de l'administrateur ad hoc désigné en application de l'article 706-50 ou encore d'une personne chargée d'un mandat du juge des enfants ».</p>
Georgia / Géorgie	<p>According to the "Asylum Procedure" that is approved by Ministerial decree, asylum application submitted by minor who is a victim of sexual exploitation and sexual abuse or there are signs that a minor might have been subjected to this kind of treatment, s/he shall have access to medical and psychological assistance along with processing her/his application on international protection. Furthermore, the Law of Georgia on "International Protection" ensures immediate referral to the Ministry of Labor, Health and Social care (MOLSHA) of the minor who is or might be a victim of sexual exploitation or sexual abuse.</p> <p><u>State services for the victims of Sexual violence</u></p> <p>The State Fund for Protection an Assistance of (statutory) Victims of Human Trafficking of the Ministry of Labor, Health and Social Care of Georgia provides shelters and crisis centers services for those who are: statutory victims / victims of violence against women and / or statutory victims / victims of sexual violence and / or statutory victims / victims of human trafficking and persons dependent on them. Services are available for the victims irrespective of race, skin color national or ethnic or social belonging, profession, marital status, health status, disability, sexual orientation, gender identity, nationality, sex, age, birthplace, place of residence, property or title, religion or belief, political expression, other opinion or other status.</p> <p>Within the Crisis Centre, the alleged victims of sexual abuse (person who considers himself/herself as victims of sexual violence and does not want to cooperate with law enforcement agencies) can use psychological and other services.</p> <p>There are five (5) state shelters in Georgia (in Tbilisi, Kutaisi, Gori, Sighnaghi, Batumi) and Crisis Centers (in Tbilisi, Kutaisi, Gori). Services in ensures:</p> <ul style="list-style-type: none">• Shelters for victims and dependent minors;• Psychological support;• Medical assistance;• Legal Aid; <p><u>Psychological and social rehabilitation/assistance includes:</u></p> <p>A) Psychological consultation, assistance for rehabilitation;</p> <p>B) Crisis intervention;</p> <p>C) Emotional and psychological support;</p>

D) Psychoanalysis;

E) Individual and group work of the beneficiary;

F) Aware issues of violence against women, domestic violence, sexual abuse, child abuse;

G) Assistance in determining future prospects and restoring control over their lives;

H) Finding information on the resources available in the sphere of social assistance and providing this information to the beneficiary;

I) providing information on the possibilities of education;

J) To coordinate and refer to service, specialists, and coordination of services, based on the needs of the beneficiary;

K) Ensuring appropriate measures for the management of identification documents and other relevant documentation;

L) Promotion of integration into family and society;

M) Supporting employment;

N) Other measures that will be revealed from the need for psychosocial rehabilitation/ assistance of the beneficiary.

Organizing / receiving medical services, includes:

A Organizing / receiving primary and urgent medical services;

B) Organizing / receiving outpatient / inpatient services due to the need;

C) Providing basic medicines;

D) Pproviding by a shelter the medicines prescribed by doctor.

E) Medical examination of the sexually transmitted diseases for the victims of sexual violence, within 48 hours after receiving them in a shelter and organizing/providing medical assistance if needed.

Legal assistance includes:

A) Legal consultation;

	<p>B) Prepare an application or suit when needed;</p> <p>C) Representative in court and law enforcement agencies.</p> <p><u>Daily (24 hours) accommodation includes:</u></p> <p>A) Providing suitable shelter for a normal existence with a safe place;</p> <p>B) Feeding beneficiaries 4 times in a day;</p> <ul style="list-style-type: none">✓ daily menus are placed in a visible place every morning;✓ Food are prepared and taken only in the dining room/ kitchen, in case beneficiaries can't effort themselves to take food in the kitchen they are allowed to take it in personal rooms✓ The beneficiaries are allowed to cook meals by themselves. <p>D) All basic supplies for personal hygiene;</p> <p>E) Depending on a season/ age provisioning with a suitable clothing.</p> <p><u>Interpreter service:</u> Interpreter service implies the provision of information to the language of beneficiaries concerning the rights and obligations, the internal regulations of the shelter and other necessary information/ documents.</p> <p><u>Staff:</u> Employees of the shelter are permanently trained on the issues of Human Rights, Gender Based Violence, Trafficking of Human Beings, Discrimination, Child Rights etc.</p> <p><u>Hotline:</u> Since February of 2017, consultative hotline 116006 operates 24 hours in a week and provides consultations on legal mechanisms and available services for the victims of domestic violence, gender-based violence and sexual violence. Specially trained operators speak on 7 (seven) languages: English, Russian, Turkish, Azerbaijanian, Armenian, Arabic and Persian.</p>
Germany / Allemagne	<p><i>Minimum Standard 4: Prevention of and dealing with situations of violence and suspected violence/risk management</i></p> <p><i>Standardized procedures in cases of violence</i></p> <p>Especially in the case of children and adolescents, but also in the case of other persons who witnessed violence within the centre, sufficient and suitable support is to be provided by specialist staff qualified in trauma pedagogy and therapy, and a specialist with experience in this regard – a so-called “insoweit erfahrene Fachkraft” – should be consulted in order to check for possible endangerment to the child. (p22)</p> <p><i>Minimum Standard 5: Humane, protective and enabling conditions</i></p>

	<p><i>Planning and design for children</i></p> <p>Child-friendly spaces offer the possibility to recognize, early-on, children with a particular need for protection through first signs of symptoms - mental, emotional or physical characteristics, behavioral issues and developmental delays, which are indicative, for example, of a trauma, an illness or of disabilities. Referrals will be made to persons or authorities who can provide the appropriate or specialised support and assistance.(p 27)</p> <p><u>Additional information sent on 26 February 2019:</u> In Germany, there are approx. 350 specialised counselling centres for those affected by sexual abuse and exploitation in childhood and adolescence, many of them offering services to children affected by the refugee crisis. The centres are funded by local and/or state authorities as well as by donations and other voluntary contributions. They provide support and advice to survivors of sexualized violence and refer them to further therapeutic services. They also provide advice to institutions such as schools, daycare centres or sports clubs. The Federal Government is committed to further improving access to specialised counselling services for child victims of sexual abuse and exploitation. To this end, the Federal Coordination Office of Specialised Counselling against Sexualised Violence in Childhood and Youth (BKSF) was set up in 2016. The BKSF is committed to ensure needs-based, long-term funding to specialised counselling centres and to closing gaps in the provision of services.</p> <p><u>Additional information sent on 8 April 2019:</u></p> <ul style="list-style-type: none">* Entitlement to psychological treatment exists in emergencies, both as acute treatment under the Asylum Seekers Benefits Act and as a benefit offered by the statutory health insurance system for asylum seekers and refugees needing protection. In order to avoid gaps in psychotherapeutic care when services are transferred pursuant to the Asylum Seekers Benefits Act to the statutory health insurance system, the authorisation ordinance for contract physicians has been changed. This has resulted in an improvement in the treatment situation, especially for those receiving ongoing services pursuant to section 2 of the Asylum Seekers Benefits Act and for those who have suffered torture, rape or other forms of emotional or physical violence.* Authorisation committees have been charged with authorising, upon application, suitable doctors, psychotherapists and psychosocial facilities for outpatient psychotherapeutic and psychiatric treatment of those who need it. It is the task of the respective Association of Statutory Health Insurance Physicians to ensure that treatment is provided on site consistent with the respective needs.* Psychotherapeutic treatment of additional groups of people, and/or of patients with a changed residency status, is carried out as a general rule by other service providers registered in the system of statutory health insurance and authorised to provide services in the Federal Länder.
Greece / Grèce	<p>According to the Law 4540/2018 (bringing into line the Greek legislation with the Directive 2013/33/EU of 26 June 2013, laying down standards for applicants for international protection -recast) there are provisions ensuring access to free health and rehabilitation services for minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment, or who have suffered from armed conflicts, and ensure that appropriate mental health care is developed and qualified counselling is provided when needed.</p> <p>Support and care for children who are victims of sexual exploitation/abuse are provided within the framework of the reception system, both in Reception and Identification Centers and Open Accommodation facilities. In addition, services to children affected by the refugee crisis who are victims of sexual exploitation and sexual abuse are offered in RICs and open accommodation centers both by Hellenic Center for Disease Control and Prevention (HCDCP/KEELPNO) and NGOs. Such services include special mental health services.</p> <p>.....</p>

<p>Replies by / Réponses de Missing Children Europe / Smile of the Child</p>	<p>‘The Smile of the Child’, in order to ensure that child victims of sexual exploitation and sexual abuse affected by the refugee crisis benefit from therapeutic assistance provides the following services:</p> <ol style="list-style-type: none"> 1. Implementation of the Project “Direct and Holistic Medical and Psychosocial Intervention for Refugee and Migrant Children in Danger in Greece” (ECHO/EU/BUD/2018/011007) directly funded by the European Commission's department for European Civil Protection and Humanitarian Aid Operations (ECHO). The Project is expected to contribute to the protection of minors and the improvement of their quality of life through the identification, intervention, treatment and protection of cases of refugee/migrant children with a) increased medical needs and b) refugee/migrant children victims of any form of violence (physical, sexual, psychological abuse and neglect) or of children at risk of violence/trafficking/smuggling. The relevant activity of the project is the following: Prevention and response to violence against refugee/migrant children via: <ul style="list-style-type: none"> - provision of telephone counseling and direct intervention (24 hours a day/7 days per week, free of charge) for refugee/migrant minors victims of violence (physical, sexual and/or psychological abuse and/or neglect), smuggling, trafficking & missing children, - handling of reports of violence against migrant/refugee children in collaboration with national authorities. (National Helpline for Children SOS 1056, European Hotline for Missing Children 116 000, European Helpline for Children & Adolescents 116 111). 2. Implementation of the Project “Targeted housing and integrated supported services for most vulnerable refugees”, with financial support from the German Government/ Foreign Office in Berlin (GRC 0217 / 2017-2018). The Project aims at decreasing the number of at risk refugees and asylum seekers on mainland Greece, through the provision of psycho-social counselling to address issues of trauma, relieve tensions, enhance coping skills, help integration in Attica and Thessaloniki. 3. If a refugee or migrant child is accommodated in one of the 11 Homes of the Organization all over Greece, which always happens by order by the public prosecutor’s office, among the staff members there is a Social Worker and a Psychologist, who are responsible for the psychosocial support of the child, based on its experiences and traumas.
<p>Hungary / Hongrie</p>	<p>Pursuant to the Act CXXXV of 2005 on support to victims of crime and state compensation, the Victim Support Service provides emotional support for the victims as a part of asserting their interests in the county government offices and the district government offices of the capital city. The staff of the Victim Support Service offers emotional support to victims turning to them for help in the vast majority of cases.</p> <p>The Ministry of Justice opened the first Victim Support Centre in Budapest on 21 June 2017, Its goal is to support the victims whose living conditions have changed as a consequence of having been victimised of a crime and to provide them with customised emotional support and information required to assert their interests. A special “patron room” was established in the Victim Support Centre in a manner that it is adapted to the needs of victims requiring special treatment. The goal of the Victim Support Centre is to offer support to victims, to listen to them and to offer appropriate - customised - help to restore the balance and live their lives.</p> <p>Based on the experience obtained during the operation of the first centre, two further centres were established in 2018 in Miskolc and Szombathely and there is a plan to open further centres so that victims can reach a high level and fully comprehensive service throughout the country.</p>

In the framework of the child protection professional service, and under the Child Protection Act, unaccompanied minors are also provided with full home care in accordance with the UN Convention on the Rights of the Child. This provision includes, among other things, the provision of access to basic health care, special care, education, development, psychological support, access to useful and cultural leisure time, in addition to providing accommodation, meals, pocket money and clothing with the same level of children of Hungarian nationality, but taking cultural and religious differences into account, for example for meals.

According to the statutory provision, the Károlyi István Children's Centre (hereinafter referred to as Children's Centre), which provides home-care services for children, provides psychosocial and psychotherapeutic assistance on a number of occasions a week, provided by the institution's clinical psychologist and by psychiatrists and psychologists regularly provided by NGOs.

Children's reception at the Children's Centre is used to assess the status of the child, whether it is necessary for the child to provide assistance or the child should indicate if he or she has any wishes for their care.

The provisions of sections 26-28 of the Government Decree No. 301 of 2007 on the implementation of Act LXXX of 2007 on Asylum, if an applicant is not covered by social insurance, in case of an illness, the applicant is entitled to access the medical care provided by law, free of charge. It has to be highlighted, based on section 34 of the above mentioned Government Decree that if it is necessary, having regard both to the personal situation and the opinion of the specialist, and to meeting the provisions of sections 26-27 of the Government Decree, the persons requiring special treatment are provided with the access to health care services, which are justified concerning their health condition, free of charge. These include rehabilitation, psychological, clinical psychological specialist care and psychotherapy.

It is also important to stress that medical service is fully provided both in the transit zones and in the open reception facilities inside the country. In our position, the placement in the transit zones has a key significance that concerns all applicants. It has to be highlighted that the personnel of the Immigration and Asylum Office with specialist expertise are available in the transit zones 24 hours a day. In addition, social workers help the applicants to solve the arising problems in the transit zones. Within the frame of the tender of the Asylum, Migration and Integration Fund, the presence of psychologists and psychiatrists is provided in the transit zones. Each applicant has access to their help.

According to Act LXXX of 2007 and Act II of 2007, minors, regardless of arriving to Hungary with or without family or companion, shall be regarded as persons requiring special treatment and having special needs.

In order to provide adequate rehabilitation, mental health care and counselling for minors who are victim of sexual assault, serious neglect, exploitation, torture or cruel, inhuman or degrading treatment, the asylum authority shall signal the case to the competent health care institution and in case of unaccompanied minors, to the competent child protection institution.

Also, in case of unaccompanied minors, the asylum authority shall arrange for the placement of the minor in a child protection institution, and the immigration authority shall seek out the guardianship office and the consular representation of the state of the minor's nationality in the territory of Hungary for the permanent placement of the minor.

According to Decree No. 15 of 1998 on the child care and child protection institutions providing personal care, and the professional requirements for the personnel and the conditions for the operation, children's homes and children's home that solely cares for unaccompanied minors who were granted refugee status shall employ 1 psychologist and 1 special needs teacher or remedial teacher after 48 children.

	<p>In addition, children’s home that solely cares for unaccompanied minors who were not granted refugee status and temporary placement institutions shall provide health care and emotional support adequate to the children’s health and mental state by providing the necessary preventive and healing physical and mental health treatments.</p> <p>Up until now, no report or request have been filed with the Chief Prosecutor’s Office of Pest County regarding the Károlyi István Children's Centre in this matter, which would have give ground for the review of legality of operation of the Centre.</p>
<p>Iceland / Islande</p>	<p>According to the Art 33 of the Act on Foreigners no. 80/2016, children that are victims of all kinds of abuse, violence, neglect, inhuman and degrading treatment should have access to appropriate health and social services. Thus affected by the refugee crisis in Iceland and have been victims of sexual abuse and exploitation are ensured appropriate psychological care, including therapeutic services. This is based on an assessment following forensic interviewed carried out in Barnahus as referred to in the response to Recommendation R30.</p>
<p>Italy / Italie</p>	<p>The law on unaccompanied foreign children n. 47 of 7 April 2017 foresees at article 17 that "Special protection must be granted to unaccompanied foreign minors, preparing a specific assistance program to ensure adequate reception and psycho-social, health and legal assistance, providing long-term solutions, also beyond the fulfillment of the age". The law also refers that children who are victims of trafficking can avail of reparation for the damages they have suffered.</p> <p>At local level protocols between the different territorial public services in the social and health areas establish the operational procedures on how to provide psychological support to adults and children affected by the refugee crisis.</p> <p><u>Additional information sent on 9 April 2019:</u> In recent years, a number of legislative interventions have initiated the systematization of government action, in particular with regard to programmes of assistance and social integration for children victims of sexual abuse and exploitation.</p> <p>- The Decree 16 May 2016 which merges into a single programme aimed at simplifying and enhancing the modalities of protection and assistance to victims by ensuring that victims of trafficking and exploitation, on a transitional basis, enjoy adequate conditions of accommodation, food and health care, and, subsequently, continue their assistance and social integration.</p> <p>Before the entry into force of this Decree the legislative basis for assisting victims of trafficking was provided by Article 13 of Law No. 228/2003 on “Measures against trafficking in persons” (which introduced a short-term special support programme of three months, extendable by three months) and Article 18 of the Consolidated Immigration Act (which set up a long-term protection and integration programme of six months, extendable by a year).</p> <p>Pursuant to the Decree, the two types of projects related to these two provisions were merged into a “Single programme for the emergence, assistance and social integration of victims of trafficking and exploitation”. As a result, organisations implementing projects for the assistance of victims of sexual exploitation do not have to apply separately for funding of “Article 13” and “Article 18” projects. The length of the funding has been extended to 15 months, rather than the previous 12 months, which is a welcome development.</p> <p>- National Action Plan against Trafficking and Severe Exploitation (2016-2018)</p> <p>The Plan contains in an annex a document laying down the National Referral Mechanism (NRM). The document is divided into two chapters. In the first chapter, the basic principles underlying the NRM are set out, namely a human rights-based approach, government responsibility, participation of civil society, multi-disciplinary approach, best interests of the child, transparency and transversal issues (e.g. safety, participation of the victim, data protection). The second chapter includes five detailed sets of standard operating procedures (SOP), concerning identification, first assistance and protection, long-term care and social inclusion, voluntary return</p>

and social inclusion, and criminal and civil proceedings. There are recommendations and practical measures intended to guide relevant actors who may come into contact with possible victims of trafficking, in particular social workers, interpreters, intercultural mediators, legal guardians, health-care professionals, psychologists, police officers, magistrates, lawyers, prison staff, labour inspectors, NGOs, trade union representatives and diplomatic staff.

Moreover, the Plan foresees that Ministry of Justice, through the Social Service Offices of the Department of Juvenile and Community Justice, ensures, in conjunction with the services of local authorities, the emotional and psychological assistance of the child victim of trafficking offences, in every state and level of criminal proceedings, according to art 609 decies c.p

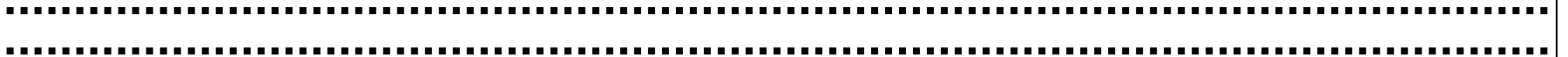
Finally, we can recall here, the guidelines for the identification of victims of trafficking among applicants for international protection and referral procedures developed in 2017 by the National Commission for Asylum Law and the UNHCR, within which there are specific references on how to recognize and which procedures to implement in the case of child victims of sexual exploitation.

From a general point of view, the competence of the interventions for the protection of victims of sexual exploitation and abuse is of the territorial social services that can exercise it in collaboration with NGOs.

There are nevertheless various projects at national level for assistance to victims of trafficking that can benefit from the 22.5 million euros made available by the Department on Equal Opportunities (DEO).

Among the various projects funded by the DEO, a good practice that can be highlighted is the project that the Ministry of the Interior, together with the National Council of the Psychologists' Associations, the National Foundation Social Workers and CIES Linguistic Mediators, started in 2017 in the framework of the Urgent Measure of the 2014-2020 AMIF Fund.

The one-year pilot project entitled "PUERI -Pilot Action for Unaccompanied Children: Early Recovery Interventions" is being implemented in four "hotspots" (Trapani, Pozzallo, Lampedusa and Taranto) and provides that a multidisciplinary expert team composed of social workers, psychologists and cultural mediators carries out interviews with children, gathering in this way information related to their families, place of origin, journey and personal history and entering the gathered data into a "social file" which is due to follow the children during the different stages of their reception in Italy. The project involved 849 unaccompanied foreign children and a total of 1258 interviews had been carried out.



**Replies by /
Réponses de
Missing
Children
Europe / SOS II
Telefono
Azzurro Onlus**

The current Italian Law (L.47/2017-Zampa) foresees:

- An organic and specific reception system;
- Homogeneous standards for age assessment and identification;
- Protection of the interest of the child;
- The right to health and education;
- The unaccompanied foreign minor's right to be heard and benefit from legal assistance in any judicial proceeding relating to him/her in administrative and judicial proceedings concerning them and to legal assistance.

Telefono Azzurro believes it would be important to extend the "Zampa" law to the rest of Europe, giving children in migration access to the same services as national children. It is essential to standardize national and international policies and actions, enhancing cooperation also at the investigative and judicial level.

<p>Latvia / Lettonie</p>	<p>Additional information received on 20 December 2018: The existing regulation correspond to the Lanzarote recommendation to ensure therapeutic assistance, notably emergency care, therefore no regulatory changes are required. However, as already mentioned before, in practice such cases have not been detected in Latvia, for this recommendation it is important, that officials working with minors have appropriate knowledge and skills, which are continuously improved through educational programmes and trainings.</p> <p>In accordance with Section 11, Clause 8 of the Asylum Law, any asylum seeker has the right to in accordance with the procedures laid down in the laws and regulations to receive emergency medical assistance, primary health care, outpatient and inpatient psychiatric assistance in case of serious mental health disorders, and also any medical assistance to minors, non-provision of which may pose a threat to the development and health of the child, from the State funds, taking into account the special reception needs of the asylum seeker.</p> <p>If the asylum seeker has special procedural or reception needs (e.g. a minor), he or she shall be entitled to adequate and appropriate support for the exercise of his or her rights and to fulfil his or her duties throughout the asylum procedure.</p> <p>If the State Police officers find that the child (covering all Latvian nationals, including children affected by the refugee crisis) has suffered from sexual abuse and requires medical assistance, he or she, in accordance with Section 60, Paragraph four of the Child Rights Protection Law, is conveyed to the child medical treatment institution. While in the case of Police finds that the child has suffered from violence, the Police shall inform the legal representative of the child about the possibility of receiving psychological assistance though application to a social service. In the cases where the legal representative is not motivated to ensure the child's psychological assistance, the Orphan's Court shall be informed thereof. Such action shall be expected irrespective of where at the stage of the procedure the minor is located, including where the international protection status has already been received.</p> <p>Similarly, Section 3, Clause 7 of the Law On Social Services and Social Assistance prescribes that the children who have been recognised as <u>asylum seekers with special hosting needs</u> by institutions involved in the asylum procedure shall enjoy the right to receive social rehabilitation of children who have suffered from violence.</p> <p>The Cabinet Regulation No.1613 "Procedures for Providing the Necessary Assistance to a Child who has Suffered from Illegal Activities" of 22 December 2009 prescribes the procedures by which the necessary assistance shall be provided from funds from the State budget to a child who is a victim of illegal activities - criminal offence, exploitation, sexual abuse, violence or any other unlawful, cruel or demeaning acts - in order that the child may regain physical and mental health and reintegrate into society, including the procedures by which the foundation "Foundation for Children of Latvia" shall organise the provision of social rehabilitation services from the funds from the State budget for children who have suffered from violence, and the conditions for carrying out such task delegated by the State. Clause 14 of the Regulation prescribes that the Ministry of Welfare shall enter into a delegation contract with the Foundation for Children of Latvia regarding provision of social rehabilitation services. The procedures for funding social rehabilitation services, the procedures for supervising the provision of social rehabilitation services and the circulation of information, the provisions regarding provision of financial and statistical reports, and other provisions of significance for provision of services shall be included in the contract.</p> <p>While the Cabinet Regulation No.889 "Regulations Regarding the Procedures, by Which Victims of the Trafficking in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of the Trafficking in Human Beings" prescribes the procedures, by which a person who has been recognised a victim of the trafficking in human beings shall receive social rehabilitation services for the State budget funds, and the criteria for the recognition of a person as a victim of the trafficking in human beings.</p>
<p>Liechtenstein</p>	<p>Under the Children and Youth Act, minor asylum seekers – like any other child in Liechtenstein – are entitled to protective measures (such as special accommodation) and assistance (e.g. counselling, special care, evaluation and therapy) in cases of child welfare concerns, such as sexual exploitation or abuse. The Office of Social</p>

	<p>Services is the competent authority in charge of the protection of the best interests of the child. The measures for and assistance to children affected by sexual exploitation or abuse are provided or arranged by the Office of Social Services.</p> <p>The Crisis Intervention Team (Kriseninterventionsteam, KIT) plays a crucial role when it comes to crisis and emergency management. For situations immediately following extreme and distressing incidents – including sexual exploitation or abuse or the discovery of such an incident – the team stands ready round the clock. The KIT supports and counsels affected persons and family members who have experienced extreme and distressing situations in the first few hours following the incident, and – where necessary and desired – organises additional assistance. The KIT has a close network with authorities such as the police and the Office of Social Services. Support and counselling provided by the KIT is free of charge.</p> <p>In Liechtenstein, access to and financing of psychotherapeutic support is covered by basic health insurance. All asylum seekers (children as well as adults) are provided with a basic health insurance. They can therefore access the Liechtenstein health system in the same way as the rest of the population and profit from medical and therapeutic treatments as needed.</p> <p>Additional information sent on 18 December 2018: In light of the comprehensive measures taken by Liechtenstein to ensure that asylum-seeking children, who have become victims of sexual exploitation and abuse, would benefit from therapeutic assistance and emergency psychological care, Liechtenstein considers the recommendation as implemented and requests to be struck off the “urge” recommendation list. This request is further substantiated by the above-mentioned circumstances of an extremely low number of asylum-seeking children in Liechtenstein and the absence of cases of suspected sexual exploitation or abuse of asylum-seeking children on Liechtenstein territory.</p>
Lithuania / Lituanie	<p>Under the Lithuanian Law unaccompanied minor aliens, regardless of the legitimacy of their stay in the territory of the Republic of Lithuania, shall have the following rights:</p> <ol style="list-style-type: none">1) to be provided with free accommodation and be supported in accordance with the procedure laid down by the Minister of Social Security and Labour of the Republic of Lithuania;2) to study according to a general education programme/programmes or a vocational training programme/programmes in accordance with the procedure established by the Minister of Education and Science;3) to receive free basic medical aid in accordance with the procedure established by the Minister of Health;4) to be provided with free social services in accordance with the procedure established by the Minister of Social Security and Labour;5) to receive state-guaranteed legal aid unless the laws of the Republic of Lithuania provide otherwise;6) to contact the representatives of non-governmental or international organisations of the Republic of Lithuania. <p>It is important to note that the Center provides minor aliens and adult aliens with the psychological help. An interpreter assistance is also provided by the Center.</p> <p>Additional information sent on 22 March 2019: In Lithuania children who are victims of sexual exploitation and sexual violence and who are the victims of the refugee crisis integrated aid is provided. There is an assessment of the child and the family, and an individual child support plan is drawn up, which sets out what kind of help the child needs, what further professional action should be taken, which includes also psychologist, if needed. For complex cases, coordination meetings are organized with specialists of the Children's Rights Protection Division of the State child rights protection and adoption service or other interested persons and persons important to the child. Also, the child's family members are integrated into the child support process. The Refugees Reception Center provides legal, psychological support to help a person overcome critical state, advise on any issues of concern and advise, arrange or mediate further assistance from other institutions, if the person so wishes, mediate provides medical assistance to the victim. Medical aid is provided to a child in accordance with the same procedure as for a citizen of the Republic of Lithuania, which also includes psychological help.</p>

	<p>If it is suspected that person might be sexually abused or sexually exploited or informs about the sexual abuse or sexual exploitation himself / herself, the doctor evaluates the situation, medical complains, continues treatment or sends the victim to other medical specialists or support center for sexual abused children, where provided needed psychological help and observation. Each case is individual and it is impossible to describe all situations, but all children in refugee crisis get the help they need.</p>
Luxembourg	<p>L'Office luxembourgeois de l'accueil et de l'intégration (OLAI) collabore étroitement avec les services d'assistance aux victimes de la traite des êtres humains. Selon l'article 17 de la loi du 18 décembre 2015 relative à l'accueil des demandeurs de protection internationale, les demandeurs qui ont subi des violences graves reçoivent le traitement que nécessitent les dommages causés par de tels actes, et en particulier, ils ont accès à des traitements ou des soins médicaux et psychologiques adéquats.</p> <p><u>Additional information sent on 9 April 2019:</u> Les enfants DPI ont accès aux prestations de l'Office National de l'Enfance (ONE). L'OLAI peut prendre en charge les frais relatifs à des traitements médicaux pendant la durée de stage de l'affiliation à la Caisse Nationale de Santé CNS (90 jours). Les enfants victimes d'abus sexuels ou d'exploitation peuvent bénéficier de toutes les aides offertes par l'ONE, à savoir assistance psychologique et psycho-traumatologique urgente, traitement à court, moyen ou long terme des séquelles psychologiques, prise en charge temporaire et de façon ambulatoire dans un groupe pédopsychiatrique de jour, hébergement dans un groupe d'accueil ou dans une famille d'accueil etc. Les mesures de placement sont prononcées immédiatement et de façon provisoire par le juge de la jeunesse.</p> <p><u>Additional information sent on 11 April 2019:</u> Tant les demandeurs de protection internationale que les autres ont droit à une prise en charge psychologique d'urgence. Dans le premier cas elle est organisée directement par l'Office national de l'Enfance, alors que dans le deuxième cas elle est réalisée par les psychologues attachés aux foyers pour mineurs non accompagnés. Aucun enfant, quel que soit son statut, n'est laissé sans prise en charge psychologique.</p>
Malta / Malte	<p>As stated above, such cases are referred to Agenzija Appogg for professional follow-up as required, and AWAS continues to follow up with support services for the child.</p> <p>Malta is listed in the Special report among the Parties which refer to specific psychosocial assistance foreseen within the context of the refugee crisis.</p>
Republic of Moldova / République de Moldova	<p>In accordance with Law no. 270/2008 on asylum in the Republic of Moldova, the competent authorities shall ensure access to rehabilitation services for minors who are victims of abuse, neglect, exploitation, torture, inhuman or degrading treatment or suffering from armed conflict and, if necessary, grant them necessary assistance and counseling (Article 66). At the same time, the Bureau for Migration and Asylum has signed cooperation agreements with non-governmental organizations specialized in providing social, legal and psychological assistance to asylum seekers and beneficiaries of international protection. In order to identify victims of torture, inhuman or degrading treatment, document the post-traumatic (physical and psychological) consequences and provide the necessary assistance, all asylum seekers are directed to investigations at the Rehabilitation Centre for Torture Victims "Memoria" – partner of the Bureau for Migration and Asylum. Rehabilitation Centre for Torture Victims "Memoria" is the unique center in Moldova that offers help, information and support to victims of torture, victims of domestic violence and sexual violence. The Center assists people who have suffered from violence and offers qualified psychological, medical, social and legal assistance.</p>
Monaco	<p>Le Gouvernement Princier apporte secours à tout enfant dont l'état de santé l'exige. Monaco a ainsi décrit, dans le questionnaire de 2016, les mesures prises pour la prise en charge des besoins spécifiques des enfants.</p> <p>Les enfants migrants ou demandeurs d'asile, bénéficient, comme tout étranger en Principauté de Monaco, de tous les droits publics et privés non formellement réservés aux seuls nationaux (article 32 de la Constitution).</p>

Parmi les mesures législatives, on pourra citer notamment :

- la loi n°1.344 du 26 décembre 2007 relative au renforcement de la répression des crimes et délits contre l'enfant qui permet une protection accrue des enfants victimes de violences, d'exploitation ou d'abus. De plus, le délai de prescription de l'action publique a été porté à 20 ans à compter de la majorité de la victime concernant les crimes et délits sexuels commis sur un mineur. Depuis l'adoption de cette loi, le seuil pertinent de majorité sexuelle – appréhendé comme le seuil de vulnérabilité particulière de l'enfant – est établi à seize ans ;
- la loi n°1.382 du 20 juillet 2011 relative à la prévention et à la répression des violences particulières renforçant la protection des femmes, des enfants et des personnes handicapées. Afin de garantir l'effectivité de cette protection renforcée - notamment à l'adresse des mineurs - des mesures particulières de prévention, protection et répression ont été introduites dans l'arsenal législatif monégasque, telles que les « crimes d'honneur », les mutilations sexuelles féminines, ou les mariages forcés.

Concernant les soins :

- le Centre Hospitalier Princesse Grace a établi une procédure ayant pour finalité la prise en charge clinique, psychologique, thérapeutique et administrative, des victimes de viol ou d'agressions sexuelles en optimisant leur accueil psycho-médico-social ;
- les maltraitances sexuelles sont également une des problématiques prises en charge par le Centre médico-psychologique ;
- la Principauté de Monaco dispose d'un Foyer de l'enfance, d'une capacité de 30 places, dont 6 places réservées à un accueil mère/enfant(s), placé sous la tutelle de la Direction de l'Action et de l'Aide Sociales (DASO) et qui peut accueillir des enfants migrants.

L'accompagnement médico-socio-éducatif s'effectue dans toutes ces entités avec le souci du respect des enfants et de leurs droits. Les travailleurs sociaux sont amenés à rédiger des rapports, notamment pour le Juge Tutélaire, mais ces écrits ne reflètent pas les confidences qui ont pu être faites lors d'un entretien, ils relatent des faits (excepté dans le cas très précis du signalement d'un danger pour l'enfant) et apportent l'avis technique du rédacteur.

Concernant le placement et la tutelle :

Les différents services de la DASO sont chargés de la prise en charge, du suivi et de la mise en place des mesures tendant à la réinsertion et à la réadaptation des enfants violentés.

Dès que le Ministère Public est saisi d'un signalement faisant état d'un mineur dont la sécurité ou la santé est en danger, le juge tutélaire est saisi d'une requête en assistance éducative aux fins de prendre toute mesure de protection nécessaire.

Le Procureur général peut ordonner un placement dans un foyer d'accueil local de l'enfant ou de l'adolescent dont la sécurité, la santé, l'éducation ou la moralité sont compromises. Cette décision d'urgence est régularisée dans les plus brefs délais par une requête saisissant le juge tutélaire.

	<p>Les enfants sont accueillis dans une structure adéquate, le Foyer de l'Enfance constitué d'une équipe pluridisciplinaire. Une prise en charge médicale et/ou socio-éducative peut être mise en place par le Centre Medico-Psychologique (C.M.P.) et le Centre d'Accueil Thérapeutique à Temps Partiel (C.A.T.T.P.).</p> <p>Concernant le milieu scolaire :</p> <p>Tous les établissements d'enseignement du secteur public et privé sous contrat, bénéficient de la présence d'un assistant social, d'un infirmier et d'un psychologue scolaire. Ces personnels interviennent aussi bien dans le signalement d'une situation d'exploitation ou d'abus sexuel, que dans le soutien et la prise en charge des enfants.</p> <p>En matière de soutien psychologique d'urgence, le psychologue scolaire est habilité à intervenir. Toutefois, ses missions au sein de l'établissement ne concernent pas le suivi thérapeutique des enfants. Le choix du praticien est effectué par le responsable légal ou par l'autorité de tutelle en cas de manquement de la part du responsable légal.</p> <p>Dans le cas où un soupçon d'exploitation ou d'abus sexuel envers un mineur (voire plus largement envers toute personne) existe, tout personnel opérant dans les établissements doit le signaler à la Direction de l'Education Nationale de la Jeunesse et des Sports (DENJS), laquelle saisit le procureur.</p> <p>Des formations de sensibilisation à ces situations sont régulièrement menées auprès des personnels afin qu'ils puissent identifier et agir en conséquence. Les actions de sensibilisation continueront à être menées conjointement avec la société civile et les Autorités concernées, parmi lesquelles la Direction de la Sûreté Publique, la Direction des Services Judiciaires, la Direction de l'Action et de l'Aide Sociales.</p>
Montenegro / Monténégro	<p>In accordance with Article 20 of the Law on International and Temporary Protection of Foreigners, special procedural safeguards shall be afforded to a foreigner seeking international protection, and therewith the minors, who, due to personal features and circumstances (age, sex, sexual orientation, gender identity, severe illness, mental health or consequences of torture, rape or other severe forms of psychological, physical or gender-based violence), is not fully able to pursue own rights and perform duties under this Law without adequate assistance.</p> <p>Appropriate support for the purpose of pursuing rights and executing duties under this Law shall be considered as special procedural safeguards. In the procedure from the moment of expressing intent to lodge an application for international protection until taking decision upon the application for international protection, the features and circumstances above shall be determined by trained police officers and authorised officials of the Ministry and other competent authorities, under this law, who are, by now, through regular education, trained to act in the cases of violence. Thus, the psychological well-being of a child is at the forefront so that trained officials can adequately provide psychological first aid in their various varieties and a range of other activities and interventions.</p> <p>Additional information sent on 21 December 2018: In addition to the above information that explains the ways in which Montenegro provides its procedural guarantees with its legislative measures, we want to clarify that all children (thus including children affected by the refugee crisis) have the right to health care. This right can be accomplished in many ways.</p> <p>Direct health assistance at the Reception and Accommodation Centre for Foreigners Seeking International Assistance is provided primarily by the general practitioner and psychologist, and then, it can be obtained at the Centre for Mental Health (where an expert psychiatrist and psychologist is appointed) in the presence of an interpreter, in primary health care centres, children's hospital and other institutions of primary, secondary and tertiary health care. Also, assistance can be obtained through a partnership with the Red Cross of Montenegro, which has trained psychologists for providing psycho-social support in emergency/urgent situations.</p>

	<p>Also, an additional Montenegrin Red Cross psychologist, trained and accredited by the Reference Centre of the International Red Cross and Red Crescent, provides psycho-social support services to vulnerable categories precisely to children affected by the refugee crisis through the mandate of the Red Cross in a way that is complementary to the institutional mechanism protection.</p> <p>In addition, the support provided by an expert psychologist is support on an individual basis, aligned with the needs of its users. In this regard, we emphasize that legislative measures in the field of psychological assistance within the health care system already in place, which is supplemented with psychological assistance that can be directly provided in the above ways, and in such a way enables this form of support for children affected by refugee crisis.</p>
<p>Netherlands / Pays-Bas</p>	<p><u>Original reply with additional information sent on 27 February 2019:</u></p> <p>All children in the Netherlands have the right to medical care. The access to health care is for children of refugees, asylum seekers, irregular migrants similar as that for Dutch citizens and for asylum seekers funded by the Government. In all reception centres for asylum seekers a health care centre is present. Next to basic health care preventive health care and youth health care is given, including vaccination programs. A psychological practitioner is also present. If secondary health care is needed this is provided for.</p> <p>On base of case law the Netherlands have to offer shelter to families with minors. This is offered also in the reception centers. The children who stay there are offered similar health care as for the Dutch citizens (with some supplementary provisions for dental care), arranged by the health care center for asylum seekers at the reception centers. If necessary the minor will be referred by the health care center to specialist care. The costs of the medical care are paid by the COA (part of the Ministry of Justice).</p>
<p>North Macedonia / Macédoine du Nord</p>	<p><u>Original text with additional information sent on 22 March 2019:</u></p> <p>Psychological assistance, as well as specialized therapeutic support are fully available to all refugees, and these services are available through donor funding or projects through which psychologists and therapists are engaged and who work in the transit centers and institutions for reception of asylum seekers.</p> <p>As a part of the standard procedure, regularly engaged psychologist within the transit centers, i.e. in the framework of the public institution for the reception of asylum seekers, conducts additional assessments related to any emotional-psychological disorder, and based on those estimates, the Ministry of Labour and Social Policy, also when necessary, hires a specialist psychotherapist, and through the working sessions, offers help for a specific traumatic situation. Other than the specialized psychological support, children also have the opportunity to participate in the psycho-sociological programs in the form of educational workshops, group tours, creative workshops and so on.</p> <p><u>Additional information sent on 27 March 2019:</u></p> <p>Specialized therapeutic support is sustainable for children affected by the refugee crisis and is available through regularly engaged psychologist within the transit centers, i.e. in the framework of the institutions for the reception of asylum seekers, and/or through donor funding or projects through which psychologists and therapists are engaged and who work in the transit centers and institutions for reception of asylum seekers. (There are psychologists that regular work in this institutions and there are also psychologists who are engaged to work on projects in this institutions for reception of asylum seekers).</p>
<p>Poland / Pologne</p>	<p>13 October 2015 was the enforcement date of the <i>Act of 10 September 2015 amending the act on granting international protection to foreigners within the territory of Poland and some other acts</i> (Dz.U. of 2015, item 1607). Amendment of the Act was intended to formalize the previous actions in the scope of handling vulnerable persons.</p> <p>According to the new wording of Article 68 of the <i>Act on granting protection to foreigners within the territory of Poland</i>, "if an application for international protection refers to a vulnerable person, especially:</p> <p>1) minor,</p>

- 2) disabled,
- 3) elderly,
- 4) a pregnant woman,
- 5) a single parent,
- 6) a human trafficking victim,
- 7) a bedridden person,
- 8) a person with mental disorders,
- 9) a person subjected to torture,
- 10) victims of physical, mental and sexual abuse, of other sexual orientation and core identity.

The Head of the Office evaluates whether the applicant qualifies as a vulnerable person in terms of international protection or social assistance proceedings.

When international protection is applied in Poland, the questioning always takes place at a presence of specially trained personnel and a psychologist. If any information indicates that a minor can be a victim of sexual violence, rape, human trafficking or can remain in a state of shock, further steps are taken. If the child shows signs of being or having been a victim of human trafficking or abuse, the employees turn to Police, Border Guard and National Consulting and Intervention Center for the Victims of Trafficking, who undertakes further steps to help the child and prevent further abuse. These persons are not placed in centers for foreigners, but they remain in foster care centers supervised by the Ministry of Family, Labor and Social Policy.

Each applicant (including the accompanying minor) is regarded as a vulnerable person in the scope of social assistance, if:

- 1)** they are accommodated in a foreigner center:
 - a) adapted to the disabled persons' needs,
 - b) in a separate room,
 - c) intended exclusively for women or for women with children;
- 2)** they are accommodated in a health-care center, care home, hospice;
- 3)** they are placed in a detention center corresponding to their psycho-physical situation;

The applicant is provided with appropriate diet

In 2015, with an aim of correct enforcement of the amended Act, the Department for Social Assistance of the Office for Foreigners developed the algorithm of conduct with the foreigners who require special treatment (i.e. minors, unaccompanied minors, disabled persons, elderly persons, pregnant women, single parents with minor children, victims of tortures, rapes or other serious forms of violence, victims/witnesses of human trafficking and persons requiring support because of their health condition or some special personal circumstances) - and this algorithm is a comprehensive solution regulating the procedure of handling such individuals in the centers for foreigners.

In 2015, the Polish Border Guard introduced the algorithm of conduct with vulnerable foreigners in the guarded centers, where among others the victims of sexual violence are included in the definition of especially exposed persons.

The purpose of this document is to determine the conditions necessary for identification of vulnerable foreigners - including the sexual violence victims - during their stay in a guarded center for foreigners as well as to develop a mode of conduct at identification of this category of foreigners, with special emphasis on the manner of handling such persons. According to the principles which govern identification of vulnerable foreigners, including the victims of sexual violence, adopted by the Border Guard, persons present in the guarded centers for foreigners are involved, namely social guardians, medical personnel (a physician, a nurse, a paramedic), psychologists, therapists.

Furthermore, the determined principles of conduct embrace a catalog of solutions which facilitate identification of vulnerable foreigners, including:

- anonymous transfer of information / applications / complaints addressed directly to the management of the guarded center for foreigners,
- psychological care,
- consultations with special doctors, including a child psychiatrist,
- care from nurses or paramedics, received 7 days a week.

What is more, each foreigner who arrives in the center, also an unaccompanied minor, is assigned with a so-called social guardian. This is a person responsible for familiarizing the foreigner with the infrastructure of the guarded center, the principles of stay, but also for taking care over the foreigner (evaluating their psycho-physical condition) and monitoring of their behaviors. All of the above-mentioned actions undertaken by the Border Guard in the guarded centers for foreigners are intended for quick identification of a vulnerable foreigner, including the sexual violence victims, as well as for a quick intervention as well as adequate and quick support to such a person.

Medical care is provided through medical facilities in all holding centers for asylum seekers and in one room of the Office for Foreigners in Warsaw. In each point, physicians, nurses and a psychologist provide basic care, and if necessary, some direct specialist consultations.

The psychologist care for asylum seekers is provided in all centers and in the "consultation point" for asylum seekers, who live outside the center, in one of the rooms of the Office for Foreigners in Warsaw. The psychologist actions include: psychologist support, educational actions, psychotherapy within the cognitive-behavioral approach as well as crisis intervention, and they are carried out based on the current standards for psychological evaluation of asylum seekers and refugees in Poland, drawn-up by the Polish Psychological Association. If the psychological evaluation suggests the need for specialist treatment, the patient is referred to the mental health center for adults, children and youth. An individual approach to a patient and close cooperation of psychologists with other medical personnel allows to provide some comprehensive psychological care to every asylum seeker, especially to the most sensitive individuals who are in the greatest need of this help.

The broadly-understood issues of security, including the domestic violence and sexual exploitation, are among the priority areas. In order to ensure safety of the international protection applicants and prevent any crisis situations, the Office for Foreigners has developed a series of internal security procedures for staff working both in the centers of foreigners and in the headquarters. They are aimed at preventing the violence and determining a response in emergency situations. The following procedures have been implemented in response to the identified risks:

- *Understanding on standard operational procedures related to recognition, prevention and response to sexual violence or misogyny or misandry-based violence against foreigners who remain in reception centers for asylum seekers (2008)* - on this basis, the local cooperation groups operate in each center and meet at least once a quarter or more often, regarding the current needs. The purpose of the teams is to monitor the current situation in the centers, the degree of risk of violence and the situation of families where violence has been reported. The local cooperation groups include: social workers, local police officers, medical personnel and representatives of non-governmental organizations.

- *Procedure regarding minors who entered into the state of matrimony or plan to enter into the state of matrimony.*

- *Procedure of handling the threats to security.*

In 2010, while meeting the needs of asylum seekers from particularly vulnerable groups, the Office for Foreigners decided to designate a center located in Warsaw and intended exclusively for single women and single women with children.

Furthermore, in November 2016, the Polish Office for Foreigners adopted a comprehensive policy of children protection against harm in premises for foreigners. Currently, the Office for Foreigners is implementing a project regarding identification of persons applying for international protection in terms of their vulnerability, in cooperation with the Border Guard and the Różnosfera Foundation.

The Police undertake actions intended to provide therapeutic aid (especially in emergency cases) and support to refugee or migrant children, who have become victims of sexual abuse. They are most often correlated with relevant state institutions and non-governmental organizations, which provide help to minor victims of sexual crimes. The main task of the Police is effective prevention, identification and pursuing of crimes (including the sexual crimes), therefore it is incapable of providing the victims with comprehensive care and support in the dimension they deserve what is somehow caused by the needs to implement the above-mentioned statutory tasks. Therefore, a significant component of the aid provided to victims is cooperation of the Police with other public institutions and non-governmental organization which provide comprehensive support and the best care to the children, such as Ombudsman for Children, Dajemy Dzieciom Siłę Foundation or the National Consulting or Intervention Center.

The Police undertake actions to meet those challenges, which at the same time contribute to objectives of the criminal proceedings. Firstly, the case of “friendly questioning rooms” should be mentioned here. It is a significant component of the Police’s actions undertaken to prevent secondary victimization of victims and to eliminate any negative consequences of the questioning. It includes creation of friendly questioning rooms in the Police Units, called “the blue rooms”.

The blue rooms are located not only in the premises of the Police Units but also in court and prosecution buildings, Poviats Family Support Centers as well as in the buildings of medical facilities, governmental institutions, local government institutions, organizations and foundations operating to the benefit of children, youth family and preventing addictions. The equipment and organization of the friendly questioning rooms is diversified. A part of these establishments has some professional audio-video equipment, proper furniture, anatomical dolls, posing a complex of two rooms divided with a one-way mirror, meeting all requirements for crime victim and witness questionings to be held by courts as stipulated in Article 185a and 185b of the Code of Criminal Procedure.

Summing up, it should be emphasized that the foreigners (including children) staying in Poland illegally, are provided with medical assistance in cases of sudden disease and threat to health or life, which is stipulated, among others, in the Act of 15 April 2011 on medical activity (Dz.U. of 2013, item 217, as amended) and the Act on the professions of doctor and dentist.

Portugal	<p>Access to health care, through the National Health Service (SNS), by foreign children residing in Portugal is universal and free, and it covers primary, secondary and emergency care, immunization, screening and prevention programmes.</p> <p>These children are informed by public services that took care of them that they are entitled and must attend the SNS services.</p> <p>If these children and families do not attend health services and do not follow the health surveillance and vaccinations recommended by the national program for child and youth health, they will be notified (or the respective curators) by local SNS services to the «National System for the Promotion and Protection of Children and Young People in Danger».</p> <p>This function of promoting human rights and prevention of abuse is organized by the SNS services through the national network of children and young people support – that exists in all health centres and Hospitals with pediatric care. The system monitors families and children in accordance with their specific needs (identified in the prevention of any kind of risk of abuses and exploitation). According to the national program for child and youth health, family risk assessments for any kind of vulnerability that might evolve into cases of mistreatment or abuse are foreseen and planned for all children, including refugee children.</p> <p>It should also be reminded that Portugal has integration Plans for Immigrants since 2007, and the current Strategic Plan for Migration is in place until 2020 (www.acm.gov.pt/documents/10181/222357/PEM_ACM_final.pdf). The plans have embodied several measures to improve immigrant's access to the National Health Service. One of those measures was the institutionalization of procedures to better manage health agreements and promote the immigrants access to health care. In this regard, the Portuguese Health authorities, with the collaboration of « Alto Comissariado para as Migrações (ACM) » (the High Commission for Migration) designed a practical manual to manage diverse situations such as the procedures to implement in the case of undocumented children receiving health care in the National Health Service: a formal communication to the National Immigrant Support Centre.</p> <p>Applicants for international protection and beneficiaries of refugee or subsidiary protection and their family members are exempt from the payment of basic health fees.</p> <p>On the other hand, since 2009, SNS health professionals have benefited from training in maltreatment and sexual abuse, in order to work according to the specifications of the people accompanying the minors.</p> <p><u>Psychosocial assistance</u></p> <p>As pointed out in the AIDA Report: “In practice, asylum seekers have effective access to free health care in the SNS in line with applicable legal provisions. However, persisting challenges have an impact on the quality of the care available. According to recent research, and information available to CPR, these include language and cultural barriers due to the reluctance of health care services to use available interpretation services such as ACM’s translation hotline; difficult access to diagnosis procedures and medication paid by the SNS due to bureaucratic constraints; or very limited access to mental health care and other categories of specialised medical care (e.g. dentists) in the SNS. The difficulties in accessing specialised care in the SNS, including dentists, also came out as the main concerns in recent consultations conducted by CPR in October 2017 in the framework of the Relocation programme”.¹⁴ The research conducted within the framework of the “Time for Needs” project revealed that the provision of mental healthcare to children within the national healthcare system is an exception, with services being easily accessible.¹⁵</p>
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¹⁴ CPR, AIDA Country Report: Portugal, 2017, March 2018, pp. 80-82.

¹⁵ Italian Council for Refugees *et al.*, *Time for Needs: Listening, Healing, Protecting*, October 2017, p. 94.

	<p>Assisting child victims of sexual exploitation and sexual abuse in seeking redress</p> <p>As mentioned above, despite the existence of a legal provision establishing the need to identify persons with special needs, there are no (specific) mechanisms, standard operating procedures or unit in place to systematically identify asylum seekers who need special procedural guarantees.</p> <p>Access to healthcare by unaccompanied children under CPR's care is ensured by the organisation's staff who perform the necessary referrals and accompany children to the appropriate facilities. CPR is not aware of the practices and actions involving GNR referred to in the follow-up report.</p> <p><u>Additional information sent on 21 March 2019:</u> In SNS there is a phone line Linha SOS imigrante, 808 257 257 that allows the health professional and the user to have access to an interpreter, either immediately in urgent situations or with an appointment (please see an example in annex).</p> <p>Since 2008, in all hospitals with pediatric care and in Primary Health Care services, there are support units and local services of the National System for the Promotion and Protection of Children and Young People in Danger that are able to follow all cases of risk of child maltreatment, including sexual abuse / exploitation.</p> <p>This structured response from de SNS is legally established by Ordinance n.31292/2008, 5 December.</p> <p>At present, there are 269 teams in Health Centers and Hospitals of the SNS; 12 teams in the Health Units and Hospitals of the Regional Health Care Service in Azores. Together they are accompanying 65,000 children up to 18 years, since 2008.</p> <p><u>Additional information sent on 31 May 2019:</u> At the National Health system, it is available a SOS immigrant hot line (le 808 257 257), which allows the health care professional and the user, to have access to the assistance of an interpreter, if necessary in an immediate way, in emergency situation.</p> <p>In the annex, you can find an example of this tool.</p> <p>Please note, that, in all Hospitals with pediatric care and primary health care, "Child and Young at risk services", are designed for caring and monitoring any kind of child's abuse risk, including sexual exploitation/abuse.</p> <p>There are dedicated 269 Teams at NHS, 12 Teams on the Island Health units and hospitals in the SRS Azores. They have accompanied more than 65,000 children (under 18 years old) since 2008.</p>
Romania / Roumanie	<p>Also, Law No. 211/2004 concerning some measures for ensuring the protection of victims of crime establishes the right to psychological assistance the victims of certain categories of offences, including domestic violence, rape, sexual assault, sexual intercourse with a child and sexual corruption of children, ill-treatment applied to children, trafficking in children, as well as the attempts to all these offences, have the right to psychological assistance.</p> <p>Psychological assistance is granted in case of child victims for a period of up to 6 months.</p>

With a view to granting some forms of assistance adapted to children who are victims of these types of offences, the probation services at local level have concluded protocols of cooperation with the general directions for social assistance and child protection, with the public service for social assistance within municipalities, with the anti-trafficking centers, with mental health laboratories, as well as with different non-governmental organizations which are active in this field.

The Law also sets out that non-governmental organizations can provide, independently or in cooperation with public authorities, services for the psychological counselling of the victims of crime and for ensuring other forms of assistance of the victims of crime.

To this end non-governmental organizations can benefit, according with the applicable legislation, from subventions from the state budget.

The assistance procedure for children subject to violence is described in detail in the Government's Decision No. 49/2011, Annex 1, in chapter IV concerning the case management in such situations and it includes psychological assistance¹⁶.

¹⁶ IV. Case management in situations of violence against children and domestic violence

The method of case management in situations of violence against children shall be applied according to the Order of the State Secretary of the National Authority for the Protection of Children and Adoption no. 288/2006, supplemented with the specific provisions mentioned in this chapter.

Case management is a process pertaining to the following main stages, as detailed below in what concerns the situations of violence against children and domestic violence:

1. Identification, notification, initial assessment and undertaking of the cases related to children who are victims of violence, or accordingly, adults and/or children who are victims of domestic violence.
2. The detailed, comprehensive and multidimensional assessment of the situations involving children who are victims of violence, or accordingly, adults and/or children who are victims of domestic violence, as well as of their family and of the alleged perpetrator/aggressor;
3. Planning specialized support services, as well as other necessary interventions for the rehabilitation of the children who are victims of violence, or accordingly, adults and/or children who are victims of domestic violence, including services and interventions aimed for the family and the alleged perpetrator/aggressor;
4. Providing services and interventions: assisting the children who are victims of violence, or accordingly, adults and/or children who are victims of domestic violence, as well as the family in order to obtain and use the necessary services and to initiate, if may be the case, certain legal procedures;
5. Monitoring and periodical re-assessment of the registered progress, the specialized services and interventions;
6. The end stage or the final stage of the process or providing specialized services and interventions, monitoring the follow up and the closing of the case.

These steps are interrelated in some cases overlap and are not necessarily conducted in the order presented above. It is also important that professionals should encourage and support the involvement and participation of children and families in all stages of this process, whenever possible, taking into account the maturity of the child and using appropriate ways. The same is true for the adult victim of domestic violence, according to its discerning ability.

The steps listed above are customized for the multidisciplinary team of the intervention department, in situations of abuse, neglect, trafficking, migration and repatriation within DGASPC, provisioned by the Government Decision no. 1434/2004 on the duties and framework regulations concerning the organization and operation of the General Directorate of Social Welfare and Child Protection, republished, with subsequent amendments and supplements. These steps must be complied with in any specialized service for child protection against violence against children. It is recommended that the structure department intervention in situations of abuse, neglect, trafficking, migration and repatriation, hereinafter referred to as the specialized department to include: the child helpline mobile team intervention in cases of emergency, the DGASPC representatives in the local sector team to prevent and fight child labor, street social service for street children and the domestic violence department. Moreover, it is recommended that the child helpline to expand their activity to emergencies related to domestic violence, and to be called the child and family helpline, and to include in the mobile intervention team, specialists in preventing and combating domestic violence. The local inter-sector team (EIL) for preventing and fighting child labor exploitation may also have duties in the area of violence against children and domestic violence. EIL does not overlap and inter-disciplinary and inter-institutional team for the assessment and / or intervention in cases of violence against children and domestic violence. EIL has a consultative role for case managers regarding the particularities of the case and cooperation between institutions involved in the case management as well as for the policy makers in the development and review of strategies, establishment of new services, and development of prevention activities by issuance of recommendations.

During this process the needs and opinions of the child are considered, depending on the age and level of maturity of the child, and the services are granted to the child, the parents / legal representative and to persons who are important for the child. The services and interventions cover all sectors in which the child has a need, namely the medical, rehabilitation, social, protection, educational sector, etc.

Some special categories of child victims also benefit of special protection measures.

The EIL structure is established according to the decision of the county/local council. In what concerns the sectors of the Bucharest Municipality, EIL is coordinated by DGASPC, according to the provisions of the Government Decision no. 867/2009 on the prohibition of the dangerous child labor, and its members are representatives of the following institutions:

1. DGASPC;
2. The County Police Inspectorate/General Police Directorate of the Bucharest Municipality and sector police units;
3. The County Gendarmerie Inspectorate/ General Gendarmerie Directorate of the Bucharest Municipality;
4. County directorate for public health/Public Health Directorate of the Bucharest Municipality;
5. County school inspectorate/General School Inspectorate of the Bucharest Municipality;
6. local labor inspectorate;
7. nongovernmental organizations.

It is also recommended the involvement of the representatives of the city halls, syndicates, business environment, church, probation services, forensic units, emergency units and regional centers of the Ministry of the Administration and Interior – the National Agency against the Trafficking in Persons. The EIL member institutions shall conclude partnership agreement for a minimum period of 3 years.

EIL has the following duties:

- a) upon the request of the case manager, to provide expertise through its members (specialized information, case advice, references to other specialist, facilitating the involvement of the institution in a particular case);
- b) upon the request of the case manager, to facilitate the cooperation between the institutions participating to the case management;
- c) to analyze on an annual basis, the statistics registered by DGASPC regarding: child abuse and neglect; exploited children and facing risks of being exploited through labor, children victims of the trafficking in persons, children victims of other forms of violence on the territory of other states and domestic violence;
- d) to make recommendations on the improvement of the activity in the area of preventing and fighting the violence against children and domestic violence (action plans, proposals on the review of the existent strategies and plans, establishment of new services, conducting activities of prevention, dissemination of good practices, public information, professional trainings) which are submitted to the policy makers on county level within the biannual reporting;
- e) to draw up biannual reports on the activity in the area of preventing and fighting the violence against children and domestic violence, on the basis of the analysis of the statistics, the observed good practices and other relevant information;
- f) to identify examples of good practices in this field, for dissemination to professionals;
- g) to attend prevention activities taking place in schools and communities, as well as to inform the public, including by mass-medial means;
- h) to inform the colleagues within its own institution and the local structures in respect of this framework methodology and other regulations in this matters;
- i) to participate to training programs for professionals in this field;
- j) to make the annual report on the activity in the field of preventing and fighting violence against children and domestic violence, which shall be submitted to the General Directorate of Social Welfare and Child Protection within the Ministry of Labor, Family and Welfare (DGPC - MMFPS). The annual report includes recommendations on the improvement of the legislation, the monitoring mechanisms and the identified good practices.

The EIL duties are listed in the job description of every member.

In order to achieve those mentioned above, work meeting are organized on a monthly basis, according to the internal procedures of every team, approved by each institution.

For example, child victims of trafficking in human beings (including victims of trafficking in the context of the refugee crisis) also have the right to the special measures of protection and assistance provided for in Law No. 678/2001¹⁷ concerning the prevention and fight of trafficking in human beings, among which are the right to physical, psychological and social recovery, special protection and assistance, depending on their age, temporary accommodation upon request in centers of assistance and protection of the victims of trafficking in human beings (in which they also benefit of psychological care).

Depending on the institutions and organizations involved in the anti-trafficking fight and the place and manner of identifying the victim of trafficking in human beings, the referral of victims to specialized assistance services is personalized. Protection and assistance services are offered to victims of trafficking in human beings either in centers for assistance and protection of victims of trafficking, established under Law no. 678/2001 on preventing and combating trafficking in human beings, or in the centers or shelters of non-governmental organizations or in other centers, as follows:

- ✓ Government centers for the assistance and protection of adult victims of trafficking, established under the framework law;

¹⁷ CHAPTER 5

Protection and assistance of the victims of trafficking in persons

ARTICLE 26

(1) The victims of the offences of trafficking in persons shall be granted special physical, legal and social assistance.

(2) The private life and identity of the victims of trafficking in persons shall be protected.

(3) The victims of the offences provided by this law shall be entitled to their physical, psychological and social rehabilitation

(4) The minors who are victims of trafficking in persons shall be granted special protection and assistance, depending on their age.

(5) The women who are victims of the offences provide by this law, as well as those subjected to a high level of risk of becoming victims of these offences shall be granted a special protection and social assistance.

ARTICLE 27*)

(1) The Ministry of the Interior shall ensure the physical protection of victims of the trafficking in persons, according to Article 113 of the Code of Penal Procedures.

(2) The National Agency against Trafficking in Persons, in co-operation with the concerned institutions, as well as with nongovernmental organizations, international organizations and representatives of the civil society committed to protect and assist the victims of trafficking in person, shall ensure for them the psychological support and necessary assistance for social integration.

(3) The National Agency against Trafficking in Persons shall monitor the assistance granted to the victims of trafficking in persons and shall facilitate their participation to prosecution and trial, by carrying on activities aimed to facilitated the act of justice.

(...)

ARTICLE 37

Romania shall facilitate for the foreign citizens, victims of the trafficking in persons, the return to their home country without any unjustified delays and shall ensure safe transport to the Romanian state border, unless otherwise provided in bilateral agreements.

ARTICLE 38*)

(1) The aliens who are victims of the trafficking in persons may be accommodated in specially arranged centers according to the Government Emergency Ordinance No. 194/2002 on the status of aliens in Romania, republished, as subsequently amended and supplemented, without the need of taking them into public custody. To this end, the administration of such centers shall arrange special spaces separately from those aimed for the accommodation of the aliens taken into public custody.

(2) The aliens who are victims of the trafficking in persons and who apply for a form of protection in Romania may be accommodated in specially arranged spaces, according to the Government Ordinance No. 122/2006 on asylum in Romania, subsequently amended and supplemented.

(3) The accommodation of the persons provided in paragraph (1) shall be approved by the director general of the Romanian Office for Immigrations, upon the written request of the competent authorities.

(...)

- ✓ Governmental transit centers for minors who are victims of trafficking in persons or unaccompanied minors;
- ✓ Governmental centers for refugees in the RIO administration for victims of foreign citizens;
- ✓ Assistance centers in NGO administration;
- ✓ Receiving and housing centers subordinated to the General Directorate for Social Assistance and Child Protection, other than those mentioned above.

Child victims of trafficking can also be sheltered, assisted and protected in emergency reception centers for children victims of different forms of abuse. There is at least one such public center within each DGASPC, at the level of each of the 41 counties of the country and from the 6 administrative districts of Bucharest.

Regarding the victims of domestic violence (which may also include sexual abuse against victims of the refugee crisis), Law No. 217/2003 concerning the prevention and fight of domestic violence establishes special measures for protection of the victims of domestic violence.

The victim can be placed in emergency centers or centers for the recovery of the victims of domestic violence. These facilities offer to victims of domestic violence social services free of charge.

The emergency centers¹⁸ ensure free of charge, for a certain period of time, family assistance both to the victim and to the children who are looked after by the victim, protection against the offender, medical care and support, food, accommodation, **psychological counseling** and legal assistance, according with the instructions for their organization and functioning.

The recovery centers for the victims of domestic violence¹⁹ ensure the accommodation, support, legal assistance and **psychological assistance**, support for adapting to an active life, professional integration of victims of domestic violence, as well as their social rehabilitation and reintegration.

¹⁸ ARTICLE 17

(1) The emergency centers, further referred to as shelters, are social assistance units, with or without legal status, of residential type, which provide protection, accommodation, care and counseling to the victims of domestic violence.

(2) Public shelters have to provide free of charge, for a determined period, family assistance to the victim as well as to the minors in the victim's care, protection against the aggressor, medical care, food, accommodation, psychological assistance and juridical counseling, according to the organization and operation instructions drawn up by the authority.

(3) The reception of the victims in the shelter takes place only in emergency cases or upon written approval of the director of the general directorate for social assistance and child protection, when the isolation of the victim from the aggressor is imposed as a protection measure. The access in the shelter's building, where the victims are received, is forbidden to the persons who committed the act of aggression.

(4) The location of the shelters is secret for the public.

(5) The isolation of the victims from their aggressors can be done with their consent or, depending on the case, of the legal representative.

(6) All shelters shall conclude a cooperation agreement with a hospital or another health unit able to provide medical and psychiatric care. The agreement is concluded by the local councils, and namely by the Bucharest district councils or, as the case may be, by the county councils, as well as by the leading bodies of the accredited providers of social services.

¹⁹ ARTICLE 18

(1) The recovery centers for the victims of domestic violence are social assistance units or residential type, with or without legal status, ensuring accommodation, care, legal and psychological counseling, support in order to adapt to an active life, professional insertion of the victims of domestic violence, as well as their rehabilitation and social reinsertion.

We also point out that asylum-seekers with a form of protection can receive psychological assistance from a specialized NGO funded by FAMI (Fund for Asylum, Migration and Integration) in reception centers of the General Immigration Inspectorate.

Additional information sent on 17 April 2019:

The Romanian legislation regarding the protection of crime victims has just been revised, by the Emergency ordinance no 24/2019 (for amending and completing the Law no. 211/2004 on certain measures for the protection of victims of crime, as well as other normative acts), which entered into force on 10th of April 2019. According to the newly enforced provisions, a person who was victim of a crime committed on Romanian territory is entitled to a various number of protection measures, among which is the psychological assistance, which is not limited to a certain period of time.

So, the 6 months term that was previously provided in law no 211/2004 Law no. 211/2004 on certain measures for the protection of victims of crime is no longer into force.

Also, the structures subordinated to the Ministry of Internal Affairs took measures to establish a mechanism for the early identification of asylum seekers and vulnerable persons with international protection in order to provide adequate responses to their needs, taking into account the proposed mechanism proposal by UNHCR following the implementation in December 2012-2013, in partnership with the General Inspectorate for Immigration, of the project "Ensuring Effective Responses for Vulnerable Asylum Seekers: Promoting Appropriate Standards for Identifying and Solving People with Special Needs", co-funded by the European Refugee Fund.

According to Law no. 122/2006 regarding the asylum in Romania, in the category of vulnerable or special needs are included minors, unaccompanied minors, disabled persons, elderly people, pregnant women, single parents accompanied by their minor children, victims of trafficking persons with mental illness, persons who have been subjected to torture, rape or other serious forms of psychological, psychological or sexual violence, or in other special situations similar to those mentioned above.

After identifying individuals as belonging to one of the vulnerable categories mentioned, the structures under the MAI subordination, through the responsible specialists, collaborate with the relevant institutions and NGO partners in order to provide the appropriate assistance. This assistance is not limited in time, continuing throughout the asylum procedure and later on after obtaining the form of protection, as long as the state of vulnerability persists.

Additional information sent on 23 April 2019:

The term "psychological assistance" includes all forms of psychological assistance, adapted to the necessities of the victim, which means also the type of assistance according in emergency cases.

Regarding the moment when this assistance is provided, I mention that among the principles of art. 33 of the Law 211/2004 on the protection of victims of crime, in its new form, there is the principle of celerity, as follows:

"Art. 33

The information, support and protection of victims of crime is carried out in compliance with the following general principles:

(...)

(2) The Recovery centers for the victims of domestic violence shall conclude cooperation agreements with the county employment authorities and those assigned to the Bucharest municipality sector in order to grant their support for the professional integration, re-adaptation and requalification of the assisted persons.

(3) Provisions of Article 17 (5) and (6) shall apply accordingly.

	<p>k) celerity - victims of crime are entitled to provide information, support and protection services in accordance with the present law promptly, so that the negative effects of committing the crime do not get worse;”</p> <p>This means that in emergency cases, the psychological assistance/care will be provided as soon as the victim is evaluated and his/her necessities are established.</p>
<p>Russian Federation / Fédération de Russie</p>	<p>1. Refugee children who became victims of sexual exploitation, are subject to systematic assistance from the state authorities in the Russian Federation, local - government, public associations and other non-profit organizations, refugee children fall under the category of children who find themselves in difficult life situations.</p> <p>2. This concept is disclosed in the Federal Law "On Basic Guarantees of the Rights of the Child in the Russian Federation", July 24, 1998 N 124-FZ (latest version).</p> <p>3. This law specifies the list a of social services for children, including social, medical, psychological, pedagogical, legal services and financial assistance, organization of rest and recreation, social rehabilitation of children in a difficult life situation, support for employment of such children upon reaching their working age.</p> <p>4. Article 14.2 of this law states that the federal bodies of state power, that of the entities of the Russian Federation, and local self-government bodies, within their competence, take measures to provide the necessary pedagogical, psychological, medical, legal assistance to minor victims of trafficking and (or) exploitation and to their parents (persons replacing them).</p> <p>5. With regard to emergency assistance, the regulatory framework includes the following documents:</p> <ul style="list-style-type: none">- Order of the Government of the Russian Federation No. 1839-r “On the concept of the development of early aid in the Russian Federation for the period until 2020”, August 31, 2016 (Socio-psychological services, Psychological assistance to the child and family)- Federal Law of December 28, 2013 N 442-FZ "On the Basics of Social Services for Citizens in the Russian Federation" <p>Article 21 defines a list of urgent social services, which include provision of food, basic necessities, assistance in obtaining temporary accommodation, legal and emergency psychological assistance</p> <ul style="list-style-type: none">- Federal Law No. 120-FZ of June 24, 1999 as amended on July 2, 2013 (N 185-FZ) <p>"On the basics of the system of prevention of minors’ neglect and delinquency" determines the list of specialized institutions for minors in need of social rehabilitation, the list of minors who are admitted to these institutions on a 24-hour basis, the grounds for admission.</p> <ul style="list-style-type: none">- All-Russian anonymous and free child helpline. (http://telefon-doveria.ru/). 8-800-2000-122. Currently, 229 organizations are connected to it in 83 constituent entities of the Russian Federation. <p>There are also telephone hotlines of charity foundations and social rehabilitation centers.</p> <p>Additional information sent on 8 May 2019:</p> <p>Preamble</p> <p>Previously, the Russian Federation has already sent information about the legislative base of the Russian Federation, on the basis of which all children-citizens and non-citizens of the Russian Federation receive therapeutic and psychological assistance in case of sexual violence. Persons granted temporary asylum (including children) enjoy social rights on a par with Russians. Persons who have received refugee status (including children) enjoy many benefits, including healthcare, financial, other forms of assistance.</p> <p>We kindly ask you to take into account the official statistics on the children of refugees in the Russian Federation and the legislation of the Russian Federation, which provides refugee children with the full range of rights along with children by citizens of the Russian Federation.</p>

According to the data of the Ministry of Internal Affairs of the Russian Federation, in **2018 - 60 (2017 - 90, 2016 - 149)** children were included by their parents into the applications for refugee status recognition.

Petitions of minors who arrived on the territory of the Russian Federation unaccompanied by their parents and guardians were not received by the territorial bodies of the Ministry of Internal Affairs of Russia in 2018.

The number of children included by their parents in the application for temporary asylum in the territory of the Russian Federation in **2018 is 1,506 (2017 - 2,839, 2016 - 4,627)** people.

The number of minors who arrived on the territory of the Russian Federation unaccompanied by their parents and guardians, and who applied for temporary asylum in **2018 is 4 (2017 – 5. 2016 - 59).**

Hypothetically, in relation to a potential flow of refugees in the Russian Federation, the Federal Service for Emergency Medicine (<http://www.mchs.gov.ru/dop/terms/item/86496/>) will be involved in providing urgent medical and psychological assistance (centers) in all regions and cities of the Russian Federation. Structural units of this service are engaged in issues of medical and psychological assistance to the population.

The Russian Federation received a request for a specific description of the following points:

How is the therapeutic care and, above all, urgent psychological help for children who are victims of sexual abuse and exploitation in a migratory crisis performed? Please, provide information on the procedure for therapeutic and urgent psychological assistance to a refugee child who has been sexually abused, a child who has been sexually abused in a refugee crisis, and the child who does not have refugee status yet.

Taking into account the note on insufficient information at the session in March 2019, we hereby provide the clarification on our reply to Recommendation 29.

1. Legal aspects of the provision of urgent therapeutic and psychological care

Refugee children, non-citizens of the Russian Federation who do not have refugee status are objects of support and prevention, taking into account the previously mentioned legislation, as well as objects of support from the national federal policy of the Russian Federation on the prevention of neglect and juvenile delinquency, according to Federal Law No. 120-FZ of 24 June 1999 "On the basis of the system for the prevention of neglect and juvenile delinquency."

<http://www.consultant.ru/cons/cgi/online.cgi?req=doc&base=LAW&n=301209&fld=134&dst=100057.0&rnd=0.893833344031093#06616619041110487>

This system includes commissions on minors and the protection of their rights, the social protection authorities of the population, the federal bodies of state power and the bodies of state power of the constituent entities of the Russian Federation exercising administration in the field of education, and the bodies of local self-government exercising administration in the field of education, custody and guardianship, health authorities, bodies of social protection of the population; law enforcement agencies (Article 9 § 2).

By virtue of the requirements of Article 1 of the Federal Law No. 124-FZ of July 24, 1998 "On Basic Guarantees of the Rights of the Child in the Russian Federation" (hereinafter referred to as Federal Law No. 124-ФЗ) children left without parental care, children from families of refugees, child victims of violence are recognized as children in difficult life situations.

Article 15, Federal Law No. 124-FZ entrusts federal bodies of state power, bodies of state power of the entities of the Russian Federation to protect the rights and freedoms of this category of children.

2. Administrative and organizational issues

When children arrive in the Russian Federation accompanied by adults, documents are drawn up for them as for the members of the family. After an application being filed for temporary asylum, a certificate is issued, which confirms the rights of a foreigner and his/her family to stay in the Russian Federation. The application itself is considered no longer than 3 months.

There are situations when children arrive in the Russian Federation unaccompanied (they are left behind by the family on the way or lost their parents, having already arrived in Russia).

The statistics has been provided earlier in this clarification text.

Such children are subject to work of bodies in the system for the prevention of neglect and juvenile delinquency” (see the previously mentioned Law of the Federal Law N 120-FZ, June 24, 1999) and specific refugee reception centers, for example, the UNHCR Refugees Reception Center in the Russian Federation (<http://unhcr.ru/arkhiv-novostei/podrobnee/article/o-zashchite-detei-zhelajushchikh-poluchit-ubezhishche.html>).

A brief information can be found on this official site from a representative of this center in the territory of the Russian Federation. The center informs that in different years minors from Afghanistan, Somalia, and Iraq addressed to them. Dangerous circumstances in their homeland forced them to move around the world in search of refuge. However, in general, in Russia, the cases of the arrival of unaccompanied minors who apply for refugee status are rare.

The guardianship and custody body at the place of temporary registration of the foreign child appoints the legal representative of the minor to protect his/her interests in any government agency, including the migration service. Russian legislation regulates this situation in accordance with Article 22 of the International Convention on the Rights of the Child.

The guardianship and custody bodies provide support to foreign children who find themselves in state shelters. The employee of such a shelter, by decision of the above bodies, becomes the legal representative of the child in the migration service and other structures. However, first of all, all agencies carry out activities to search for relatives of the minor.

3. Medical care

3.3.1. In case of arrival (or before arrival) on the territory of the Russian Federation, foreigners, including minors, draw up documents for refugee status / temporary stay on the territory of the Russian Federation. Those arrived get a certificate of the status of being in a waiting list for a response to the submitted documents. This certificate confirms the rights of the foreigner and his/her family to stay in the Russian Federation. The application itself is considered no longer than 3 months.

At the same time, within 10 days after filing documents and arriving in the territory of the Russian Federation, a foreigner and members of his/her family are required to undergo a medical examination, followed by a certificate (2 copies). One copy remains in the medical institution, the second is handed over to the foreigner. The certificate is valid for one year from the date of issue.

If during a compulsory medical examination the doctor suspects that the child is a victim of sexual violence, the doctor informs the public prosecutor’s office, the social welfare authority, the guardianship and custody bodies, the commission on minors and their rights (art. 4 of the Law on the fundamentals of the system for the prevention of neglect and juvenile delinquency”).

In this case, there is no violation of medical confidentiality, as according to the Federal Law “On the Basics of Health Protection of Citizens in the Russian Federation” of 21.11.2011 N 323-FZ, the doctor is required to inform the relevant state authorities in cases where the doctor has reason to believe that the health of a patient is damaged as a result of illegal actions, or a medical examination is conducted to assist a child under 15 years old to inform his/her parents or legal representatives (part 4, art. 61 of this law), information is also provided at the request of an investigator, prosecutor or judge in connection with the investigation or trial.

Thus, interagency information about possible sexual violence is the civil and professional duty of a health care worker.

3.3.2. Medical (including therapeutic) care to children with temporary residence status and to children holding refugee status is carried out on the basis of the Federal Law “On the Principles of Health Protection of Citizens in the Russian Federation” of 21.11.2011 N 323-ФЗ (last revised) http://www.consultant.ru/document/cons_doc_LAW_121895/

According to this law (Art. 33, 35), emergency medical care, including emergency specialized medical care, is provided by medical organizations of the state and municipal health care systems to all categories of people in need of assistance. Accordingly, any service, within the territory of the Russian Federation, deals with issues of minors (see list above), in case of identifying suspicion of sexual violence, addresses to a medical institution and psychological services. An ambulance, including emergency specialized, medical care is provided in emergency or emergency form outside the medical organization, as well as in outpatient and inpatient settings. In the absence of the necessary specialists, emergency ambulance brigades (except for high-tech medical care) will be dispatched, including by a call from a medical organization if it is impossible to provide the necessary medical care in the specified medical organization.

3.3.3. Medical care for victims of sexual violence is carried out on the order of the Ministry of Health of Russia dated 12.24.2012 N 1502n "On approval of the standard of primary health care in inflammatory diseases of the genital organs" (Registered in the Ministry of Justice of Russia 04.06.2013 N 28657).

On the basis of this standard, doctors carry out a primary examination, laboratory and instrumental methods of research, register the documented data regarding obvious physical injuries, etc. http://www.consultant.ru/document/Cons_doc_LAW_147469/

The classification of the state of health of the victim is carried out on the basis of approved federal standards for categories of diseases in accordance with the International Classification of Diseases (ICD-10) Class XIV. Diseases of the genitourinary system (N00-N99).

Medical care to victims of sexual violence might also include post-exposure prophylaxis of HIV, hepatitis B, in case of physical injuries during rape, vaccinations against tetanus should be given. If it is necessary to prevent unwanted pregnancy, in the first five days after the rape emergency contraceptives are used.

4. Information support for medical care

The results of medical examinations and examinations of victims are introduced in a unified information system in the field of health care of the Russian Federation (valid according to article 92 of the Federal Law "On the Fundamentals of Citizen Health in the Russian Federation" of 21.11.2011 N 323-FZ (last revised)).

This system contains data on conducted medical expertise, medical checks and examinations and their results, on implemented standards of medical care, information on the medical worker or medical workers who provided medical assistance, the description of above procedures (scope of information, item 94 is set in the above law).

5. Urgent psychological care

5.1. Bodies that ensure the engagement of psychologists

There is a system of state bodies that support minors in the Russian Federation and monitor their condition. This system operates under the umbrella of the Commission on minors' affairs and protection of their rights (see Federal Law No. 120-FZ of June 24, 1999 "On the basis of the system for the prevention of neglect and juvenile delinquency").

There are the following bodies that are entitled to ensure the engagement of psychologists:

governing bodies for social protection of the population, federal bodies of state power and bodies of state power of the subjects of the Russian Federation exercising state management in the field of education, and local government educational management, guardianship and custody bodies, youth affairs bodies, health authorities, employment agencies, law enforcement agencies, penitentiary institutions.

The above bodies provide urgent psychological assistance to children who are victims of sexual violence (as well as suspicions of this situation) and engage specialists to provide urgent free psychological help to children who are victims of sexual violence, on the basis of the Laws that have been specified earlier in our replies.

5.2. Recruitment of psychologists to provide urgent and systemic psychological care

In the Russian Federation, there is a system of psychological assistance to the population, including children in difficult life circumstances, regardless of whether they are citizens of the Russian Federation, have / do not have refugee status, hold temporary stay status. In relation to children who are obviously or presumably victims of sexual violence, psychologists are involved (in addition to therapeutic specialists) within 24 hours. They work both within the framework of the institution where the minor victim of sexual violence stays and in special centers. Both at the federal level and at the level of municipalities there are special psychological assistance services - psycho-pedagogical, medical and social assistance centers / rehabilitation centers. In addition, there are specialists to provide urgent psychological support (according to Federal Law No. 120-FZ of June 24, 1999 "On the Basics of the System for the Prevention of Neglect and Juvenile Delinquency").

5.3. Provision of psychological care to child victims of violence in special centers

To assist and implement rehabilitation programs in accordance with Federal Law No. 120-ФЗ and Federal Law dated December 28, 2013 No. 442-ФЗ "On the Principles of Social Services for Citizens in the Russian Federation", territorial centers for social assistance to family and children, social rehabilitation centers for minors, social shelters for children and adolescents, centers for psychological and educational assistance to the population, centers for emergency psychological assistance and by phone and others are established and operate in the Russian Federation.

The principles of their activity are targeting, accessibility, voluntariness, prioritizing the provision of social services to minors in difficult life situations, confidentiality, preventive orientation, ensuring the protection of their rights and legitimate interests.

	<p>Minors in a difficult life situation, victims of physical or mental violence, are provided with a temporary shelter in specialized social service institutions, counseling, psychological and pedagogical assistance, social and legal protection, social and medical care, and rehabilitation services. The state system of social services is managed by the executive bodies of the constituent entities of the Russian Federation within their competence. The state supports these activities administratively and financially and encourages the development of social services of other forms of ownership. For example, currently in the Russian Federation besides federal state centers, there are also community centers providing assistance to victims of crime and violence (for example, the Sisters Sexual Assistance Center for Sexual Abuse Victims in Moscow, the Anti-Violence Center and human trafficking in Perm, Fatima Women's Crisis Center in Kazan).</p> <p>5.4. Psychological support is also provided at the stage of investigation and court hearing of a case with child victims of sexual violence, regardless of whether the child has refugee status or not. (support and presence of psychologist, pedagogue, child legal representative).</p> <p>5.5. Supervision of the observance of the rights of children, including children of non-citizens of the Russian Federation, including the provision of timely assistance to the child victim is carried out by the prosecution authorities of the Russian Federation (according to Federal Law No. 2202-1 of January 17, 1992 "On Prosecutor's Office of the Russian Federation"):</p> <p>The prosecution office bodies conduct systematic supervision over the following major issues:</p> <ul style="list-style-type: none">- implementation by the guardianship and custody bodies of the requirements of legislation;- timely checks regarding orphans and children left without parental care, in terms of their placement in the family, under the care, guardianship, for adoption or in boarding schools;- rights of children, victims of human trafficking, sexual and other types of commercial exploitation, and their rehabilitation (timely rehabilitation measures provided by law). <p>If law enforcement agencies get from a child (physically capable due to his/her age and maturity to contact the competent authorities), as well as from other persons and sources the information that the child has been subject to sexual violence and exploitation, the data is submitted the relevant authorities and their officers (according to art. 144-145, the Criminal Procedure Code of the Russian Federation), with further adoption of the necessary procedural decisions.</p> <p>3.4.6. Improvement of national standards for the provision of psychological care to victims of violence, professional development of psychologists to work with victims of violence</p> <p>In the Russian Federation there is a federal institution that analyzes the current state of affairs in the area under analysis and develops recommendations for specialists, as well as provides practical psychological support to children who are victims of sexual violence. Under the umbrella of the Ministry of Health there is a special institute in the status of the Federal State Budgetary Institution "National Medical Research Center of Psychiatry and Narcology named after Serbsky". This center is the basic organization of the CIS member states in the field of psychiatry and narcology. In the structure of this institute there is a department for research of social and forensic psychiatric problems of minors. This department develops a system of diagnostic, expert, treatment-and-prevention and rehabilitation measures for children and adolescents who are victims of various forms of violence and abuse.</p> <p>Also, the department provides professional training for doctors and other specialists of the Russian Federation from different regions, in view of the above specialists' engagement in multispecialist teams (brigades) for "Psycho-education and social-pedagogical work".</p> <p>These brigades work not only in the Center itself, but also operate on an ongoing basis to provide practical urgent psychological assistance to victims in different regions of the country. In addition, starting from 2014, relevant guidelines were prepared and regularly updated with a description of the specific actions of psychologists in relation to these situations.</p> <p><i>In conclusion, the Russian Federation officially points out that in view of the opinion on the lack of structures and procedures, that would specifically deal with refugee children and their protection in cases of sexual violence.</i></p> <p><i>The Russian Federation, bearing in mind the earlier mentioned statistics, legislation, administrative regulations and their implementation with regard to refugee minors in the country, reserves the right to challenge such conclusions as going beyond the text of the Lanzarote Convention.</i></p>
San Marino / Saint-Marin	<p>Information sent on 4 March 2019 :</p> <p>Il n'y a plus de mineurs - accompagnés ou non - présents sur le territoire de la République de Saint-Marin depuis avril 2018.</p>

	<p>En effet, les mineurs qui étaient arrivés avec leurs familles par les couloirs humanitaires sont partis vers d'autres pays avec leurs familles. Les mineurs non accompagnés, arrivés eux aussi grâce aux couloirs humanitaires depuis l'Italie, sont devenus majeurs entre-temps et sont parfaitement intégrés dans notre société, après avoir reçu toute l'assistance nécessaire.</p> <p>Ils avaient été l'objet d'un suivi, au préalable par les autorités italiennes et les ONG "Papa Giovanni XXIII" et "Comunità Sant'Egidio" qui les avaient accueillis, et ensuite par les services compétents saint-marinais, mais aucun cas d'abus n'avait été signalé (d'autres types de violence, mais non sexuelles).</p> <p>En ce qui concerne les recommandations urgentes, les n. 18, 27, 29, 30 et 33, nous pouvons affirmer que, hypothétiquement, les mêmes dispositions que pour tous les autres cas de mineurs victimes d'abus sexuels seraient appliquées.</p> <p>L'approche des services compétents à Saint-Marin se fait au cas par cas, selon les besoins et situations personnelles.</p> <p>La rec n.29 est appliquée de tout temps.</p> <p><u>Additional information sent on 4 March 2019:</u> Selon le protocole opératif du Service des Mineurs (PROCEDURA UNITÀ ORGANIZZATIVA PR-UO SER MIN 05 Rev. 1), à Saint-Marin tous les cas d'abus sexuels et de maltraitance grave suivent une procédure d'urgence, avec ou sans décret de la part du Juge.</p> <p>Cela concerne les interventions liées à la protection, l'assistance, la ré-éducation et la défense contre les risques et dommages sur le mineur et sa famille. La prise en charge et la gestion de l'activité de protection du mineur avec ou sans décret du Juge est un processus à travers lequel les services psycho-sociaux, qui forment une micro-équipe sur chaque cas, prend en charge les mineurs et, selon les cas, leurs unités familiales.</p> <p>Chaque "micro-équipe" est composée d'un/une psychologue, un/une assistante sociale, un/une éducateur et un opérateur technique pour l'assistance sanitaire.</p> <p>Les instruments opérationnels de l'évaluation sont les suivants : des interviews pour un diagnostic psychologique, des tests psychodiagnostiques, un "assessment" social, des visites au domicile, des rencontres en réseau, et l'utilisation d'instruments éducatifs pour l'observation et l'évaluation.</p> <p>Le Service des Mineurs suit également les lignes directrices du CISMAI, le centre de coordination italien des services des maltraitements à l'enfance.</p> <p>Sur la base du diagnostic et de l'évaluation le service des mineurs peut décider d'un placement préventif dans l'attente d'une décision officielle du Juge des mineurs. Une supervision de chaque cas a lieu tout au long du processus.</p>
Serbia / Serbie	<p><i>Ministry of Education, Science and Technological Development.</i> To face the above challenges, the following actions were referred to:</p> <ul style="list-style-type: none">- children affected by the refugee crisis are involved in workshops, lectures, games and art activities in refugee centers (Serbia, Save the Children and other NGO);- children affected by the refugee crisis are expeditiously informed about the education system (Serbia, UNICEF and Ministry of Education);

- 95% of children affected by the refugee crisis were involved in primary education and about 10% in secondary education (Secondary education is not compulsory).

Appointed guardian is, at the same time, an employee of center for social work. In his/her daily work, while performing a duty of guardian, he/she can ask for professional assistance from anyone in center for social work team (where psychologist is a permanent team member), or from anyone else outside the social protection (health care, or education). If guardian assesses a child needs psycho-social support, then he/she will address firstly to his/her psychologist from the center for social work team, or will address to professional outside of it (psychologist from health care institution, or psychologist from local school if the one is trained to offer psycho-social support, or to psychologist from institution specialized for traumatized children).

Institution for children traumatized with various form of family violence exists in Belgrade, and this institution is widely connected with children health protection. To summarize, guardian and all other professionals who are in contact with a child could signalize child needs for psycho-social support, and it is guardians' duty to provide it within the existing resources. In that need (for psyche-social support), refugee-migrant children are not discriminated from domestic population. The other thing is how much refugee/migrant children are using the existing possibility. Among barriers are language (lack of adequate communication-understanding, translators), cultural differences (shame related with trauma etc.) This methodology for protection of refugee/migrant children, derives its legal power from two legal acts: Serbian Law on Social Protection and Serbian Family Law, and one international UN Convention on Children Rights. In the beginning of migrant/refugee crises, Safety Instructions was brought based on these legal acts, where: Safety; Health (protection); Existential Conditions (living), Psycho-social Support and Education were taken for priorities in organizing refugee/migrant children daily life. According to international organization (UNHCR; UNICEF; IOM; Save the Children) opinion, Serbia is fully following these priorities.

Additional information sent on 10 April 2019:

The Regulation on the Establishment of the Program for the Support of Voluntary Return of Foreigners (2019-2021) stipulates that representatives of the social protection service for children and youth must be involved in the decision-making process on voluntary return in the case of UAMs. On that occasion, they are obliged to apply all procedures (including those related to the prevention of sexual abuse of children) identical to those applied on citizen children. In the process of voluntary return of unaccompanied minor principle of protecting the best interests of the child, as well as the principle of family unity are respected. In order to organize the return of the minor, it is necessary to obtain a written consent from the guardian (assigned by the Centre for Social Work) that return is safe and in the best interest of the child, as well as the written consent of the family or person who will take care of the minor upon return.

The same Regulation foresees that the program is implemented by the Commissariat for Refugees and Migration. The Commissariat can cooperate with the International Organization for Migration, another relevant international or non-governmental organization in its implementation. One of the criteria for such cooperation is that the organization has appropriate procedures for the protection and monitoring of vulnerable categories of persons during reintegration. Currently, assisted voluntary return program in Serbia is implemented in cooperation with the International Organization for Migration. The Commissariat for Refugees and Migration, in cooperation with the IOM, conducts counselling sessions for migrants, where it presents the program and the possibilities of return to the countries of origin to those who are interested.

In cases of assisted voluntary return and reintegration of unaccompanied migrant children who wish to return home, these returns are facilitated only when responsible child protection authorities assess that return is in the child's best interest, in line with IOM's internal guidance. When needed, IOM facilitates family tracing and assessment in countries of origin and this informs the child protection authorities assessing the best interest of a child.

Additional information sent on 12 April 2019:

Reunification with a risk of sexual abuse in country of origin, or elsewhere, is not easy to do. The words "voluntarily return" means that no one could return a child

	<p>without his/hers consent. Logical assumption is that if a child who disclosed sexual abuse, or exploitation, knows that a member of the family was, or might abuse him/her, or that such possibility is realistic, then a child would not agree with reunification. Next wording, or phrase, is that “social protection service for children and youth must be involved in the decision-making process”. Translated into practice, this phrase is speaking about the role of guardians, who are in the most cases professionals from the social services (center for social work). They are protecting interests of a child, and are giving opinion if reunification is in the best interest of a child. If there is a knowledge that upon reunification a child will, or might get sexually abused, then guardian will not consent with reunification. No experienced, professional guardian would agree/consent with reunification knowing that in the country of origin (at home), or in some other country, where a family is settled, or is seeking asylum, sexual abuse or exploitation might occur. Yet, if a child insists to leave despite the risk of sexual exploitation and abuse, relevant information would be handed over through existing channels of communication, which could be (international) NGO, or police. Professional guardian (social worker, psychologist, pedagogue from Serbian social service), would not give consent for a child to leave the country knowing that risk exist. In such circumstances, he would rather suggest for a child to stay in Serbia in foster care, or adapted institution for migrants, unless this situation is not clear out. Still, new trend is that different sort of “guardians” are appearing and acting, which are not professionals (social workers, or else), but trained volunteers, supervised by NGO’s which trained them. In such circumstances there might be a difference in approach due to the lack of professional skills and abilities to assess the risk.</p>
<p>Slovak Republic / République slovaque</p>	<p><u>Additional information sent on 7 January 2019:</u></p> <p>With regard to the pertinent recommendation related to the therapeutic assistance and emergency psychological care and the information from the expert analysis underscoring the Slovak Republic did not provide specific information on the applicability of the law in case of child victims of sexual exploitation and sexual abuse affected by the refugee crisis, the Slovak Republic considers that the Act no. 274/2017 Coll. on Victims of Criminal Offences and on Amendments and Supplements to Some Acts also applies to child victims of sexual exploitation and sexual abuse who have been affected by the refugee crisis; this is a category of particularly vulnerable victim within the meaning of Art. 2 para 1 letter c) of the Act. Whereas the general regulation contained in the Act (for details see below) can also be applied to child victims of sexual exploitation and sexual abuse affected by the refugee crisis, the pertinent legal regulation is therefore found sufficient in the conditions of the Slovak Republic. Moreover, the Migration Office, in co-operation with non-governmental organisations, provides free psychological counseling for asylum seekers in the asylum centers and facilities as well as for persons with granted international protection within their integration into the society.</p> <p>On 12th of October 2017, the National Council of the Slovak Republic adopted an Act no. 247/2017 Coll. on victims of criminal offences and on the change and supplement to some acts which entered into force on 1st of January 2018. The Act regulates definition of <u>especially vulnerable victim, who is a child</u> (Article 2 para. 1 letter c) point. 1). In Articles 2 and 3, the Act states key terms and principles of exercising the protection and support for victims of criminal offences which are applicable for the whole Act. Through the pertinent Act, there have been several new key terms incorporated into the Slovak legal order, such as “victim of criminal offence”, “especially vulnerable victim”, “secondary victimization”, “repetitive victimisation”, “criminal offences of domestic violence” etc. The second part of the Act regulates rights of victims of criminal offences which are partially regulated in the Act no. 301/2005 Coll. Criminal Proceedings. There is a regulation stipulating the amount of information which is supposed to be provided to the victim by the relevant authority/institution during first contact with the victim underlying the obligation to provide this information in comprehensible way for the victim. The Act also establishes <u>a right to provide the professional help</u>. In the Act, the professional help is divided into <u>professional help and specialised professional help</u>. There are other rights for the victims of criminal offences stipulated in the Act- right for legal aid, right for the protection against secondary and repetitive victimisation and right to financial reimbursement. The fourth part of the Act regulates support of institutions providing the help to the victims of criminal offences. This support is going to be performed <u>through the accredited programmes of support the victims of criminal offences</u> and donations for general and specialised professional help. This part of the Act also sets up the conditions for granting the accreditation, its content and application process, accreditation proceedings, cancellation of the accreditation, control of accreditation conditions requirements and obligations of the accredited entities, donations provided from the state budget (conditions to be met for purposes of providing donations are also subject of control). The pertinent Act establishes a registry of accredited entities. According to Article 3 para. 8 of the Act, law enforcement authorities in criminal proceedings, courts and entities providing help to victims are obliged to take into consideration the best interest of child. The provision refers to Article 5 of the Act no. 36/2005 Coll. on family which declares the priority of interest of child as a principal aspect when making decisions in all the issues related to child.</p>

As stated above, there are two forms of professional help according to the Act on victims of criminal offences, i.e. general professional help to victims and specialised professional help to especially vulnerable victims. The general professional help to victim is a professional activity and providing of services such as providing with information, legal aid for enforcement of victims' rights in line with the Act, legal aid to exercise the rights of the victim who is an injured party or a witness in the criminal proceedings, psychological aid and consultancy related to risk and prevention of repetitive victimisation. According to the Act, the specialised professional help to especially vulnerable victim is providing with the general professional help, crisis psychological intervention, evaluation of threatens to life or health, to mediate granting of social services in the emergency housing facilities and specialised social consultancy when life or health of the especially vulnerable victim is jeopardised. In line with the Act on the victims of criminal offences, the victim has right for professional help in accordance with his/her special needs and in the extent convenient to the harm caused by the criminal offense. Right to provide the specialised help to the victim is guaranteed irrespective of filing a criminal complaint or his/her active participation in criminal proceedings.

[Additional information sent on 7 January 2019:](#)

In case of any suspicion that the child is a victim of violence, the authority of socio-legal protection and social guardianship implements measures aimed at providing social counseling, performing social work on the ground and mediating participation in programmes focused on help victims of violence. Within the help provided to the victims of violence and members of their family, the authority provides psychological assistance and support counseling to manage consequences of a traumatic experience.

Based on every announcement that the child is neglected, maltreated, abused, bullied or the rights of the child are violated otherwise, the authority of socio-legal protection and social guardianship assesses the life situation of the child and his/her family and sets down the threat rate for the child in the family (without risk, low, medium and high threat), depending on the severity of the situation, the authority takes measures to improve the life situation of the child in cooperation with the family, the municipality or the accredited bodies, following the jointly drawn up social work plan.

Special measures that prove to be effective include regular working meetings and methodical days, as well as methodological and application guides to guide the activities of the authorities of socio-legal protection of children and social guardianship, e.g. the Internal Standard/Norm/Guideline "Implementing measures of the socio-legal protection of children and social guardianship for unaccompanied minors". In the field of work with children who are victims of maltreatment, neglect, sexual abuse, sexual exploitation and other forms of violence against children, there is a "CAN Syndrome Handbook" aimed at identifying the symptoms of child maltreatment, neglect and abuse which defines in detail the competencies and practices of professionals in helping children with CAN syndrome.

When there is no suspicion for sexual abuse or sexual exploitation of a child during the initial talks in case of taking the child to the facility (Child home for unaccompanied minors), so called *case conference* is held within 48 hours from the placement of child into the facility and it is executed individually with every child. It is important to find out the child's family anamnesis, reasons for leaving the country of origin, the journey taken, threats and child's opinions and views. The case conference is taken place with participation of the child, the guardian, translator, psychologist, social worker, educator and nurse. Between the others, the aim of the conference is to reveal whether the child is under the risk or is a victim of sexual abuse, sexual exploitation or other exploitation through the specialised targeted questions. When psychologists identifies that the certain forms of sexual exploitation or sexual abuse could have happened, he/she is supposed to plan subsequent work with the child. (Meanwhile, the relevant action of law enforcement authorities and other entities involved are not affected.) After the psychological evaluation, the subsequent work with the child follows his/her recommendations- it could mean cooperation with clinical psychologist and therapist (health care provider) and ensuring the psychological care or therapeutic assistance. In line with the Article 4 para 2 and 3 of the Act no. 576/2004 on health care, services related to the providing with health care and on the change and supplement to some acts, the health care is provided on the basis of diagnostics by the health care worker. The health care provider is obliged to provide the health care correctly. The health care is considered to be provided correctly when all the medical procedures are performed to correctly diagnose the disease to ensure timely and effective treatment to heal a person or improve the condition of a person,

	<p>taking into account current knowledge of medical science and in accordance with standard procedures for prevention, standard diagnostic procedures and standard therapeutic procedures taking into consideration the individual patient's condition.</p> <p><u>Additional information sent on 7 January 2019:</u> In line with Art. 11 of Act no. 576/2004 Coll. on Health Care, Services Related to the Providing with Health Care and on Amendments and Supplements to Some Acts, everyone is entitled to providing the health care. The right to health care and health care services, including cross-border healthcare, is equally guaranteed to everyone in accordance with the principle of equal treatment in healthcare and in the provision of goods and services regulated in specific regulation.²⁰ In accordance with the principle of equal treatment, there is a principle of prohibition of discrimination also on the grounds of sex, religion or belief, race, nationality, ethnicity, sexual orientation, marital status, skin colour, language, political or other views, trade union activity, national or social origin, disability, age, property, gender or other status.</p> <p>The amendment effective as of 1st of January 2019, an Act No. 580/2004 Coll. on Health Insurance Companies and on amendment of Act no. 95/2002 Coll. on Insurance and on Amendments and Supplements to Some Acts, brings the obligation of the health insurance company to pay for the provision of health care to a person who has been included in the programme of the Ministry of the Interior of the Slovak Republic to support and protect victims of trafficking in human beings.</p> <p><u>The education for theoretical knowledge (focused on the rights of child and his/her protection) and practical skills are performed continuously by the accredited educational institutions according to the minimal standards for specialised studying programmes for medical profession “doctor” in specialised section such as paediatrics, child chirurgic, gynaecology and obstetrics and medical profession “nurse” and “obstetrics assistant” according to the minimal standards for specialised studying programmes of specialised sections such as nursing care in paediatrics, obstetrics assistance and care for a woman in family and community as well as specialised studying programmes of specialised sections of clinical psychology and consultant psychology. All these specialised studying programmes are regulated by the decree of the Ministry of Health of the Slovak Republic no. 12422/2010-OL from 17th of September 2010. The pertinent regulation has established minimal standards for specialised studying programmes, minimal standards for certified studying programmes and minimal standards for studying programmes of lifelong education/learning and their structure. Minimal standards for specialised studying programme in specialised section clinical psychology includes the term of mental health, special questions on mental health and its lack during childhood, period of adolescence, adulthood and senescence, psychosexual problematic, rights of child, rights of persons with disabilities, identification of violence against child in all its forms including sexual abuse and sexual exploitation of child as well as cooperation with relevant state authorities within the context.</u></p> <p>In case of <u>detention and subsequent placement of minor foreigners together with their parents into the Police Detention Centre for Aliens Sečovce</u>, in line with Article 96 para 3 of the Act, no. 404/2011 Coll. on the residence of aliens and on the change and supplement to some acts as amended, there is an <u>access to psychological and social services and consultancy and crisis intervention ensured for vulnerable persons and families with children</u> (placed in the above mentioned detention centre).</p>
<p>Slovenia / Slovénie</p>	<p>Legislative framework in the Republic of Slovenia, regardless of their status, provides certain rights to all children, regardless of their citizen status. All children have rights in the field of health, necessary medical, therapeutic or other assistance included.</p> <p>1. Slovenia grants migrant children right to highest attainable standard of physical and mental health, regardless of their legal status. This means that migrant children have all the rights in the field of health, including to all the necessary medical, therapeutic or other assistance.</p>

²⁰ Art. 5 of Act no. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection against Discrimination and on Amendments and Supplements to Some Acts (Anti-Discrimination Act).

The procedures involving migrant children who are potential child victims of sexual exploitation and sexual abuse are based on the following legal framework: *International Protection Act*, the *Decree on the Means and Conditions for Providing Rights to Applicants for International Protection* and more detailed guidelines and instructions for action titled *Standard Operating Procedures for Prevention and Response to Violence and Gender Violence*.

2. The first identification of victims of sexual abuse can occur during the preventive examinations carried out by a physician in an asylum home. During the examination, the questionnaire is filled, from which it can already be concluded whether the person is a victim of trafficking in human beings, torture or any other violence. The questionnaire is received by the Psychosocial Service, which responds according to the *Standard Operating Procedures for Prevention in cases of Sexual Violence and Gender Violence*.

Prior to applying for international protection, representatives of the NGO *Legal Information Centre* inform the applicants about their rights and obligations and on the procedure of lodging the application. **In case any signs of vulnerability are detected at this stage**, an official who will deal with request for international protection will be alerted to this. The official, on the basis of an aforementioned warning and on the basis of his own assessment warns the health and psychosocial service. Possible particularities of accommodation and health problems are indicated in a form. Also prior to any procedure based on request for international protection, applicants receive a flyer with information on the contact points that offer help to anyone who is subjected to any kind of violence. **Preventive measures are therefore already introduced when the migrants are accommodated in the reception areas, that is, prior to any legal request, and continue throughout the process of obtaining international protection.**

At the stage of submission of an application for international protection, individual elements of vulnerability are likely to be recognized, since qualified operatives, legal representatives and in case of a minor also legal representatives of a minor, are present. Immediately upon their accommodation, applicants for international protection commence psychosocial conversations with a social worker. **Social worker can detect certain elements of vulnerability.**

Furthermore, **potential victims are identified also through the PATS project** carried out by the Institute for African Studies. The project includes an informative interview with all vulnerable categories of applicants, potential victims of trafficking in human beings and sexual violence and gender violence. Particularly, the project is oriented at women (adult women, girls between the ages of 14 and 18, unaccompanied minors) in order to identify potential victims of trafficking in human beings or violence.

3. In accordance with the "Standard Operating Procedures for Prevention and Action in cases of Sexual Violence and Gender Violence", an expert Commission is convened within 48 hours if there is a suspicion of the abuse.

The Commission is composed of representatives of various institutions and non-governmental organizations. In addition to these members, representatives of other assistance providers (Centre for Social Work, Police, Healthcare, Schools) are invited, based on the circumstances of the concrete case. If an unaccompanied minor is involved, the legal representative also participates in the Commission meetings.

When considering a specific case, **an assistance and a treatment plan** is prepared that includes the following: assessment of the threat of abuse, security plan, search for a safe accommodation, advocacy plan, legal aid and other forms of assistance such as: psychotherapeutic assistance, professional psychosocial counselling, as well as personal growth and empowerment workshops, companionship, leisure activities and individual assistance. If needed, the **aid recipient is referred also to other relevant aid and support institutions.**

	<p>In urgent cases emergency assistance is provided immediately; in such cases expert commission is convened only subsequently. After emergency assistance is provided, an expert group meeting is convened as soon as possible to get acquainted with the case, to provide assistance and further cooperation and to protect and assist the aid recipient.</p> <p>4. In all procedures where children are involved, the principle of the best interest of the child is taken into account. Various institutions and agencies involved in the hearing also provide for the protection of child's rights ex offio.</p>
<p>Spain / Espagne</p>	<ul style="list-style-type: none"> • ORGANIC LAW 1/1996, of 15 January on the legal protection of minors, of partial modification of the Civil Code and the Law of Civil Procedure. The Law regulates the general principles of action against situations of social vulnerability, lack of protection, including the obligation of the public entity to investigate the facts that it knows to correct the situation through the intervention of Social Services or, where appropriate, assuming the guardianship of the minor by operation of law. <p>Foreign minors who are in Spain have the right to education, healthcare and basic social services and benefits, under the same conditions as Spanish minors. Public Administrations shall ensure to particularly vulnerable groups such as unaccompanied foreign minors, those who present international protection needs, children with disabilities and those who are victims of sexual abuse, sexual exploitation, child pornography, trafficking or human trafficking, the rights foreseen in the law.</p> <ul style="list-style-type: none"> • FRAMEWORK PROTOCOL FOR THE PROTECTION OF VICTIMS OF TRAFFICKING OF HUMAN BEINGS approved on October 28, 2011 by agreement of the Ministry of Justice, the Ministry for Home Affairs, Employment and Social Security and Health, Social Services and Equality, the State Attorney General's Office and the General Council of the Judiciary. • OPINION 5/2014 of the Public Prosecutor's Office on protection of foreign minors who irregularly access to the territory accompanied by people without an accredited relationship bond and / or at risk of victimization. • FRAMEWORK PROTOCOL FOR UNACCOMPANIED FOREIGN MINORS, CHAPTER VII: Foster care and Guardianship of unaccompanied foreign minors. Local Protocols must be aimed to establish standard regulations according to the following guidelines of action: <p>The public entity of child protection shall provide assistance, protection and foster care measures according to the unaccompanied foreign minors needs.</p> <p>For the purpose of assuming the urgent guardianship of the minor and in the shortest period of time, efforts shall be made to involve experts in culture and traditions of the child's country of origin in the investigations. Once proved the situation of vulnerability, the public entity of child protection shall, within a maximum period of three months, issue an administrative resolution assuming the guardianship of the minor.</p>
<p>Sweden / Suède</p>	<p>Within the government's commitment to increased mental health, the government allocates more than SEK 1.7 billion in 2018. All asylum seekers are offered a health assessment. Asylum seeking children and youths under 18 years have the same right to free health and dental care as the other children who live in Sweden. The government allocates 40 million SEK annually to increase the availability of psychiatric trauma care and 50 million SEK to improve the mental health of children and young people who are asylum seekers and those who have recently received a residence permits. Within the initiative, funds have been allocated to, among others, Red Cross and Vårsta Diakoni to increase accessibility to psychiatric care. Linköping University, on behalf of the government, will develop and disseminate a trauma care training for personnel in psychiatric staff.</p> <p>Additional information sent on 23 May 2019:</p>

Children affected by the refugee crisis that have been sexually exploited or abused are entitled to receive health care and social support to the same extent and on the same terms as all other children living in Sweden.

It is estimated that between 20 and 30 per cent of asylum seekers who come to Sweden suffer from mental ill health. The Health and Medical Care for Asylum Seekers and Others Act (2008: 344) regulates the obligations of county councils to offer asylum seekers and other persons health care and dental care. The starting point is that a health examination is offered when the asylum seeker has arranged accommodation. Part of the interview during the health examination has to be about how the health status of the person being examined may have been affected by their psychosocial situation or by traumatic experiences. Children seeking asylum must be offered the same health care and dental care as children residing in the country. Children who are in hiding to avoid enforcement of a refusal-of-entry or expulsion order are also offered care on the same conditions. Adult asylum seekers must be offered health care and dental care that cannot be deferred, maternity care, care when seeking abortion and advice on contraception. Central government compensation is paid under the Ordinance on Central Government Compensation for Health and Medical Care for Asylum Seekers (1996: 1357).

The county councils are responsible for offering psychiatric trauma care to new arrivals when needed. But against the background of the large number of asylum seekers who came in 2015–2016 the county councils have had difficulty offering psychiatric trauma care to the extent needed. The Government has therefore presented measures to increase the accessibility of care and rehabilitation for traumatised asylum seekers and new arrivals. In an ongoing initiative the Government is allocating SEK 40 million per year for this purpose in 2017–2020. In the Budget Bill for 2018 the Government announced a further SEK 50 million for 2018 so as to improve access to health care to counter mental ill health among children and young people in the group of asylum seekers and new arrivals. The Government estimates that the appropriation will be increased by a corresponding amount as of 2019.

Over and above the county councils' trauma care centres, the Swedish Red Cross is an important actor that is running treatment services for war casualties and torture victims in five places around the country with branches in another five places. The purpose of these services is to offer psychotherapy, physiotherapy and psychosocial treatment to refugees and migrants with traumatic experiences from war, torture and flight. The Istanbul Protocol is used in investigations of torture injuries. The services also work actively on spreading knowledge about how war and torture affect people and do active advocacy work against torture. The Government's initiative in the area has resulted in a reinforcement of treatment staff at all Red Cross centres. In addition to the Red Cross services there are also other trauma centres in Sweden for new arrivals and asylum seekers that are run by other actors. The ongoing government initiative has made it possible to set up an additional trauma centre in Sweden.

When it comes to addressing mental ill health among asylum seekers and new arrivals, the skills of the health care professionals who meet people with mental traumas are of great importance. The county councils have therefore also received funding for professional development in the area. Linköping University has also been commissioned to develop a training programme in psychiatric trauma care for staff who meet children and young people in health care. Civil society has also taken action in the area. For example, the Red Cross has produced a training programme, along with the Swedish Association of Local Authorities and Regions, to increase knowledge about traumas and Save the Children Sweden holds training courses in trauma-focused cognitive behavioural therapy.

The Swedish Migration Agency's internal handbook contains a chapter on asylum cases in which torture is referred to. The relevant provisions of the Aliens Act are described and the main lines of the central conventions are presented; this includes the Convention against Torture, whose content is reflected in the Aliens Act. The handbook also contains accounts of the definitions of torture and inhuman treatment and what the terms burden of proof and 'ex officio' principle mean. Case law on matters including the enquiry responsibility is described and the chapter also contains issues concerning children, post-traumatic stress disorder (PTSD) and the role of perpetrators. Several of the Swedish Migration Agency's internal training courses raise torture issues and particularly vulnerable persons. These courses include online training on human trafficking and on honour-related violence and oppression. The Swedish Migration Agency also offers training as part of the European Asylum Support Offices Training Curriculum. A couple of these trainings pick up issues concerning torture or particularly vulnerable persons in various

ways; for instance, the Evidence Assessment training looks at how to use experts and medical evidence as well as the impact of torture on the evaluation of evidence. The Interviewing Vulnerable Persons training looks, for instance, at signals and signs of vulnerability and symptoms of traumatisation that can be expressed in different ways in different individuals. In addition, Agency staff have access to a tool developed by the European Asylum Support Office that is intended to provide support in identifying persons with special needs, the EASO Tool for Identification of Persons with Special Needs.

In 2015 the Swedish National Board of Health and Welfare published knowledge support for primary care that is intended to provide support for professionals in primary care in detecting, diagnosing and treating mental ill health among asylum seeking refugees and other migrants who may have experienced war, violence and abuse. The part of the knowledge support that deals with torture highlights the Convention against Torture's ban on torture as well as the obligation for States Parties to examine the physical and mental health of victims in cases where torture is suspected. It states that it can be difficult for health care staff to identify a traumatised patient during a short consultation, but that the use of a questionnaire can assist both the patient and the person providing treatment.

Additional information sent on 4 March 2019:

Within the Government's commitment to increased mental health, the government allocates more than SEK 1.7 billion in 2018. All asylum seekers are offered a health assessment. Asylum seeking children and youths under 18 years have the same right to free health and dental care as the other children who live in Sweden. The government allocates 40 million SEK annually to increase the availability of psychiatric trauma care and 50 million SEK to improve the mental health of children and young people who are asylum seekers and those who have recently received a residence permits. Within the initiative, funds have been allocated to, among others, Red Cross and Vårsta Diakoni to increase accessibility to psychiatric care. Linköping University, on behalf of the government, will develop and disseminate a trauma care training for personnel in psychiatric staff.

Additional information sent on 23 May 2019:

The Government has commissioned the National Board of Health and Welfare to establish a national knowledge center focused on unaccompanied minors and young adults. The development and dissemination of knowledge will reinforce the measures taken in social services and health care to assist unaccompanied minors and young persons. Measures to be highlighted are those promoting greater cooperation between municipal authorities and county councils, professionals working in schools and those working in health care and social services. This assignment will last until the end of 2020.

In 2015 the Government undertook a mental health review with one clear objective: not turning a blind eye to any of the challenges we are facing. Mental health and mental illness are not separate tracks, but closely interrelated. In order to reach a point where mental health becomes equally as important as mental illness, all parts of society need to recognize these challenges and play their part. We need to strengthen preventive and promotional efforts, provide early and effective interventions for those affected and utilize our specialized health care resources appropriately. The issue of how we, as a society, can combat the increase in mental health challenges we are currently seeing is a concern for us all.

The Government has adopted a national strategy for mental health for the period 2016-2020. The strategy is based on five focus areas that have been identified as the main challenges when it comes to strengthening mental health and wellbeing and combating mental ill health. The five focus areas are: 1) Preventive and promotional efforts 2) Accessible services early 3) Vulnerable groups 4) Participation and rights 5) Organization and leadership. It is important to bear in mind that each focus area covers people of all ages – children, young people, adults and the elderly – as well as girls and boys, men and women. Just as the focus areas have been developed in collaboration with a number of key stakeholders, all improvement work in the field of mental health must be conducted simultaneously, and in a collaborative manner. For those who suffer from mental ill health early interventions must be available. Obviously, we also need a properly chosen specialized psychiatry, with the right tools and the right mission. All three elements - prevention, early intervention and more specialized psychiatry – are crucial for a successful work against mental ill health and disease. Through an increased focus on prevention and preventive measures the more specialized psychiatric services are also given better opportunities to help those in greatest need.

	<p>The Swedish Agency for Youth and Civil Society has published a Government Report, 'När livet känns fel - Ungas upplevelser kring psykisk ohälsa' (When Life Feels Wrong - Young People's Experiences of Mental Ill-health) (2015). It states that many young people do not get the help for their mental ill health that they feel they need. There is a very clear link between gender and young people's expression and understanding of, and attitude to, feeling unwell. Girls show and talk about their ill health, while boys remain silent and internalise their ill health. Girls experience high performance requirements and have lower self-esteem compared with boys of the same age. Girls are also expected to take a greater responsibility for peer relationships at school. Quite simply, different requirements and expectations apply for girls and boys, according to the prevailing societal norms.</p> <p>The Ministry of Education and Research and the Ministry of Employment co-operate on the issue of young people who are not in education, employment or training (NEET). 'Roads Ahead' is the Government's strategy 2015-2018 with measures on tackling the problems with young people not in education, employment or training. The purpose of the measures is to improve the conditions for these young people to take active part in the labour market and society. Young people with mental illness is a prioritized group within the NEET strategy. In 2015 the Government appointed a national coordinator for youths not in education, employment or training. In order to prevent young people from ending up in NEET and help those who are in NEET to get back to education and work, need for strengthening the collaboration between relevant actors was highlighted. The coordinators task is therefore to promote collaboration between government agencies, municipalities, county councils and organisations at national, regional and local level on measures for NEETs.</p> <p>Elevhälsan is the school health service and the pupil health service combined. It has particular responsibility for pupils' medical, psychological, psychosocial and special educational health. The service has access to both medical and special education staff, and takes a preventative, health-promoting stance. For Swedish young people, the pupil health service is often the first point of contact when getting help with mental health problems.</p> <p><u>Additional information sent on 3 June 2019:</u> Children and young people under 18 seeking asylum are entitled to the same healthcare and dental care as children resident in Sweden. This means that all children under 18 years in Sweden are entitled to acute psychiatric care. Healthcare is largely free of cost for children. Medicine for children is free if there is a prescription from a doctor.</p>
Switzerland / Suisse	<p>The Asylum Act (LAsi, https://www.admin.ch/opc/en/classified-compilation/19995092/index.html) governs the federal powers and responsibilities with regard to social assistance or emergency assistance (with the collaboration of the cantons), the aim being to provide access to healthcare for persons housed in centres run by the Confederation. The centres provide social assistance, including access to medical care for as long as the applicants live there. This service then becomes the responsibility of the canton to which the applicant has been assigned. The Confederation makes lump-sum payments to cover the costs of the services provided by the cantons.</p> <p>All minors subject to the asylum procedure therefore come under the compulsory health insurance scheme and must be covered by insurance for medical care (Federal Health Insurance Act, LAMal, section 3(1), https://www.admin.ch/opc/fr/classified-compilation/19940073/index.html). The law permits no restriction on these services.</p> <p>According to the recommendations of the Conference of Cantonal Finance Directors (CDAS), it must also be possible for psychological and psychiatric support services to be requested as and when needed. Children and young people traumatised by the experience of fleeing (especially victims of sexual abuse or exploitation) deserve special attention in this regard. Persons involved in supervision – and those responsible for providing legal representation – must consequently be made aware of these issues, or given the relevant training. The authorities must ensure that these persons are able to access the range of services available and must provide the necessary impetus to extend it (cf. 7.6)</p>

	<p>http://www.sodk.ch/fileadmin/user_upload/Aktuell/Empfehlungen/2016.05.20_MNA-Empf_farbig_f.pdf.</p> <p>The Federal Office of Public Health (OFSP) and the State Secretariat for Migration have, incidentally, developed an approach for ensuring the detection, treatment and prevention of transmissible diseases and access to the required healthcare. Details are set out in a document entitled “Soins médicaux pour les requérants d’asile dans les centres de la Confédération et les centres d’hébergement collectif cantonaux”, https://www.bag.admin.ch/bag/fr/home/themen/mensch-gesundheit/uebertragbare-krankheiten/infektionskontrolle/gesundheitsversorgung-asylsuchende.html.</p> <p>If suspicions of human trafficking arise during registration, several documents are available for the potential victims and serve as working tools for staff confronted with this type of situation. One such document provides information for potential victims of human trafficking in Switzerland: https://intranet.bfm.admin.ch/intrabfm-publ/content/dam/data/bfm/kerntaetigkeiten/zentr_asyilverfahren/themen/menschenhandel/leitfaden_arbeitsinstrumente/information_fuer_potenzielle_opfer-f.doc</p> <p>A flyer is also handed to the individual concerned: https://intranet.bfm.admin.ch/intrabfm-publ/content/dam/data/bfm/kerntaetigkeiten/zentr_asyilverfahren/themen/menschenhandel/leitfaden_arbeitsinstrumente/flyer-f.pdf</p>
Turkey / Turquie	<p>The Ministry of Family ensures that Syrian children in Turkey who need protection are protected. In this regard, if the child cannot be protected within his family, he will be placed in protection institutions. The Ministry has established 1o Child Support Center in order to assure the necessary protection.</p> <p>Child Support Centers established by the Ministry of Health aims at preventing re-victimization of children victim of sexual abuse, finishing the investigative procedure such as medical examination, taking testimony of the victim with presence of psychologists.</p> <p>In the case of a child abuse report, the child is taken to the Child Support Center. The statement of the child is taken with presence of a psychologist, expert from the Ministry of Health and prosecution office. A lawyer for the victim is appointed free of charge and ex –officio. Only a judicial interviewer speaks with the child and other personnel monitors the interview behind a mirror. Thus, the possible trauma for the interview is reduced. The interview recorded.</p> <p>Medical examination is also carried out in the centre and if there is need for emergency treatment it is provided within the centre. Then, the victim is directed to institutions for protection, if needed.</p> <p>If the child should be placed in an institution, law enforcement must apply to the court in order to assure placement of the child pursuant to articles of Code of Child Protection.</p> <p>This procedure is carried out in collaboration of the Ministry of Health, the Ministry of Family, Ministry of Justice and Ministry of Interior and prosecution offices.</p> <p>This procedure is started immediately when a suspicion of child sexual abuse is learnt by law enforcement authorities. Furthermore, where a suspicion of child sexual abuse of refugee child, this procedure starts without delay and protective measures are applied for protection of the child and prevention of re victimization.</p> <p>Victims of online sexual abuse of children are also considered in the judicial processes. For instance:</p>

	<p>- Statements of child victims are taken in special rooms named “Judicial Interview Rooms – Adli Görüşme Odaları” in many court buildings, in order not to traumatize children in judicial process.</p> <p>Ministry of Justice drafted a law project “Victim Rights Code”. The code regulates establishment of Judicial Support and Victim Services Directorates in every city. These units will inform victims about their rights and direct them to use their judicial remedies. We should also like to highlight that victims will be also able to get psychological help. The main aim of these structures is preventing re-victimization of children in judicial processes.</p> <p>Victims’s Rights Department within Ministry of Justice drafted also “Guide for Approaches to Victims” and the department gave seminars to trainee judges and prosecutors to inform them about how they should approach to crime victims.</p> <p>Pursuant to the article 238 of Criminal Procedure Code, if the victim of a crime is a child, an advocate shall be appointed without a demand from the victim and free of charge. They are represented by these lawyers during all judicial process.</p> <p>We should also like to add that Draft Code of Rights of Victims is prepared. Pursuant to this draft code, Directorates of Judicial Support and Victim Services will be established within Court Houses. Furthermore, victims of sexual offenses is accepted as “fragile groups” under the draft law. There are certain services for fragile groups in the code such as getting support of a “judicial support expert” who will give them guidance through judicial procedures. Victims can also get counselling for psycho-social problems.</p>
Ukraine	<p>Social protection of children separated from the family and non-citizens of Ukraine is provided in accordance with the Resolution of the Cabinet of Ministers of Ukraine (No. 832 of November 16, 2016).</p> <p>The issue of providing a wide range of assistance to a child victim of sexual violence and sexual exploitation affected by a refugee crisis is resolved in accordance with national legislation: the Laws of Ukraine "About refugees and persons requiring additional or temporary protection", "About the protection of childhood", "About legal conditions for social protection of orphans and children deprived of parental care", "About bodies and services for children and special institutions for children" and "About social services".</p> <p>Additional information sent on 9 April 2019: The Resolution of the Cabinet of Ministers of Ukraine (of August 22, 2018 No. 658) approved the Procedure of cooperation between the bodies engaged in the prevention and counteraction of domestic violence and sexual violence. The main purpose of the implementation of the Procedure is to coordinate measures against domestic and sexual violence and provide effective assistance to victims provided by different actors. The development and implementation of programs for abusers and victims are the compulsory part of the interaction of all bodies.</p> <p>This Procedure regulates many issues of interaction and in a case of sexual violence it is necessary:</p> <ul style="list-style-type: none">- to provide of medical care to the injured person (if necessary), depending on victim's health status; to call for an emergency health service or inform the relevant health care institution to provide emergency medical care;- to inform the appropriate center for social services for families, children and youth for the prompt provision of psychological assistance;- to provide an assistance to the victims by a center for social and psychological assistance or a mobile brigade of social and psychological assistance (including by calling a psychologist). <p>Additional information sent on 10 April 2019:</p>

	<p>Unaccompanied and separated from their families, children have the right to be protected in Ukraine and to get all necessary social services.</p> <p><u>Additional information sent on 16 April 2019:</u> In the Law of Ukraine on the Protection of Childhood there is a section V "CHILDREN WHICH NEED SPECIAL PROTECTION OF THE STATE". Article 31 of this Section provides for the Protection of refugee children and children who need additional or temporary protection. The state, through the authorized bodies, takes the necessary measures to ensure the protection of the rights of refugee children and children in need of additional or temporary protection on the territory of Ukraine.</p> <p>So ALL CHILDREN in the territory of Ukraine are under legal protection.</p>
United Kingdom	<p><u>Information sent on 1 March 2019:</u> The legislative framework for the child protection system in England is provided largely by the Children Acts 1989 and 2004. The legislation sets out the overarching responsibility of local authorities for safeguarding and promoting the welfare of all children in their area. This includes specific duties in relation to 'children in need' (section 17) and children suffering, or likely to suffer significant harm (section 47).</p> <p>Other local agencies, including the police and health service, also have child protection responsibilities, particularly under the 2004 Act.</p> <p>Through new arrangements introduced by the Children and Social Work Act 2017, local authorities, police and health are jointly responsible for local multi-agency safeguarding arrangements. These three local safeguarding partners must work together to put in place arrangements that respond to local needs and threats in safeguarding and promoting the welfare of children locally.</p> <p>Any child who is unaccompanied, without a suitable adult to offer them care in England, must, by law, be "looked-after" by the local authority where their needs have been identified. This means the authority is required to provide them with care, accommodation and support (which will include making arrangements for education and healthcare) in the same way as any other child in who is in the authority's care.</p> <p>Local authorities must allocate each child a social worker who will assess his or her needs and draw up a care plan which sets out how the authority intends to respond to the full range of the child's needs. This includes ensuring they have all the necessary legal and other support they need, including access to health, education and appropriate and safe accommodation, whether via a foster care arrangement, children's home or supported accommodation.</p> <p>Local authorities are responsible for making sure an assessment of physical, emotional and mental health needs is carried out for every child they look after. The statutory health assessment should address the areas specified in regulation. These areas include the child's physical, emotional and mental health. The initial health assessment should result in a health plan, which is available by first statutory review of the child's care plan, i.e. within 20 working days of when the child starts to be looked after. After that, the child's health plan must be reviewed at least once every six months before a child's fifth birthday and at least once every 12 months after the child's fifth birthday.</p> <p>In addition to local authority responsibilities, Clinical Commissioning Groups, responsible for the planning and commissioning of health care services for their local area, are required to have access to the expertise of a designated doctor and nurse for looked-after children. Their role is to assist commissioners in fulfilling their responsibilities to improve the health of looked-after children. Designated nurses and doctors act as a principal health contact for children's social care and should have up-to-date specialist knowledge of the health needs of looked-after children or know how to access it.</p> <p>These children also have an Independent Reviewing Officer to oversee their care arrangements, as well as access to an independent advocate and an independent visitor.</p>

In November 2017 government published statutory guidance for (English) local authorities to support care of unaccompanied migrant children and child victims of modern slavery. The guidance states that the child's health plan should set out the objectives, actions, timescales and responsibilities arising from the health assessment. The health plan should cover the children's state of health, including their physical, sexual, emotional and mental health. This should include detail of how any psychological issues will be addressed. For example, these may result from the child's experiences in their country of origin, on their journey to the UK or at the hands of traffickers overseas or in the UK. Unaccompanied children may also require specialist mental health support to help them deal with the impact of loss and trauma. This may require referral to specialist mental health assessment and treatment.

Information sent on 23 May 2019:

Alongside their general duty to safeguard and promote the welfare of all children in need in their area, local authorities also have responsibilities for unaccompanied children, as well as those who arrive in the UK with their parents, and about whose safety and welfare there are concerns.

Where a child has been referred to the local authority because of child sexual exploitation or abuse (or other concerns), children's social care should decide within 24 hours whether to undertake an initial assessment as to whether the child is a child in need and, where appropriate, following a strategic discussion, initiate a section 47 enquiry (Children Act 1989).

If there is a risk to life of the child or a likelihood of serious immediate harm, the local authority using its statutory child protection powers should act quickly to secure the immediate safety of the child.

Where there are concerns about the mental wellbeing of a child, whether unaccompanied, or accompanied by their parents or relatives, the local area NHS Child and Adolescent Mental Health Services (CAMHS) works closely with the local authority. They can carry out an assessment and provide care to the child (including access to therapeutic assistance or emergency psychological care). Social workers also often make use of local voluntary and charitable services in their area to support the practical and emotional needs of children affected by the refugee crisis who are victims of child sexual exploitation and abuse.

In addition, Sexual Assault Referral Centres (SARCs) provide an immediate crisis and medical response services for anyone who has been sexually assaulted. They also provide their users with a care pathway for therapeutic support to long term recovery. In England, where there are now 47 SARCs, children under 18 years old make up 31% of clients seen, rising to over 50% in some areas. NHS England (London) has funded development of a network of three SARCs in London that are dedicated to seeing children.

Recommendation R30 / Recommandation R30

The Lanzarote Committee:

urges Parties to encourage the co-ordination and collaboration of the different actors who intervene for and with children affected by the refugee crisis to ensure that appropriate support may be provided immediately after the disclosure of sexual exploitation and sexual abuse (R30).

Le Comité de Lanzarote :

exhorte les Parties à encourager la coordination et la collaboration entre les différents acteurs intervenant en faveur et auprès des enfants touchés par la crise des réfugiés, afin de garantir à ces derniers un soutien approprié immédiatement après la révélation de faits d'exploitation/d'abus sexuels (R30).

Albania / Albanie

Albanian Legislation provides child protection from trafficking, and any form of exploitation, sexual abuse, including illicit sexual activity, exploitation for prostitution or other illegal sexual practices (Criminal Code, Law 18/2017 "On Rights and child protection").

Any employee of public and private institutions who comes into contact with children because of the profession and suspects of a child being abused, neglected, maltreated or found at risk thereof, must notify immediately the State Police authorities or the child protection structures at local level. Employees of public or private health or child care institutions have the duty to report immediately any suspected or eventual case of child abuse, maltreatment, abandonment, neglect or violence to the director of the institution, State Police authorities, child protection structures.

Law 18/2017 provides for some institutional coordination mechanisms and child rights and protection structures at the central and local level that address the case of every child in need. The institutional relationship and the way of cooperation between all stakeholders at the local and central level is defined by bylaws. The Child Protection Officer at the local level is the main professional who takes care of the child and coordinates the provision of the necessary services with other actors.

The State Agency for the Rights and Protection of Children is the institution responsible for the monitoring of Child Protection Officers across the country and is responsible for coordination and organization of the integrated child protection system, in implementing national child protection policies, including the implementation of interventions and taking of measures for prevention and protection of the child from abuse, neglect, maltreatment and violence.

Additional information sent on 9 April 2019:

Albanian government is making the efforts with the support of International Organizations and Foreign Embassies to create the necessary accommodation places and services for this category of children. Furthermore, such measures are foreseen in the National Action Plan to Fight Trafficking 2018 - 2020, where is foreseen financial contribution by the state budget. A child friendly space is established in the National Reception Centre for Asylum Seekers in Tirana.

The Asylum Sector of the Asylum and Citizenship Directorate is the only authority to grant international protection. The reception capacity for asylum seekers doubled in 2017 and 2018 through expansion of the National Reception Centre for Asylum-Seekers (NRCA), renovation of the municipal centre for temporary accommodation in Gjirokaster and the availability of a reception facility in Shkoder.

	<p>Children who are seeking asylum are accommodated at the NRCA where they are immediately provided with psycho-social assistance, legal aid and health care. Based on Law 121/2014 'On Asylum in the Republic of Albania' a guardian is appointed for unaccompanied minor asylum seekers, according to the rules and procedure provided for by the legislation in force. The Asylum and Citizenship Directorate conducts the asylum application procedure, taking into account the degree of physical and mental maturity of the juvenile and with, where necessary, the juvenile being heard in the presence of a psychologist. The Child Protection Unit in municipality is also notified. Throughout the process and procedures the best interests of the child are held as a prevailing consideration.</p> <p>Unaccompanied children are kept separate from other asylum seekers and monitored by staff (social worker, psychologist). The accommodation facilities are equipped with all the necessary facilities and regularly maintained. In 2017, with the support of Caritas, a recreational facility for children was set up in which there are facilities suitable for minors under the care of the psychologist of the reception centre.</p> <p>As articulated at the Law 'On Foreigners', an unaccompanied minor to whom a remand order is issued is held in a state social centre designed for such a purpose, or another centre within the framework of cooperation with international organisations working with children, victims of trafficking or other categories of vulnerable individuals. The child can be held in a closed centre only if this is in his or her best interests or he or she needs to be in a special environment, separate from adult, his/her stay in closed center will be considered as a measure of last resort, for short time-periods and after consulting the child, social worker and/or psychologist.</p> <p>According to Article 113 of Law No. 108/2013 'On Foreigners' as amended, an unaccompanied child cannot be returned their country of origin or another country if the arrangements for family reunification or proper health care cannot be assured. Furthermore, the process of returning unaccompanied children is provided for in Law No. 18/2017 'On the Rights and Protection of the Child', while the procedural framework for the return of unaccompanied Albanian or foreign children is adopted by Decision of Council of Ministers Nr 111 date 6.03.2019.</p> <p>UNHCR is assisting the border police and migration officers with logistical and technical assistance, including provision of training to 150 border police officers in 2013/2014. Collaboration with the refugee agency is at a satisfactory level. In the framework of institutional capacity building, UNHCR supports the social centre for accommodation of vulnerable migrants and refugees. Representatives of other international organisations, such as IOM, Red Cross and Caritas, also provide support to categories such as accompanied, unaccompanied and separated children.</p>
Andorra / Andore	<p>Tous les professionnels impliqués dans le programme d'accueil et d'intégration des réfugiés ont bénéficié d'une formation spécialisée pour la détection et la prévention des abus sexuels envers les enfants.</p> <p>Indépendamment de l'enquête criminelle sur les faits, le Service spécialisé d'attention à l'enfance a pour fonction de protéger l'enfant, victime d'abus sexuels, par l'adoption de mesures de protection.</p> <p>L'attention accordée au mineur est réalisée de manière coordonnée dans le but de minimiser l'impact sur le mineur, en désignant un professionnel de référence pour l'enfant.</p> <p><u>Additional information sent on 10 April 2019:</u> En cas d'abus sexuel ou d'exploitation sexuelle, tous les professionnels impliqués dans le traitement de cet aspect (SAPRE, SEAI, Police, Court – Batllia -, Centre de santé mentale, etc.) assureront une coordination harmonieuse avec l'objectif de réduire la revictimisation, et que tous les professionnels qui interviennent ont la même information.</p> <p>En plus, l'art. 6 et l'art. 67 de la Loi 14/2019, 15 de février, qualifié des droits des enfants et des adolescents exposent :</p>

« Art. 6. Coordination

Les administrations publiques compétentes dans le domaine des droits des enfants et des adolescents doivent agir de manière coordonnée entre elles et avec les entités citoyennes et les familles, afin de garantir la meilleure attention possible pour la pleine réalisation des droits et du bien-être des enfants et des adolescents. Cette action coordonnée doit toujours se faire avec la participation directe des enfants et des adolescents, en fonction de leur âge et de leurs conditions de maturité. »

« Art. 67. Coordination efficace contre la maltraitance

1. Les administrations publiques, dans le cadre de leurs compétences, doivent mettre en place les mécanismes de coordination nécessaires pour garantir une coopération efficace en matière de prévention, de détection et de notification de la maltraitance aux enfants et aux adolescents. Cette coordination doit permettre une attention immédiate et un rétablissement physique et mental, ainsi que la réintégration sociale et l'intervention judiciaire correspondante.

2. La coopération mentionnée dans la section précédente concerne les administrations publiques, les services publics et privés et les professionnels compétents et spécialisés dans le domaine, notamment la santé, l'éducation, les affaires sociales, la jeunesse, les sports, loisirs, culture, police et justice, et doit inclure la création de protocoles d'action et de collaboration. Ces protocoles devraient prévoir la procédure à suivre en cas de constatation présumée d'une infraction pénale ou de la nécessité de prendre des mesures de précaution.

(...) »

Additional information sent on 10 April 2019:

Tous les réfugiés font l'objet d'un suivi de la part du SAPRE. Au cas où un mineur est déclaré victime d'une situation d'abus sexuel et / ou d'exploitation sexuelle, le SAPRE informe le SEAI afin de mettre en place une équipe de coordination. Dans cette équipe il y a des représentants du SAPRE, du SEAI, de la Police, de la Justice et le psychologue légiste chargé de l'exploration du mineur. Dans cette coordination, les accords d'intervention et la répartition des rôles sont établis afin d'éviter les duplicités et la revictimisation.

La loi 14/2019 du 15 février « Droits des enfants et des adolescents » prévoit dans ses articles 2 et 4 :

« Art. 2. Domaine d'application objectif de la loi

1. Cette loi vise à garantir l'efficacité réelle des principes et des droits individuels reconnus à tout enfant et adolescent se trouvant sur le territoire de la principauté d'Andorre, conformément aux réglementations internationales et nationales. (...) »

« Art. 4. Champ d'application territorial de la loi

Cette loi est applicable à tout enfant ou adolescent qui se trouve ou réside habituellement dans la principauté d'Andorre, en garantie de leurs droits reconnus par les règles qui font partie du système juridique andorran. »

Le psychologue légiste intervient rapidement pour mener l'exploration et obtenir la déclaration du mineur. Cette intervention est faite dans une salle adaptée aux besoins du mineur et est enregistrée afin d'éviter une nouvelle victimisation. En cas d'urgence dans la symptomatologie de l'enfant, ce même jour, il peut y avoir une visite avec le psychiatre d'urgence. Après cette intervention, et dans un délai maximum d'une semaine, il y a une première visite de suivi au Centre de Santé Mentale.

Austria / Autriche	<p>The Austrian Ministry of Interior is in regular contact with the the locally responsible youth welfare service. A close cooperation exists also with the police and the regional authority in cases where child abuse is suspected. For all federal facilities a standard information system has been established. All kinds of incidents that are reported (not only cases where sexual abuse is suspected) are categorised and the information is passed to the competent stakeholder. The information passed especially includes the name of the involved person or organisation and the measures taken in that special case (e.g.the offering of psychological support). The aim of this system is that no information about any unusual incident gets lost and that the authorities have the possibility to react best to the concrete situation.</p> <p>Also the communication and cooperation between refugee help organisations, which take care of unaccompanied minors and the locally responsible youth welfare service is constantly improved to guarantee a professional and effective protection of children. Round tables of relevant stakeholders take place on a regular basis. Furthermore there is the opportunity to discuss special cases anonymously.</p>
Belgium / Belgique	<p>A <u>task force</u> made up of the Guardianship Service, the Aliens Office, Fédasil and the police services was set up in September 2017 with the aim of drawing up a co-operation protocol between the various players on the subject of the registration and disappearance of unaccompanied foreign minors. This joint co-operation could enable a potential victim to be detected more quickly and directed to a specialised centre.</p> <p><u>Fédasil</u> is also a member of the interdepartmental group set up under the 2015-2019 national action plan to combat all forms of gender-based violence and is tasked with the introduction of several measures specified in the plan.</p> <p>In the <u>Flemish Community</u>, a notification to the Flemish government of 19 February 2016 in response to the National Children’s Rights Commission’s Opinion on the situation of children migrating to the areas administered by the Belgian governments endorsed the following ideas:</p> <ul style="list-style-type: none">• The right to participation, to information and to a fair hearing;• The right to adequate age-appropriate care;• The right to healthcare and education. <p>In a circular dated 2 October 2015, organisations from various sectors were invited to submit proposals for residential care, assisted living and trauma treatment for unaccompanied foreign minors, as well as housing advice and psycho-social support for adult refugees.</p> <p>In connection with the Flemish Horizontal Integration Policy, an official working group on refugees has been set up with representatives of the various Flemish political sectors, and the situation of child refugees is regularly discussed.</p> <p>The Government of the <u>Wallonia-Brussels Federation</u> has adopted a plan to deal with unaccompanied foreign minors with the aim of co-ordinating the additional places created for these individuals in youth welfare centres, as well as family accommodation and socio-educational assistance for unaccompanied foreign minors living on the streets in Brussels via organisations that provide assistance in an open environment. The unit set up under the plan acts as a facilitator between the various players for the Wallonia-Brussels Federation (housing services, Fédasil, guardianship service, etc.). Contacts: http://www.aidealajeunesse.cfwb.be/index.php?id=7637.</p> <p>As far as the <u>guardianship services</u> are concerned, guardians are also required to establish links between the different bodies involved in dealing with their wards’ individual situations, especially the psycho-social aspects. The Guardianship Service’s tasks also include the placement of minors brought to its notice. Accordingly,</p>

	<p>when the medical history indicates vulnerability to exploitation or sexual abuse, the Guardianship Service takes due account of this and directs the young person to the appropriate services.</p>
<p>Bosnia and Herzegovina / Bosnie-Herzégovine</p>	<p>All institutions responsible for the rights of foreigners are obliged to cooperate and this cooperation is put in place.</p> <p>Issues related to the status of foreigners in Bosnia and Herzegovina are defined by the Law on Foreigners, as well as the cooperation of institutions responsible for its implementation (as explained in the introductory part of the response). In force are bylaws deriving from this Law: Rulebook on the Protection of Foreign Victims of Trafficking, the Rulebook on Standards of Functioning and other issues relevant to the work of the Immigration Center, the Rulebook on Standards of Functioning and Other Issues Significant for the Work of the Asylum Center, Rulebook on Asylum in Bosnia and Herzegovina and Others. The treatment of migrant children is carried out in accordance with the provisions of the above-mentioned law and bylaws. As stated in introduction, the competent authorities in BiH are obliged to treat minor foreigners with special care and respect and to act in accordance with the Convention on the Rights of the Child and the regulations of BiH related to the care and protection of minors.</p> <p><u>Additional information sent on 24 May 2019:</u></p> <p>Coordination body for migration issues in Bosnia and Herzegovina was established by the Council of Ministers of BiH on 23rd January 2013. Members of this body are state and police management officials from the Ministry of Security of BiH (Service for Foreigner’s Affairs, Border Police of BiH, State Investigation and Protection Agency, Sector for Immigration and Sector for Asylum), Ministry of Human Rights and Refugees of BiH (Sector for Immigration and Sector for Refugees, Displaced Persons, Readmission and Housing Policy) and the Ministry of Foreign Affairs of BiH (Sector for International Law and Consular Affairs). The President of the Coordinating Body is the Minister of Security.</p> <p>The competencies of this body are:</p> <ul style="list-style-type: none"> - The Coordination Body continually oversees the overall situation in the area of migration and asylum, encourages and ensures inter-departmental cooperation between relevant institutions dealing with migration and asylum issues, and assesses future migration movements and proposes measures for improving migration policy to relevant institutions. - The Coordination Body is responsible for monitoring the implementation of the Strategy in the area of migration and asylum and continuously analyzing the level of effectiveness of the realization of activities defined by the Strategy in the field of migration and asylum and its Action Plan, identifying and monitoring problems and risks, and in accordance with its powers conduct activities to overcome them. - In case of emergencies or in expectations of emergency crisis situations in the field of migration, the Coordinating Body also acts as the Operational Headquarters for migration issues in Bosnia and Herzegovina. When the Coordinating Body meets as the Operational Headquarters for Migration Issues in Bosnia and Herzegovina, it also includes representatives of the staffs from entity level and the Brčko District of BiH. - The competence of the Operational Headquarters for Migration Issues in Bosnia and Herzegovina is to coordinate all activities with relevant institutions and agencies, as well as with headquarters formed at the level of two entities and Brčko District of BiH, together with international organizations and non-governmental organizations in order to overcome the concrete crisis situation in the field of migration. - In order to solve a specific crisis situation in the field of migration, the obligation of the Operational Headquarters for Migration Issues in Bosnia and Herzegovina is to propose measures, decisions and procedures of action, through the Ministry of Security, to the Council of Ministers of Bosnia and Herzegovina and to the long competent institutions and agencies. <p>The Operational Headquarters for the issue of migration is also headed by the President of the Coordinating Body, or his deputy in case of president’s absence. Lower levels of government, (entities: Federation of BiH and the Republika Srpska and Brčko District of BiH) also have their operational migration headquarters. Coordination of Coordinating Bodies with lower levels of authority is done through the representatives of their headquarters.</p>

	<p>The Coordination Body for the Issue of Migration in Bosnia and Herzegovina has been timely informed on the recommendations of the Lanzarote Committee from the Special report “Protecting children affected by the refugee crisis from sexual exploitation and sexual Abuse” which Bosnia and Herzegovina monitors and implements through the competent institutions of all levels of government.</p>
<p>Bulgaria / Bulgarie</p>	<p>The Bulgarian law has an obligation to provide assistance - Article 7, paragraphs 1 and 2 of the Child Protection Act, according to which any person who becomes aware that a child needs protection is obliged to immediately notify the Social Assistance Directorate, the State Agency for Child Protection or the Ministry of Interior.</p> <p>The telephone line 116 111 works in the service of all children seeking help and support.</p> <p>The State Agency for Child Protection is planning to monitor the implementation of the Coordination mechanism for interaction in cases of children who are victims or at risk of violence and cooperation during crisis intervention.</p> <p>The control over the observance of children's rights in Bulgaria will be carried out through inspections conducted by the State Agency for Child Protection on the basis of a report and through planned inspection in the educational institutions in order to guarantee the right to protection against all forms of violence between and on children.</p> <p>The mechanisms implemented at the national level of interaction and cooperation between the relevant government and local authorities ensure effective coordination and cooperation for children at risk or victims of sexual exploitation, violence and abuse (information provided under Recommendation R27).</p> <p>As a result of the increased migration flow in 2016 and the need for better policy coordination regarding unaccompanied children foreigners, the issues were presented to the National Council for Child Protection, which at its meeting on 02.03.2017 took the decision to establish an interinstitutional working party that was to create a Coordination Mechanism for dealing with cases of unaccompanied children foreigners who have been denied status (refugee or humanitarian) and unaccompanied children foreigners who do not want to apply for status. The working party was managed by SACP and the document was developed with the help of all the responsible institutions and organizations regarding children foreigners on the territory of the Republic of Bulgaria. The purpose of the Coordinating Mechanism for interaction between institutions and organizations in the case of unaccompanied children or children foreigners separated from their families located on the territory of the Republic of Bulgaria, including children seeking and/or receiving international protection" is to ensure effective coordination and consistency in the implementation of the specific obligations of all entities involved in the care and handling of unaccompanied minors and aliens established in the territory of the country with a view to ensuring compliance with the children's rights. Next, it seeks to clarify and share the responsibilities, procedures and approaches of all relevant institutions and organizations. Thirdly, the implementation of this system of interinstitutional approach, which is introduced with the Coordination Mechanism, facilitates the complex, quick and effective tracking of each specific case of unaccompanied children foreigners and children separated from their families residing in our country including those seeking and/or who have been granted international protection. During the drafting of the project for the Coordination Mechanism have been taken into account the National Strategy for the Child 2008-2018, the national legislation in force, have been taken into account and taken into account; the recommendations of the United Nations Committee on the Rights of the Child of 2016 following the protection of the consolidated third, fourth and fifth periodic reports on Bulgaria's implementation of the UN Convention on the Rights of the Child; the existing international acts, instruments, human rights regulations for child protection, as well as a number of analyses of international organizations and research and studies of the non-governmental sector, have also been taken into account.</p> <p>On May 9 2018 the National Child Protection Council decided on resumption of the working party on updating Coordination mechanism for interaction in cases of children who are victims or at risk of violence and cooperation during crisis intervention.</p>

	<p>There will also be a change in the Ordinance on the Criteria and Standards for the Provision of Social Services to Children envisaged.</p> <p>The purpose of the standard operational procedures (SOPs) of the State Agency for Refugees with the Council of Ministers is to facilitate the joint action of all interested institutions and persons, including children, for prevention of sexual and gender-based violence (SGBV).</p>
Croatia / Croatie	<p>The Rules of Procedure in Cases of Sexual Violence prescribe a cooperation of competent authorities in the treatment of sexual violence victims. Authorities which participate in the cooperation are: the police, health establishments (general and clinical hospitals, clinical hospital centres), judicial authorities (Court and the State Attorney's Office) and social welfare centres.</p> <p>The aim of police treatment in cases of sexual violence, besides providing suitable protection and support for the victim in order to reduce the risk of further victimization, is to efficiently identify the perpetrator and gather evidence. In cases involving sexual violence where the victims are children or juveniles, the Juvenile Courts Act states that police officers specialised for juveniles are authorised to deal with and handle the criminal investigation in such cases.</p> <p>In the context of health protection, we point out that examination of sexual violence victims, including children, can be done in general hospitals, clinical hospitals and clinical hospital centres (hereinafter: health institution). Health institutions are obligated to provide urgent and comprehensive health care to victims of sexual violence for the purpose of maintaining physical and psychological health of the victim in accordance with contemporary standards and practice.</p> <p>The judicial authorities (Court and the State Attorney's Office) shall treat the child, a victim of a criminal offence of sexual abuse and exploitation, with special care. Those authorities are obligated to provide the victim with instructions and care for its interests when taking actions in the criminal proceedings in which the victim must participate in person. Examination of the child who is a victim of sexual abuse and exploitation in court shall be conducted by an expert assistant by means of a video link with obligatory audio-visual recording.</p> <p>A special guardian of the unaccompanied child, appointed by the social welfare centre, has a duty to represent the unaccompanied child in administrative and judicial proceedings and in the proceedings where the child as a victim of the criminal offence of sexual abuse and exploitation needs to be questioned, accompany the child.</p> <p><u>Additional information sent on 31 December 2018:</u> As already mentioned above, on 30 August 2018 a new Protocol on the Treatment of unaccompanied children was adopted, aimed to establish a firm and effective national system for treatment of unaccompanied children in regular situations, with the consolidation of existing procedures that have already been defined by valid acts and subordinate regulations. Government authorities, local and regional self-government units, public authorities, public institutions, diplomatic missions / consular offices, international organizations and civil society organizations, including cooperation with religious organizations and humanitarian organizations have been involved in dealing with unaccompanied children and the Protocol defines the holders of obligations (responsible persons), manners and deadlines for treatment of unaccompanied children aimed to timely and effective protection of their rights and interests.</p> <p>The implementation of the Protocol requires effective co-operation of the competent interdepartmental bodies, which will be supported by the coordination of the <i>Interdepartmental Commission for the Protection of Unaccompanied Children</i> (hereinafter: the <i>Interdepartmental Commission</i>). The <i>Interdepartmental Commission</i> is established for the purpose of improving interdepartmental cooperation between the state administration bodies and other stakeholders involved in the protection of unaccompanied children, consisting of representatives of the ministry responsible for social care, the ministry of the interior, the ministry responsible for education, the ministry responsible for health care, the Office for Human Rights and Rights of National Minorities and international organizations dealing with the protection of the rights of children or the rights of refugees and, where appropriate, representatives of civil society organizations dealing with</p>

	<p>the protection of children's rights. The Interdepartmental Committee is appointed by the Government of the Republic of Croatia, and its activities will be coordinated by the ministry responsible for social care.</p>
<p>Cyprus / Chypre</p>	<p>Cases of sexual abuse and/or sexual exploitation of children are handled based on the best interest of the child and according to the specific needs of the child. The Social Welfare Services, based on article 31(2) of the Prevention and Combating of Sexual Abuse and Sexual Exploitation of Children and Child Pornography Law of 2014 (L.91(I)/2014), ensure that assistance, support and protection are provided to a child as soon as they or any other service involved have good reason to believe that a sexual offense has been committed against the child.</p> <p>For further and better protection of children, in March 2016, the Council of Ministers adopted a National Strategy on the Prevention and Combating of Sexual Abuse and Sexual Exploitation of Children and Child Pornography.</p> <p>Within the framework of the National Strategy, the Ministry of Labour, Welfare and Social Insurance, in cooperation with other relevant Ministries subsidized an NGO ("Hope for Children" CRC Policy Center) for the operation of a Children's House for handling cases of sexual abuse and/or exploitation of children, based on the multidisciplinary approach of the Barnahus model. Services include forensic interviewing, psychological evaluation, therapy and social support. The Children's House has been in operation since September 2017.</p> <p><u>Additional information sent on 9 April 2019:</u> Cooperation between the different authorities is established through the operation of a Children's House for handling cases of sexual abuse and/or exploitation of children. The House provides services to all children residing in Cyprus, including children affected by the refugee crisis. All Ministries/actors involved with victims of sexual exploitation and sexual abuse of children are housed in the Children's House (Ministry of Labour, Welfare and Social Insurance – Social Welfare Services, Ministry of Justice and Public Order – Police, Ministry of Health – Mental Health Services and Medical Services, Ministry of Education and Culture and the non-governmental organization "Hope for Children" CRC Policy Center). The Children's House provides child friendly services to child victims of sexual abuse and/or exploitation based on a multidisciplinary approach from the time a suspicion is reported until the psychosocial rehabilitation of the child victim.</p>
<p>Czech Republic / République tchèque</p>	<p>As already mentioned above, each unaccompanied child has ensured immediate access to social and legal protection. The body of social and legal protection of children is obliged to regularly evaluate the situation of particular children and according to this evaluation process set the individual plan of protection of a particular child. The evaluation of the situation of this child and individual plan of protection of child contain issues of ensuring care for unaccompanied child, or other placement for him/her, as well as issues of ensuring the residence status of the child in the territory of the Czech Republic and his/her integration, including after reaching the age of 18, or traveling out of the territory of the Czech Republic (after reaching the age of 18).</p> <p>If a child, who was affected by the refugee crisis and became the victim of sexual abuse, is detained, he or she is treated in the same manner as other particularly vulnerable victims (according to Act No. 45/ 2013 Coll., on Victims of Criminal Offences). The Police of the Czech Republic has a comprehensive methodology for working with child victims, on the basis of which it would also proceed in the case of the victim mentioned above.</p> <p>In case an officer of the Police of the Czech Republic comes into contact with an unaccompanied child, including a child affected by the refugee crisis, he or she will contact, without delay, the Body of Social and Legal Protection of Children (OSPOD), which will proceed with the matter further. In case the child is under 15 years of age, the OSPOD is always contacted. In the case of children between 15 and 18 years of age, the OSPOD is at least consulted. The unaccompanied foreign child is always assigned a guardian who is an official of the OSPOD.</p> <p><u>Additional information sent on 10 April 2019:</u></p>

In case the Foreign Police or Inspectorate learns about the presence of an unaccompanied foreigner (child) under the age of 18, the local authority is informed about this fact.

- If an unaccompanied foreigner (between the age of 15 and 18 years old) is not detained and transferred to a detention facility, the Foreign Police or Inspectorate hands him or her over to the closest local authority and notifies the Body of Social and Legal Protection of Children (OSPOD).
- Foreigner entrusted in foster care by the decision of a competent authority is placed to the Diagnostic Institute, Radlická 30, 150 00 Prague 5. In such case, the Foreign Police or Inspectorate informs Competent local authority, his or her guardian about their legal obligations (for example to provide travel documents).

Additional information sent on 25 April 2019:

First of all, it is necessary to mention, that in the analysis of the follow-up to urge Rec30 (Document T-ES (2019)06), there might have been made a mistake. The information given with respect to Cyprus in the second paragraph of the page no. 5 seems similar to the situation of the Czech Republic. Since even the terminology seems Czech ("the body of social and legal protection of children) we wonder whether the country, the information relates to, should not have been the Czech Republic and not the Cyprus.

Indeed, the mechanism of work with a child that needs to ensure public protection is just the same as it is described in the analysis with respect to Cyprus. If the child discloses that he/she is a victim of sexual exploitation or sexual abuse, the local authority responsible for public protection of the child (called body for social and legal protection of children) and the police have to be informed about the case. The police start to investigate the crime, while the local authority is responsible to ensure to the child the necessary help and support. The local authority assesses the situation of the child and prepare, ideally with appropriate participation of the child, the individual plan of protection for the concrete child containing the aims the intervention of the local authority should lead to as well as the measures used in order to achieve these aims. The local authority thus plays the role of case manager of help, support and protection delivered to the concrete child.

As case manager, the local authority responsible for the protection is responsible for identification of the areas in which the child needs support and the type of appropriate support for the concrete child (through the assessment of the situation of the child and his/her family) and for contacting the child with providers of this support (through the individual plan of protection of the child).

In order to ensure multidisciplinary of the intervention as well as effective collaboration of different subject that may participate in the intervention, the local authority may organize group conferences. Since the effectiveness of the amendment to the Act no. 359/1999 Coll., on social and legal protection of the child, on 1 January 2013, the group conferences have been enacted into the law as a standard tool of work the local authorities use when ensuring public protection of the child.

As regards the functioning of this methodology of action it should be noted that the rules governing the assessment of the situation of the child and his/her family and the preparation of the individual plan of protection of the child are stipulated in a ministerial decree (decree no. 473/2012 Coll., effective since 1 January 2013). The compliance with these rules by the local authorities is regularly controlled by regional offices (there are 14 regional offices in the Czech Republic). The regional offices also formulate measures of reparation whenever they find a violation of the rules that the local authorities need to obey.

The public protection by local authorities is provided to every child that is in a situation in which his/her life or his/her health is endangered or in which the child needs help with ensuring his/her basic needs (§ 2 (3) in connection with § 37 of the Act no. 359/1999 Coll., on social and legal protection of the child). Unaccompanied children who are in the territory of the Czech Republic fall always within the category of children who are assisted by local authorities responsible for public protection of the child regardless whether they have entered the territory of the Czech Republic with or without permission or whether they have applied for international protection. If the child is accompanied by his/her parents or other persons legally responsible for him/her, then he/she is entitled to public protection if he/she lawfully resides on the territory of the Czech Republic for more than 90 days. However, if there is a suspicion that the child is in the

	<p>care of his/her caregivers subjected to sexual exploitation or sexual abuse, than the local authority responsible for public protection of the child has to intervene in order to ensure the protection of life or health of the child against immediate danger.</p>
Denmark / Danemark	<p>The Danish Ministry of Immigration and Integration has provided the following information:</p> <p>As included in the Committee’s Special Report from March 3rd 2017, multiagency structures in Denmark offer children in need thereof coordinated support. As stated in the response to the questionnaire, in November 2016, asylum seeking children have access to the same level of health care as children residing legally in Denmark. This includes psychiatric and psychological treatment. Neither of these practices has changed.</p> <p>Moreover, the Danish National Police has provided the following information:</p> <p>The recommendation is already met via for instance the service law section 153, subsection 1. This article oblige persons who provide public services or holding public offices to notify the municipal authorities if, in the exercise of their duties, they learn or become aware of any circumstances giving rise to the presumption that (i) a child or young person under the age of 18 may need special support, (ii) a child may need special support immediately after being born because of the circumstances of the expectant parents, (iii) a child or young person under the age of 18 may need special support on account of the child's or young person's unlawful absence from school or failure to meet the compulsory education requirement or (iv) a child or young person under the age of 18 has been exposed to abuse.</p> <p>This section includes all children who will come in contact with the police – regardless the citizenship and residence status.</p> <p>Additionally, sexual exploitation and abuse of children are also covered by a number of provisions in chapter 24 of the Danish Criminal Code. All of these provisions are subject to public indictment.</p> <p>On this basis, the Danish police are obliged to and will always intervene in concrete cases where a suspicion of sexual exploitation or abuse of children is present.</p> <p><u>Additional information sent on 12 April 2019:</u> Asylum seeking and migrant children Asylum centre operators are under contractual obligation to identify asylum seekers – including children – 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.</p> <p>Measures to prevent abuse of asylum seeking and migrant children are not limited to cases of sexual exploitation or abuse. Rather, Danish legislation requires that measures are taken to address the needs of all children in vul-nerable situations. Thus, in accordance with Section 154 of the Social Services Act any person who learns or becomes aware that a person under the age of 18 is being neglected or abused by his/her parents or other persons involved in his/her upbringing, or is living under conditions endangering his/her health or development, is obliged to notify the municipal authority. In addition, public service providers such as asylum centre staff and professionals associated with asylum centre operators, e.g. teachers, health care professionals, social workers etc. are subject to stricter obligations to notify the municipal authority if they become aware of circumstances that give rise to the presumption that a person under the age of 18 may need special support or may have been exposed to abuse. Public service providers are generally trained in detecting and responding to children in need of special support.</p>

In cases where asylum seeking and migrant children under the provision of the Danish Immigration Service are in need of special support – e.g. in case of sexual exploitation or abuse – the asylum centre operator is obliged to notify the municipal authority immediately, and in cooperation with the municipal authority initiate the appropriate response.

If a minor is suspected to be a victim of trafficking in human beings (VoT) the asylum centre operator will contact the Danish Centre against Human Trafficking (CMM), who will then make an initial identification of the VoT. The Danish Immigration Service will subsequently make the formal identification and grant VoT status to an asylum seeking or migrant child who meets the requirements. VoTs (children as well as adults) have access to additional services in terms of extended health care, legal assistance and accommodation arrangements compared to other foreign nationals under the provision of the Danish Immigration Service.

Unaccompanied asylum seeking and migrant children, who fall under the provision of the Danish Immigration Service, are as a general rule accommodated in special asylum centres for children. The staff in these centres is trained to cater to the specific needs of vulnerable children.

The Children's Houses

The purpose of the Children's Houses is to ensure that child victims of abuse receive coordinated and professional help from social services, police and health services in a child friendly environment. The relevant authorities will physically meet the children in the houses and coordinate their casework to ensure that each child receives a timely and effective support.

In all cases, the relevant authorities will attend an initial cross-sectorial consultation in the Children's Houses to share information and coordinate further handling of the case and support for the child. The need for further cross-sectorial coordination and the treatment provided in the Children's Houses by involved authorities will depend on the circumstances of the specific case and the needs of the child.

Professionals who are specifically qualified to handle cases of abuse of children and adolescents, e.g. psychologists or psychotherapists, staff the Children's Houses. The staff will involve police and health services, including forensic experts, as needed. As an example, the Children's Houses are used by the police for interviewing children in cases of abuse when it is assessed to be relevant. The interviews are videotaped to avoid children from having to be present in the courtroom during prosecution.

The National Board of Social Services is responsible for supporting the operation of the Children's Houses and the cross-sectorial collaboration between the authorities involved. Among other things, the National Board of Social Services develops common professional quality standards to ensure a qualified and uniform action in all cases of abuse across the five Children's Houses.

Moreover, the Danish Ministry for Children and Social Affairs has provided the following additional information:

The purpose of the Children's Houses is to ensure that child victims of abuse receive coordinated and professional help from social services, police and health services in a child friendly environment. The relevant authorities will physically meet the children in the houses and coordinate their casework to ensure that each child receives a timely and effective support.

In all cases, the relevant authorities will attend an initial cross-sectorial consultation in the Children's Houses to share information and coordinate further handling of the case and support for the child. The need for further cross-sectorial coordination and the treatment provided in the Children's Houses by involved authorities will depend on the circumstances of the specific case and the needs of the child.

	<p>Professionals who are specifically qualified to handle cases of abuse of children and adolescents, e.g. psychologists or psychotherapists, staff the Children's Houses. The staff will involve police and health services, including forensic experts, as needed. As an example, the Children's Houses are used by the police for interviewing children in cases of abuse when it is assessed to be relevant. The interviews are videotaped to avoid children from having to be present in the courtroom during prosecution.</p> <p>The National Board of Social Services is responsible for supporting the operation of the Children's Houses and the cross-sectorial collaboration between the authorities involved. Among other things, the National Board of Social Services develop common professional quality standards to ensure a qualified and uniform action in all cases of abuse across the five Children's Houses.</p>
<p>Finland / Finlande</p>	<p>The Government notes that the Finnish Immigration Service cooperates with different actors. For example, it supports the well-being of asylum seeking families and the development of their children by a project entitled <i>The 'Let's Talk about Children' method in reception services – psychosocial support for families with children and the vulnerable</i> (2017–2020). The Finnish Immigration Service itself has launched the project with the partnership of the Finnish Association for Mental Health. The target group consists of families with children and unaccompanied minors at reception centres.</p> <p>Under the project on developing national mental health policies for refugees (<i>PALOMA</i>), a broad-based group of experts has prepared a comprehensive handbook for professionals working in social welfare and health care services and other sectors, to support refugees' mental health in Finland. The target group of the handbook consists of both adults and children. The handbook provides a comprehensive description of the traumatisation of persons with a refugee background, phenomena related to refugeeship (e.g. different forms of sexual violence), the identification of traumatic events, and the special features of the necessary treatment. The handbook includes recommendations and instructions to professionals, decision-makers and supervisors in order that professionals could better prevent, identify and treat refugees' mental health problems (incl. the sexual exploitation of children), for instance by means of cooperation between different actors to combat sexual violence. The content of the handbook is being put into practice among professionals during 2018. The handbook (in Finnish) is available at address http://www.julkari.fi/handle/10024/136193.</p> <p>From 2014 to 2016 the National Institute for Health and Welfare (THL) coordinated a cross-administrative development project to create a nation-wide cooperation model for the police, the prosecution service, child welfare authorities and somatic and psychiatric health care for situations of suspected assault or sexual abuse against children (LASTA). The project was guided at national level and managed and carried out regionally. The project was carried out in the Turku University Central Hospital District and the Varsinais-Suomi Hospital District. The work developed under the LASTA project will continue as part of one of the Government's key projects, i.e. the programme to address child and family services (LAPE). After the project, the multi sectoral cooperation model is being elaborated further in the Varsinais-Suomi region and be spread to the regions of South Savo and North Karelia.</p> <p>One of the objectives of the LAPE programme is to develop cooperation on low threshold services for preventing and identifying violence against children. Regions in Finland have been developing an operating model for family centres to enable different actors to cooperate efficiently also in identifying and helping victims of sexual exploitation and abuse. Asylum seekers and persons with a refugee status staying in Finland are entitled to use the services of family centres.</p> <p>Another operating model is also being prepared under the LAPE programme for competence and support centres to be consulted when multi sectoral know-how is needed for the most demanding situations with clients. The purpose is to find in Finland five special competence and support centres for child and family services. They would provide concrete expert assistance for the most demanding situations with clients, both through direct consultation and indirectly, while building up professionals' competence needed for such situations. Cooperation across administrative borders and the use of effective methods may be promoted extensively over the country by means of, for instance, practically based research and development. Although the competence and support centres would primarily operate in the service area for social welfare and health care, the most difficult situations are usually those where the clients need cooperation between authorities across administrative borders. When preparing the operating model, the project has taken into account special needs related to refugeeship and to</p>

	<p>the sexual exploitation and abuse of children and young people. Needs and situation of unaccompanied children have also been taken into account. The preparation of the model will be completed at the end of 2018, and the centres should start operating when the ongoing social welfare and healthcare reform takes effect.</p> <p><u>Additional information sent on 30 January 2019:</u></p> <p><u>Recommendation 30</u> on the co-ordination and collaboration of the different actors is being implemented in Finland. The Finnish Immigration Service cooperates with different actors and supports the well-being of asylum seeking families by different means, such as the project entitled <i>The 'Let's Talk about Children' method in reception services – psychosocial support for families with children and the vulnerable</i> (2017–2020), in collaboration with the Finnish Association for Mental Health, and the project on developing national mental health policies for refugees (PALOMA). A comprehensive handbook for professionals working in social welfare and health care services and other sectors, prepared by a broad-based group of experts, has been launched to support refugees' mental health, including children's mental health, in Finland.</p> <p>From 2014 to 2016 the National Institute for Health and Welfare (THL) coordinated a cross administrative development project to create a nation-wide cooperation model for the police, the prosecution service, child welfare authorities and somatic and psychiatric health care for situations of suspected assault or sexual abuse against children (LASTA). The work developed under the LASTA project has continued as part of one of the Government's key projects, i.e. the programme to address child and family services (LAPE).</p> <p>Under the LAPE Programme regions in Finland have been developing an operating model for family centres to enable different actors to cooperate efficiently also in identifying and helping victims of sexual exploitation and abuse. Child asylum seekers and children with a refugee status staying in Finland are entitled to use the services of family centres. Also another operating model is being prepared under the LAPE Programme for competence and support centres to be consulted when multisectoral know-how is needed for the most demanding situations with clients. Cooperation across administrative borders and the use of effective methods may be promoted extensively over the country by means of, for instance, practically based research and development. When preparing the operating model, the project has taken into account special needs related to refugeeship and to the sexual exploitation and abuse of children and young people. Needs and situation of unaccompanied children have also been taken into account.</p> <p>The Government notes the aforementioned measures are highlighted in the Analysis both in the general overview of information provided on the implementation of Recommendation 30 and in the overview of follow up measures to the recommendation.</p>
France	<p>Plusieurs initiatives locales mises en place par les parquets, en partenariat avec les associations, les services d'enquête et autres instances impliquées dans la lutte contre la traite des mineurs, notamment dans le cadre de la crise migratoire, peuvent être soulignées :</p> <ul style="list-style-type: none">• Sur une initiative du parquet de Paris soutenue par la MIPROF (mission interministérielle pour la protection des femmes contre les violences et la lutte contre la traite des êtres humains), une convention sur la mise en place d'un dispositif expérimental visant à protéger les mineurs victimes de traite des êtres humains a été signée le 1^{er} juin 2016 entre le préfet de police de Paris, les chefs de juridiction du TGI de Paris, la maire de Paris et Présidente du Conseil départemental de Paris, la Secrétaire générale de la MIPROF, la Directrice de la Protection Judiciaire de la Jeunesse, le Secrétaire général du Comité interministériel de prévention de la délinquance, le Bâtonnier de l'ordre des avocats de Paris et le Directeur de l'association Hors la Rue. L'objet de la convention vise à repérer et identifier les mineurs victimes de traite des êtres humains, les soustraire à l'influence des réseaux et les protéger. Ce dispositif expérimental d'un an, financé par le Fonds interministériel de prévention de la délinquance (FIPD), consiste à placer les mineurs victimes de traite dans des conditions sécurisantes. Le bilan du dispositif, qui est opérationnel depuis septembre 2015, est très positif. Il abrite principalement des jeunes filles nigérianes victimes d'exploitation sexuelle, âgées entre 15 et 18 ans. A ce jour, le réseau des structures d'accueils adhérents est constitué

de 12 établissements. La direction des affaires criminelles et des grâces du ministère de la justice est associée au comité de pilotage, dans l'objectif d'étendre le dispositif à d'autres ressorts que la région parisienne et d'intégrer au dispositif d'autres associations ainsi que l'OFPRA.
Au regard de l'effectivité de ce dispositif expérimental, une circulaire prévoyant sa généralisation est actuellement en cours d'élaboration.

Informations complémentaires envoyées le 8 janvier 2019 :

L'extension de ce dispositif se concentrera, dans un premier temps, sur des sites pilotes. Ces centres permettront une mise à l'abri d'urgence.

- Une fiche réflexe sur la traite des mineurs a été élaborée par la brigade de protection des mineurs (BPM) sous l'égide de la MIPROF, afin d'améliorer l'identification des victimes par les services enquêteurs et les magistrats. Elle a été diffusée aux parquets généraux et publiée sur l'intranet du ministère de la justice. Elle propose un modèle de procès-verbal d'audition de contexte, qui rappelle l'importance d'aviser immédiatement le parquet du ressort et du parquet de la juridiction interrégionale spécialisée de l'existence d'un cas de traite.
- Enfin, le Code de procédure pénale prévoit une obligation de transmission d'information entre le juge d'instruction ou le Parquet et le juge des enfants. En effet, les articles 706-49 et D 47-10 disposent que lorsqu'un mineur est victime de l'une des infractions de l'article 706-47, notamment la traite des êtres humains et les abus sexuels, le juge d'instruction ou le Parquet doit aviser le juge des enfants de cette procédure, et lui communiquer toutes pièces utiles dès lors qu'une mesure d'assistance éducative a été ouverte.

Article 706-49 Code de procédure pénale

Le procureur de la République ou le juge d'instruction informe sans délai le juge des enfants de l'existence d'une procédure concernant un mineur victime de l'une des infractions mentionnées à l'article 706-47 et lui en communique toutes pièces utiles, dès lors qu'une procédure d'assistance éducative a été ouverte à l'égard du mineur victime de cette infraction.

Article D 47-10 Code de procédure pénale

Pour l'application des dispositions de l'article 706-49 relatives à l'information du juge des enfants en cas d'ouverture d'une procédure d'assistance éducative, doit être saisi le magistrat du parquet spécialisé en matière de mineurs.

Le procureur de la République ou le juge d'instruction informe le juge des enfants saisi de la procédure d'assistance éducative, tout au long de la procédure pénale, des décisions pouvant avoir des incidences sur les relations entre les parents et leurs enfants. Il peut solliciter l'avis du juge des enfants avant de prendre ces décisions. Cet avis est alors versé au dossier de la procédure.

Le juge des enfants est avisé des suites données aux investigations pénales, notamment en cas de classement sans suite, de procédure alternative aux poursuites, de mise en mouvement de l'action publique, d'ordonnance de règlement ou de jugement.

**Georgia /
Géorgie**

During the asylum procedure, as soon as it is disclosed that a minor is the victim of sexual exploitation or sexual abuse, consultation is provided in order to identify her/his social and psychological needs and provide necessary assistance in coordination with relevant ministries.

In addition, Child Protection Referral Mechanism was adopted by the Governmental Decree №437 on 12 September 2016, which clearly proclaims that its aim is facilitation of the child protection from violence in and outside the family setting.

The Child Protection Referral Mechanism has expanded the list of responsible entities who have a duty to refer child violence cases to the relevant agencies. According to the new (updated) referral mechanism, which has been upgraded to the Government level, all governmental institutions and their structural units,

	<p>public law legal entities subordinate to government agencies, kindergartens, general educational institutions, sports and arts schools, shelters, fosters, medical service providers of all kinds, including community physicians, as well as local municipalities have a duty to refer the possible cases of child violence to both the Social Service Agency and the police.</p> <p>According to Article 20 of the same Referral Mechanism, the failure to report the alleged case of child violence to relevant state body by persons involved in child referral mechanism shall bear administrative liability. Article 172⁶ of the Code of Georgia on Administrative Offences proclaims that the mentioned failure shall result in fine of 50-100 GEL for natural persons and 100-200 – for legal persons.</p> <p>Additional information sent on 23 April 2019: All state agencies involved in the Referral mechanism have approved internal instructions which include actions for coordination.</p>
<p>Germany / Allemagne</p>	<p><i>Minimum standard 3: Internal structures and external cooperation</i></p> <p><i>External cooperation</i></p> <p><i>Involving cooperation partners</i></p> <p>In order to introduce and ensure individual and needs- based support, affected persons must be supported in finding and contacting competent contact persons and entities. Accommodation centres must - based on an analysis of the resources of the local municipality - have a database and list of addresses of suitable local contact persons, counselling services and institutions that are available to provide further support. This includes, e.g., women’s shelters, women’s counselling services, women’s emergency hotlines, specialised counselling services (such as for those affected by human trafficking), organisations of refugees, organisations of migrants, organisations of persons with disabilities, organisations of LGBTI* persons, refugee counselling services, administrative police and crime investigation departments, centres that work with perpetrators, justice, legal advice, assistance for persons with disabilities, youth welfare office, youth welfare centres, health care (including HIV/Aids and counselling offices for addicts), psycho-social or psycho-therapeutic counselling offices, in this regard experienced specialists (child protection workers), religious and belief societies/communities (e.g., mosque communities), language and culture mediators etc. If necessary, specially trained staff will accompany affected persons to appointments and advise them on the choices of support available.</p> <p>The address database must be continuously updated and each accommodation centre should actively seek cooperation with local partners. This facilitates the exchange of information and establishes “shortcuts” and direct personal contacts so that residents receive the support they need in case of conflict, suspected violence or actual violence. Staff will thus be able to quickly refer affected persons to the appropriate forms of assistance. As part of this networking, standardized procedures and contact persons at the locally responsible youth welfare office should be determined. In addition, regular network meetings should be convened with the local support structures. (p 20)</p> <p><i>Minimum Standard 4: Prevention of and dealing with situations of violence and suspected violence/risk management</i></p> <p><i>Standardized procedures in cases of violence</i></p> <p>If an act of violence has occurred at an accommodation centre, the persons affected must immediately receive the necessary protection and support they need. When doing so, the provision of medical care for those affected, psycho-social first aid as well as the protection and safeguarding of their rights are to be guaranteed, e.g., by physical separation from the suspected perpetrator. (...) In addition to the procedures and processes specific to the centre, a cooperation agreement on child protection should be developed between the responsible youth welfare office and the centre pursuant to Section 8a (4) SGB VIII. This can be</p>

	<p>achieved with the aid of cooperation partners (Minimum Standard 3) and it must take into consideration that reliable and swift accessibility is required whenever intervening in a crisis becomes necessary (thus permanent contact persons and telephone numbers etc.); crisis intervention also calls for a rapidly available support network (pedagogic and psycho- social crisis counselling, medical and psychiatric care for children/adolescents etc.).(p 21)</p>
<p>Greece / Grèce</p>	<p>Greece has initiated a formal national identification and referral Mechanism for victims and presumed victims of trafficking with the Ministerial Decision 3003/20-9-2016 called National Referral Mechanism (NRM). The Office of the National Rapporteur supervises the National Referral Mechanism which operates as a hub for coordinated action and partnership building, among all actors involved in combating trafficking of persons. This does not merely concern law enforcement (police and prosecutors), but involves additional front-line professionals, such as labor inspectors, health providers, migration services, local administration authorities and other stakeholders who may come across vulnerable to THB populations. In particular:</p> <ul style="list-style-type: none"> ➤ A Jointed Ministerial Decision (30840/20-09-2017) inaugurated the operation of the National Referral Mechanism for victims of trafficking in Greece, including children. The mechanism is managed by EKKA in cooperation with the National Rapporteur on Trafficking in Human Beings. There have already taken place several meetings, training sessions and workgroups regarding the operation of the NRM. ➤ National Center for Social Solidarity (EKKA), has developed an online platform named e-Pronoia, that aims to contribute to the digital networking of social services (governmental and non-governmental organizations), digital social services for citizens, digital child file (all the info concerning important changes in the life of a child within the social services, all the information about children’s maltreatment and the support interventions) and which attempts to gradually put into operation. This platform was legislated in 2016. ➤ EKKA, in cooperation with the Institute of Child Health, the National Association of Social Workers and Lumos, organized four training programs for social workers working in the field of child protection, on the development of skills in order investigate cases of possible abuse and neglect of minors and the implementation of relevant programs. ➤ In cooperation with the above organizations, SOPs were finalized as well as an assessment form to be used by CP professionals (November 2017). ➤ EKKA also organizes training and support for professionals working in shelters for Unaccompanied Minors, also addressing the issues of abuse and neglect. <p>.....</p> <p>.....</p>
<p>Replies by / Réponses de Missing Children Europe / Smile of the Child</p>	<p>‘The Smile of the Child’ recognizes the competence of authorities and all actors, thus it promotes the power of joining forces through a continuous and structured collaboration. The aforementioned collaboration is expressed through the signed MoUs that The Smile of the Child has with numerous national, regional or local authorities (ex UNHCR, Ministry of Health and Social Solidarity, National Emergency Aid Center, Ministry of National Defence, Network of Social Solidarity & Assistance etc).</p>
<p>Hungary / Hongrie</p>	<p>In order to insure the high level service for victims, the Victim Support Service cooperates and keeps contact with the victim support network of the police, the investigating authority, the prosecutor’s office, the court, the immigration control and asylum authority, the consular service, the local and minority government, the youth and healthcare services, the residential social institutions and housing child protection institutions that offer personal care, the family help centres, the institutions providing primary health care, outpatient care by specialists, general educational institutions, civil guard, civil organisations and religious communities providing victim support.</p> <p>The cooperation between the Public Victim Support Services and the professional associate organizations must be continuous so that they could fastly and informally discuss on the victim’s behalf and solve their problems. To insure this continuous relation and to promote the assertion of victim’s rights, the Victim Support Services established a national and local cooperation with other bodies and organizations.</p>

Pursuant to the Act XXXI of 1997, the Victim Support Service takes part in the warning system at child protection. Any employee of the Victim Support Service having positive knowledge of abuse of a minor reports it promptly to the child care or child protection institution which has the competence to perform the procedure. Depending on whether the identified circumstance endangers the life or the physical safety of the minor, the Victim Support Service initiates the procedure of the guardianship authority.

The Department of Child Protection and Guardianship of the Ministry of Human Capacities – as Central Authority established by the Government's Decree No. 2031/2005. (III.8.) – is actively involved in the transfer of children of Hungarian nationality from abroad in cooperation with the Hungarian Consulate of the country of residence under the Child Protection Act and its implemental regulations. According to the experience of the Ministry of Human Capacities, Hungarian children went to Austria where they were forced into prostitution in an organized form. Minors, whether coercion can be proven or not, are considered by the Austrian authorities as victims of trafficking in human beings, and therefore no criminal or infringement proceedings are initiated against them.

The Hungarian children, who are absent from their place of care, must be reported to the Hungarian police immediately by the child protection guardians working within the child protection system and children's homes, and also by the foster parents providing care, thus, in addition to the domestic investigation, they usually issue international search as well under the SIRENE system.

Cooperation between the Austrian and Hungarian child protection and police bodies is in place for the return and subsequent assistance of the Hungarian children who are absent without permission from the place of care designated by the guardianship authority and considered as victims of human trafficking by the Austrian authorities. The parties concerned, held several negotiations in order to repatriate and relocate those children, who are frequently involved in prostitution, in Hungary. On the basis of the consultations, the procedure of repatriation and relocation of minors affected by prostitution started in 2018 in cooperation with the competent authorities of Austria. The development of the rules of procedure and its expected launch during the summer of 2018 will lead to sectoral co-operation between the various institutions of the Directorate General for Social Affairs, Child Protection, and a church organization.

The Ministry plans to work in the future on the co-operation of other countries' counterparts.

Statistical Data about the child protection system

Between 1 January and 31 December 2017 a total of 279 unaccompanied minors were accommodated at the Children's Centre. About 95% of them were boys, the number of girls was only 16. 7% of unaccompanied minors were under 10 years of age, 31% were 10-14 years old, 62% were 14-18 years old. As far as their nationality is concerned, the number of Afghan citizens was the most significant, about 73.5%, while 3-6% were Syrian, Pakistani and Iraqi citizens, and the rest were of other origins.

On April 23, 2018, the number of unaccompanied minors in the Children's Centre is 17, of which 14 are boys, 3 are girls. At the age of 10-14 years, 6 people; 14-18 years, 11 people. According to their nationality, 12 are Afghan people, 3 Iraqis, 1 Somali, 1 Bulgarian citizen.

Cases of the Integrated Legal Protection Service of the Ministry of Human Capacities

The Integrated Legal Protection Service has not received any request from asylum-seeker children since 1 January 2017, and the Service does not have any statistical data related to the Convention.

In the mandatory monthly report of children's rights representatives there is a specific case type called "unaccompanied minor". Only two "unaccompanied minor" cases have been reported in the examined period by the children's rights representatives of Baranya and Békés County. The Békés County case was a minor's unlawful alienation abroad, and was not related to the convention. In the Baranya County case, the affected child was stopped at the state border, and was taken to the shelter for children at Pécs. During the investigation, it was revealed, that the Italian-Bosnian parents are being prosecuted for abuse of a minor, or forced prostitution. With the help of the Budapest 5th District guardianship and child protection office, the child was transferred back to Italy accompanied by an ad hoc guardian, and handed over to the child protection specialists there. In the absence of a complaint, the children's rights representative has not initiated a legal procedure.

See the answer given with regard recommendation R29

Pursuant to the Act CXXXV of 2005 on support to victims of crime and state compensation, the Victim Support Service provides emotional support for the victims as a part of asserting their interests in the county government offices and the district government offices of the capital city. The staff of the Victim Support Service offers emotional support to victims turning to them for help in the vast majority of cases.

The Ministry of Justice opened the first Victim Support Centre in Budapest on 21 June 2017, Its goal is to support the victims whose living conditions have changed as a consequence of having been victimised of a crime and to provide them with customised emotional support and information required to assert their interests. A special "patron room" was established in the Victim Support Centre in a manner that it is adapted to the needs of victims requiring special treatment. The goal of the Victim Support Centre is to offer support to victims, to listen to them and to offer appropriate - customised - help to restore the balance and live their lives.

Based on the experience obtained during the operation of the first centre, two further centres were established in 2018 in Miskolc and Szombathely and there is a plan to open further centres so that victims can reach a high level and fully comprehensive service throughout the country.

In the framework of the child protection professional service, and under the Child Protection Act, unaccompanied minors are also provided with full home care in accordance with the UN Convention on the Rights of the Child. This provision includes, among other things, the provision of access to basic health care, special care, education, development, psychological support, access to useful and cultural leisure time, in addition to providing accommodation, meals, pocket money and clothing with the same level of children of Hungarian nationality, but taking cultural and religious differences into account, for example for meals.

According to the statutory provision, the Károlyi István Children's Centre (hereinafter referred to as Children's Centre), which provides home-care services for children, provides psychosocial and psychotherapeutic assistance on a number of occasions a week, provided by the institution's clinical psychologist and by psychiatrists and psychologists regularly provided by NGOs.

Children's reception at the Children's Centre is used to assess the status of the child, whether it is necessary for the child to provide assistance or the child should indicate if he or she has any wishes for their care.

The provisions of sections 26-28 of the Government Decree No. 301 of 2007 on the implementation of Act LXXX of 2007 on Asylum, if an applicant is not covered by social insurance, in case of an illness, the applicant is entitled to access the medical care provided by law, free of charge. It has to be highlighted, based on section 34 of the above mentioned Government Decree that if it is necessary, having regard both to the personal situation and the opinion of the specialist, and to meeting the provisions of sections 26-27 of the Government Decree, the persons requiring special treatment are provided with the access to health care services, which are justified concerning their health condition, free of charge. These include rehabilitation, psychological, clinical psychological specialist care and psychotherapy.

It is also important to stress that medical service is fully provided both in the transit zones and in the open reception facilities inside the country. In our position, the placement in the transit zones has a key significance that concerns all applicants. It has to be highlighted that the personnel of the Immigration and Asylum Office with specialist expertise are available in the transit zones 24 hours a day. In addition, social workers help the applicants to solve the arising problems in the transit zones. Within the frame of the tender of the Asylum, Migration and Integration Fund, the presence of psychologists and psychiatrists is provided in the transit zones. Each applicant has access to their help.

According to Act LXXX of 2007 and Act II of 2007, minors, regardless of arriving to Hungary with or without family or companion, shall be regarded as persons requiring special treatment and having special needs.

	<p>In order to provide adequate rehabilitation, mental health care and counselling for minors who are victim of sexual assault, serious neglect, exploitation, torture or cruel, inhuman or degrading treatment, the asylum authority shall signal the case to the competent health care institution and in case of unaccompanied minors, to the competent child protection institution.</p> <p>Also, in case of unaccompanied minors, the asylum authority shall arrange for the placement of the minor in a child protection institution, and the immigration authority shall seek out the guardianship office and the consular representation of the state of the minor's nationality in the territory of Hungary for the permanent placement of the minor.</p> <p>According to Decree No. 15 of 1998 on the child care and child protection institutions providing personal care, and the professional requirements for the personnel and the conditions for the operation, children's homes and children's home that solely cares for unaccompanied minors who were granted refugee status shall employ 1 psychologist and 1 special needs teacher or remedial teacher after 48 children.</p> <p>In addition, children's home that solely cares for unaccompanied minors who were not granted refugee status and temporary placement institutions shall provide health care and emotional support adequate to the children's health and mental state by providing the necessary preventive and healing physical and mental health treatments.</p> <p>Up until now, no report or request have been filed with the Chief Prosecutor's Office of Pest County regarding the Károlyi István Children's Centre in this matter, which would have give ground for the review of legality of operation of the Centre.</p>
<p>Iceland / Islande</p>	<p>The Act on Foreigners no. 80/2016 identifies the obligation of the different authorities to collaborate with regard to children that are affected by the refugee situation. Although the Directorate of Immigration bears the responsibility for the general implementation, the Act regulates the role of the Government Agency for Child Protection and the Local Child protective services as well as the health services in the process. For the purposes of avoiding re-victimization, interviews of unaccompanied children coming to Iceland as a result of the refugee crisis are conducted in child-friendly facilities of the Barnahus as soon as possible after arrival. This is a joint investigative interview as the representatives of the Directorate of Immigration, the Local Child Protection Services and the Legal Spokesperson of the child (which in Iceland is appointed by the Red Cross) are among those who observe for the different purpose of the relevant agencies as well as law enforcement if needed. Should a child disclose sexual abuse or sexual exploitation, the child would receive medical examination and appropriate therapeutic services in Barnahus and the Local Child Protection Services would make plans for follow-up support.</p> <p>It should be noted that the Appeal Committee for Foreigners (Art 6) has access to Barnahus should the Committee decide that children should be given the opportunity to express their view concerning decisions that are under re-examination.</p>
<p>Italy / Italie</p>	<p>The first Plan of Action against Trafficking 2016-2018 includes a number of provisions relating to coordination mechanisms. It refers to mechanisms for the rapid identification of victims, including among particularly vulnerable groups, such as irregular migrants, including unaccompanied minors and asylum seekers. At national level the Equal Opportunities Department liaises with the Ministry of the Interior and other relevant ministries in order to promote and strengthen the integrated system of interventions for preventing and combating the phenomenon of trafficking and protecting victims, with particular attention to the connection between the protection system for applicants for / holders of international protection and the protection system for victims of trafficking, pursuant to Article 10 of Legislative Decree no. 24/2014 and Article 17 of Legislative Decree 142/2015 and taking into account the phenomenon of the strong growth of cases of trafficking and serious exploitation within the flows of asylum seekers. The national level also liaises with the regional and local level. At regional level the Departments of Health and Welfare work so that the activities of for the emerge of situations of trafficking and serious exploitation are implemented within territorial policies aimed at preventing and protecting health, combating exploitation and trafficking in human beings, as well as the legal and administrative recognition of victims of trafficking and serious exploitation in their territory, the opportunity to access all those health, social and health measures, assistance and integration provided for vulnerable groups. At local level through the single programme of emergence, assistance and social integration by the territorial Social Services and/or by private subjects with which they have an agreement and through monitoring and evaluation of all actions in support of trafficked persons, also through local Social Plans and the presence of specific local actors, becomes an active part in the implementation on local territories of social and health policies aimed at vulnerable groups.</p>

<p>Replies by / Réponses de Missing Children Europe / SOS Il Telefono Azzurro Onlus</p>	<p>The Plan provides mechanisms for early identification of victims of trafficking. With regard to the identification of victims of trafficking within the asylum procedure, operational practices must be developed to promote an effective referral system between the Commissions and the bodies responsible for the protection and assistance of victims of trafficking. To this aim the following actions are listed:</p> <ul style="list-style-type: none">- In order to facilitate the emergence of trafficking and the subsequent identification of victim's lives, it is important that in the places of first contact (street units, Police Headquarters, airports and landing places, listening centres and social services, reception Centres) there are, or are easily available, qualified and specially trained personnel able to immediately establish a trust relationship with the victims;- Identify and recognize in each territory the main points of possible arrival, attendance, passage of possible victims and then intervene with qualified professionals (e.g. Team of Street Units, Listening Centres) who, having mandated and methods of approach focused on the rights / needs of the person, can constantly monitor the phenomena and detect the real needs;- strengthen, also through protocols, the interinstitutional collaboration and coordination between the Judicial Authority, the Police Forces, the NGOs and the International Bodies engaged in the sector for the constant updating of the indicators; <p>The Action Plan also includes Guidelines for the definition of a mechanism for the early identification of victims of trafficking and serious exploitation. In addition, law 269/98 provides for the obligation by a public official or person in charge of a public service to report a child who is engaged in prostitution or victims of crimes of a sexual nature. The law establishes that if a public official becomes aware that a minor under the age of 18 is engaged in prostitution, he or she shall immediately inform the Public Prosecutor's Office of the Juvenile Court, which shall promote proceedings for the protection of minors and may propose to the Juvenile Court the appointment of a curator. The Juvenile Court shall take appropriate measures, including psychological assistance, the recovery and reintegration of the child and, in cases of urgency, shall act on its own initiative. If a child under eighteen years of age who is a foreigner and is the victim of one of the crimes referred to in articles 600-bis, 600-ter and 601, second paragraph, of the criminal code, the Juvenile Court shall adopt the above measures as a matter of urgency and, before confirming the measures adopted in the child's interest, using the instruments provided for by international conventions, shall make the appropriate agreements, through the Ministry of Foreign Affairs, with the authorities of the State of origin.</p> <p>.....</p> <p>.....</p> <p>Telefono Azzurro within the project "Just 2015 Safeguarding Unaccompanied Migrant Children by reinforcing the integration of the 116000 hotline for Missing Children within the Italian Child Protection System", organized several round tables with the main stakeholders identified as key actors in the prevention of the disappearance of unaccompanied foreign minors and five Italian prefectures.</p> <p>The specific round table on "Human trafficking and exploitation" focused on the following themes:</p> <ul style="list-style-type: none">- the construction of a human trafficking and legal framework;- the mechanisms of human trafficking and the art of recruiting/seducing children and adolescents;- the risks of disappearance;- modern slavery forms;- criteria for the identification of trafficked victims. <p>Telefono Azzurro believes that the protection of Unaccompanied Migrant Children can take place through a multi-stakeholder approach and by strengthening the hotline for missing children 116.000, under the national protection system.</p>
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	<p>A number of media campaigns are also relevant in this context:</p> <ol style="list-style-type: none">1) the "Pediatric Network Against Child Abuse" launched in May 2016, supported by the Menarini pharmaceutical industry, together with Telefono Azzurro, the Italian Pediatric Doctors Federation (FIMP), the Italian Pediatrics Society (SIP) and the Italian Association of Pediatric Hospitals (AOPI), which foresees the creation throughout the country of a network of pediatricians and primary care physicians trained to recognize signs of child abuse.2) the establishment of the Italian National Day against Pedophilia and Pedopornographia, every 5th May.3) the establishment, at the government's Equal Opportunities Department (DPO), of the National Observatory for the Fight Against Child Pedophilia and Pornography reconstituted recently with Ministerial Decree of 30th August 20164) the World Congress "Child Dignity in the Digital World" on 6th October 2017 during which the Rome Declaration was produced. This is a programmatic document result of four working days, approved and published on Friday 6th October 2017, during the audience in the Vatican with Pope Francis. The congress was promoted by the Centre for Child Protection of the Pontifical Gregorian University, by the worldwide organization WePROTECT Global Alliance and by Telefono Azzurro and was held at the Pontifical Gregorian University (PUG) in Rome.
Latvia / Lettonie	<p><u>Additional information sent on 20 December 2018:</u> As already mentioned before, currently cases when unaccompanied minors arrive to Latvia are rare and sexual exploitation or sexual abuse cases have not been identified. We have evaluated our legal system and believe that the current system complies with this recommendation, therefore no legislation steps are needed. Taking into account current situation and mentioned recommendation, each case when minor arrive to Latvia will be approached individually, ensuring rapid procedure when necessary.</p> <p>Firstly, it must be mentioned that overall cooperation of institutions is created to ensure that asylum seeking procedure is carried out in accordance with the Dublin regulation. There is an internal regulation of the Ministry of the Interior on cooperation between the State Border Guard, the State Police, the Security Police, the Office of Citizenship and Migration Affairs, so as to ensure asylum seeking procedure.</p> <p>The State Border Guard and the Office of Citizenship and Migration Affairs, in situations where children affected by the refugee crisis are exposed, shall <u>cooperate first and act in accordance with the Orphan's Court</u>, involving it already to an initial interview which cannot take place without the presence of a statutory or designated representative which is the Orphan's Court or a guardian appointed by it.</p> <p>However, if, during that interview, the State Border Guard and the Office of Citizenship and Migration Affairs suspect that the child has suffered from illegal activities, the State Police shall be involved in the procedure for initiation of criminal proceedings.</p> <p>Initial interview</p> <p>In the interviews where an Orphan's Court or a guardian appointed by it is participating, confidentiality shall be guaranteed, interviews shall be carried out by officials who have the necessary knowledge and which are sufficiently competent to take account of the personal circumstances and potential vulnerability of the asylum seeker, unaccompanied minors shall be interviewed in the presence of a representative, interviews with minor asylum seekers shall take place in a suitable manner for children.</p> <p>It should be noted that officials of the State Border Guard and of the Asylum Affairs Division of the Office of Citizenship and Migration Affairs have learned several training modules of the European Asylum Support Office, such as "Child Interviews", "Interviews of specially vulnerable persons". In November and December</p>

2017, the employees have learned the module on human trafficking and are therefore prepared to recognize cases of risk of child sexual abuse or violence against the child. Employees of both the Asylum Affairs Department and the Asylum Seekers Accommodation Centre have attended seminars on the Child Rights Protection System and are informed of what measures have to be taken and what institutions should be informed and involved in cases where there are concerns about sexual exploitation of children or violence against them.

Officials of the State Border Guard, the Office of the Citizenship and Migration Affairs, the State Inspectorate For Protection Of Children's Rights and the Legal Aid Administration have developed their knowledge in the workshops organised within the framework of the project by the State Border Guard "Identification of the need for protection in the event of the arrival of groups (massive) and communications at border crossing points", "Identification and working with more vulnerable asylum-seekers", "The latest developments in the field of asylum", "Plan for interviews of the asylum seekers, interruptions and collection of the results", for which implementation representatives of the United Nations High Commissioner for Refugees have been involved.

Engagement of the State Police

The State Police may initiate criminal proceedings and conduct procedural activities in the investigation, including if sexual abuse or violence occurred before the minor has arrived in Latvia.

If the State Police officers find that a child (covering all Latvian nationals) has suffered sexual abuse and requires medical assistance, the child shall be taken to the child medical treatment institution in accordance with Section 60, Paragraph four of the Child Rights Protection Law. While in the case when the Police finds that the child has suffered from violence, the Police shall inform the legal representative of the child about the possibility of receiving psychological assistance through applying to the social service. In the cases where the legal representative is not motivated to ensure the child's psychological assistance, the Orphan's Court shall be informed thereof. Such action shall be expected irrespective of where at the stage of the procedure the minor is located, including where the status of international protection has already been received

Within the framework of criminal proceedings (Section 104 of the Criminal Procedure Law), the State Police shall deal with a representative of a child who, in the case of unaccompanied minors, most common is represented by:

- a representative of an authority protecting the rights of children;
- a representative of such non-governmental organisation that performs the function of protecting the rights of children.

In the cases referred to above, all the rights of the victim are wholly possessed by his or her representative and the victim cannot exercise them independently, with the exception of the right of the minor to provide testimony and to express his or her opinion.

A child who has suffered from violence (illegal activities) in his family or who has a real threat of violence shall immediately be provided with extramarital care if the perpetrators cannot be isolated from the child. The obligation of State police to inform the Orphan's Court after the location of the child, on the decision taken by the police on separation, if this decision is taken in connection with the threat of harm to the freedom, life or health of the child or of the person who habitually lives with the child.

Section 52 of the Child Rights Protection Law prescribes that it is prohibited for a child who has been a victim of violence (illegal act):

	<ul style="list-style-type: none">• to be left alone, except in cases when the child himself or herself so wishes and this choice is considered appropriate by a psychologist who has undergone special preparation for work with children who have suffered from violence;• to be left without psychological or other form of care;• to be confronted by the possible perpetrator of the violence (illegal act) while the child is not sufficiently psychologically prepared for such a confrontation;• to be subjected to the use of any compulsory measures in order to obtain information or for any other purpose. <p>Likewise special rules are complied with also during investigation, namely, Section 151¹ of the Criminal Procedure Law prescribes that interrogation of a specially protected victim is performed in a separate room appropriate for such purposes or without the presence of persons not related to the particular procedural action. Interrogation of such person who has been recognised as a victim of violence committed by a person upon whom the victim is dependent financially or otherwise, a victim of human trafficking, or a criminal offence directed against morality or sexual inviolability of the person, shall be conducted by a performer of an investigative action of the same gender. The abovementioned condition need not be conformed to, if the victim himself or herself or his or her representative agrees thereto. If the victim of a criminal offence directed against morality or sexual inviolability of a person and the person who has the right to defence is of the same gender and if it is requested by the victim or his or her representative, the interrogation shall be performed by a performer of an investigative action of the opposite gender.</p> <p>At the same time, it is pointed out that work is ongoing to ensure full and as child-friendly and more efficient as possible integration in the Latvian legal system of the “Children’s House” (<i>Barnahus</i>) model when working with children suffered from sexual violence, which would serve as an effective solution to improving the practice, with a view to ensuring the establishment of an interinstitutional cooperation mechanism appropriate for the best interests of the child, thereby safeguarding the child from secondary victimisation and traumatic experience, which may be caused by the child's interrogation in a manner and in a room inappropriate for such investigative actions.</p>
Liechtenstein	<p>The small size of the country facilitates pragmatic and immediate cooperation between the competent authorities and persons. The Migration and Passport Office, the Office of Social Services and the Refugee Aid Liechtenstein work closely together in cases of child welfare concerns with regard to underage asylum seekers. Similarly, there is a good cooperation with the Liechtenstein law enforcement agencies.</p> <p>Another important actor is the Expert Group against the Sexual Abuse of Children and Young People, which advises professionals and stakeholders on the further course of action in the event of suspicion or presence of sexual abuse and exploitation.</p> <p>According to article 20 of the Children and Youth Act, any person who has a justified suspicion of a serious injury or danger to the well-being of a child, such as sexual abuse, has a duty to notify the Office of Social Services. As described under R29, the Office of Social Services has the task of ensuring the well-being of the child and taking the necessary measures in that regard.</p> <p><u>Additional information sent on 18 December 2018:</u> In light of the well-functioning forms of co-ordination and collaboration between the actors who intervene for and with asylum-seeking children, Liechtenstein considers the recommendation as implemented and requests to be struck off the “urge” recommendation list. This request is further substantiated by the above-mentioned circumstances of an extremely low number of asylum-seeking children in Liechtenstein and the absence of cases of suspected sexual exploitation or abuse of asylum-seeking children on Liechtenstein territory.</p>

<p>Lithuania / Lituanie</p>	<p>Currently Lithuania guarantees the possibility to every child victim of sexual abuse and sexual exploitation to receive necessary integrated assistance in a child-conducive environment.</p> <p>The Support Centre for Child Victims of Sexual Abuse (hereinafter – the Centre) was opened in Vilnius on 3 June 2016. Lithuania currently guarantees the possibility to every child victim of sexual abuse to receive necessary integrated assistance in a child-conducive (friendly) environment. The Centre concentrates all services necessary for the child victim of sexual abuse and his/her family members in one place. The Centre provides integrated assistance to the child and his/her family members: psychological, social, legal, medical, also conducts the child’s psychological evaluation, carries out the questioning, and medical examination. The Centre also co-ordinates effort between social services, police, therapeutic services and health services are offered with the purpose of providing the abused child with coordinated and professional help in a child friendly environment.</p> <p>In 2016, seeking smooth interinstitutional cooperation, the Guidelines on Provision of Integrated Assistance to Child Victims of Sexual Exploitation (hereinafter referred to as the “Guidelines”) were drafted. The Guidelines aim at helping Lithuanian institutions responsible for the child’s wellbeing, health, law enforcement and protection of rights, to more efficiently implement functions related to the protection of the rights of the child and the child’s representation in criminal proceedings in order to protect the child’s rights and legitimate interests. Pursuant to the Guidelines, a child-conducive (friendly) environment is defined as a safe environment corresponding to the child’s rights and interests, having evaluated the child’s individual needs, age and having ensured communication corresponding to the child’s maturity.</p> <p>Since the very start of its operation, the Centre organises training and has already trained about 150 specialists of various fields (heads of institutions, social workers, social pedagogues, psychologists, child rights protection specialists and others) and has provided assistance to 253 children and to 99 their families members.</p>
<p>Luxembourg</p>	<p>Une communication étroite a été mise en place entre la Direction de l’Immigration, la Police et l’Office luxembourgeois de l’accueil et de l’intégration (OLAI) pour tous les cas sensibles, dont les cas d’exploitation/abus sexuels, et des réunions régulières sont tenues entre ces différents acteurs.</p> <p><u>Additional information sent on 9 April 2019:</u> Il convient de préciser que plusieurs actions ont été mises en œuvre par le Luxembourg en matière de lutte contre la traite des d’êtres humains et les abus sexuels ou les maltraitances diverses :</p> <ul style="list-style-type: none"> - Un comité interministériel chargé de la coordination des activités de prévention et de l’évaluation du phénomène de la traite se réunit régulièrement. Il comprend des représentants des instances étatiques et la société civile est représentée par les services d’assistances aux victimes. La Commission Consultative des Droits de l’Homme a été désignée Rapporteur National sur la traite des êtres humains. Le Rapporteur National détermine les tendances en matière de traite des êtres humains évalue les actions engagées pour lutter contre ce phénomène et collecte les statistiques nationales. Il établit au moins tous les 2 ans des rapports à l’intention de la Chambre des Députés pour l’informer du phénomène. - Un plan d’action national contre la traite des êtres humains a été élaboré par le Comité de suivi et avalisé par le Conseil de Gouvernement en date du 21 décembre 2016. Les organes chargés de sa mise en œuvre sont principalement les membres du comité de suivi et la coordination est assurée par le ministère de la Justice. Les activités sur le plan d’action nationale portent sur trois domaines prioritaires : la détection et la protection des victimes, la poursuite et la répression des auteurs et une politique de lutte contre la traite. - En plus d’une importante campagne de sensibilisation du public, des formations en matière de traite ayant pour but une meilleure détection des victimes ont été dispensées et ont été suivies entre autres par des agents de la Direction de l’Immigration qui sont également formés pour détecter les personnes vulnérables. <p>L’agent de la Direction de l’Immigration en charge de l’entretien adapte l’entretien aux besoins de l’enfant, et notamment en fonction de son âge. L’enfant qui demande une protection internationale sans être accompagné d’un adulte se présente en entretien avec son administrateur ad hoc, lui-même nommé par la Juge</p>

	<p>aux Affaires familiales. Si lors de l'entretien d'un mineur non accompagné ayant lieu dans le cadre d'une demande de protection internationale il s'avère que l'enfant peut être ou a été victime d'exploitation ou d'abus sexuels, la police est directement saisie à des fins d'enquête par le supérieur hiérarchique de l'agent, qui contacte également l'OLAI et l'ONE pour offrir une prise en charge psychologique et un soutien adéquat. Dans ce contexte une collaboration étroite a lieu entre la Direction de l'Immigration, la Police Judiciaire (Section Protection de la Jeunesse) l'ONE et l'OLAI au sujet de la situation et du suivi de l'enfant. La police Judiciaire fait une enquête, dresse un rapport et saisit le parquet. La police informe les services d'assistance agréés aux victimes de la traite des êtres humains, le « SAVTEH » et le « COTEH », qui se chargent de trouver un hébergement pour mineurs en détresse, respectivement l'ONE qui organise la prise en charge d'enfants dans le secteur social. S'il s'agit d'un mineur accompagné, la police se charge d'informer les personnes responsables du mineur dans les meilleurs délais. La police, le SAVTEH et le COTEH et les services d'accueil pour mineurs travaillent en étroite collaboration pour la protection du mineur. La police tient informée la Direction de l'Immigration de la situation du mineur et également pour pouvoir permettre à l'enfant, s'il n'est pas demandeur d'asile et s'il ne bénéficie pas de document lui permettant de rester sur le territoire luxembourgeois, de recevoir une attestation qui lui permet de rester sur le territoire luxembourgeois pour les besoins de l'enquête et pour une durée de 90 jours (délai de réflexion), puis s'il est avéré qu'il est victime de traite, il bénéficie d'une autorisation de séjour dans le cadre des victimes de traite des êtres humains.</p> <p>En outre, quant aux professionnels de l'enfance et de la jeunesse en contact avec les enfants (y compris les enfants issus de la crise migratoire), le ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse a édité, avec l'appui du Ministère de la Justice et du Ministère de la Santé en 2018 à leur intention un document intitulé « maltraitance de mineur - procédures à suivre par les professionnels de l'enfance et de la jeunesse » qui précise les démarches et procédures à suivre lorsqu'ils perçoivent des signes de maltraitance auprès d'un enfant, ainsi que des formations obligatoires dans la formation initiale des futurs enseignants. Lorsque le signalement est fait en cas de constatation ou suspicion d'abus sexuel ou maltraitance diverse, le parquet – protection de la Jeunesse ou la section protection de la jeunesse de la police judiciaire est saisi. En cas de doute sur la nécessité d'un signalement il existe la possibilité de demander conseil à un magistrat du parquet joignable directement par téléphone. Le signalement se fait par téléphone puis suivi d'une télécopie. L'enfant est transporté par la police auprès d'une clinique pédiatrique pour constater médicalement les maltraitements. Une enquête sociale est menée et le juge aux affaires familiales peut convoquer la famille et l'enfant. Si l'enfant est accompagné par sa famille et que les maltraitements sont d'ordre familial, il sera placé en dehors de son domicile dans un établissement approprié. Un encadrement thérapeutique et psychosocial est mis en place le plus rapidement possible. http://www.men.public.lu/catalogue-publications/themes-transversaux/droits-enfant/procedure-maltraitance/maltraitance-mineur/fr.pdf</p> <p>Enfin et à titre indicatif, il a été mis en place au Luxembourg un site internet qui résulte d'une collaboration entre ECPAT Luxembourg (ONG agréée par le ministère des Affaires étrangères et européennes, membre du réseau international ECPAT : End Child Prostitution Child Pornography and Trafficking of children for sexual purposes), le ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse, BEE SECURE, la Police Grand-Ducale et les autorités judiciaires de Luxembourg, ayant pour vocation de mettre un terme à l'exploitation sexuelle des enfants. La mise en place de ce site a été cofinancée par l'Union européenne et le Ministère des Affaires étrangères et européennes du Grand-Duché de Luxembourg dans le cadre du projet « Ne détournez pas le regard : restez vigilant et signalez l'exploitation sexuelle des enfants dans le voyage et dans le tourisme ! » http://www.childprotection.lu/</p>
Malta / Malte	<p>In such cases, relevant agencies cooperate and collaborate together to share information (with the consent of the persons involved) and coordinate support efforts. Such coordination takes place between Government agencies as well as civil society organisations involved in the case.</p> <p><u>Additional information sent on 25 March 2019:</u></p> <p>All minors identified by the Agency for the Welfare of Asylum Seekers (AWAS) are followed by a team of social workers. Any disclosure of sexual exploitation and sexual abuse identified by AWAS, the agency who accommodates accompanied and unaccompanied children is immediately referred to the Police and Appogg who are the National Agency for children, families and the community, who safeguards and promotes the well-being of these persons through the development and provision of psycho-social welfare services. AWAS will be also initialising a service whereby in this case children will be assessed for any trauma and provided with counselling and other therapies. AWAS also plans to increase further the number of social workers to offer a better service to these children.</p>

**Republic of
Moldova /
République de
Moldova**

Law No. 140 of 2013 on Special Protection of Children at Risk and Children Separated from Parents, as well as the Government Decision No. 270 of 2014 on Inter-sectorial cooperation mechanism for the identification, evaluation, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and child trafficking provides the corresponding procedure, as well as the authorities and structures in charge of the enforcement of these procedures.

Additional information sent on 10 April 2019:

As mentioned above, the unaccompanied minors who are asylum seekers or beneficiaries of international protection, benefit from the protection measures of children in distress situations and children separated from their parents under the same conditions as minors who are citizens of the Republic of Moldova.

Thus, for the implementation of the provisions of Law 140 of June 14, 2013 on the Special protection of children at risk and children separated from parents, the Government approved the Guidelines on the Inter-Sectoral Cooperation Mechanism for the identification, evaluation, referral, assistance and monitoring child victims and potential victims of violence, neglect, exploitation and trafficking (GD No. 270 of 08.04.2014, which provides for the cooperation framework of the institutions responsible for the respective field).

Additional information sent on 23 May 2019:

A short description of the mechanism for cooperation and collaboration of the different actors:

The Law 140/2013 provided the national legal basis that establishes the obligation of local and central public authorities, structures, institutions and services, within or subordinated to them, working in social assistance, education, health protection, law enforcement bodies, to send to the competent guardianship authority notifications on children at risk, as well as cases of abuse, neglect or exploitation of children in social services, health, educational, cultural facilities, to work with multidisciplinary teams during the initial and complex assessment of the child situation at the request of the local guardianship authority, and to develop and implement the customized care plan, carry out measures to prevent risk situations for children.

In order to implement the concerned provisions, Guidelines on intersectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation, trafficking, which target the professionals responsible for child protection (social workers, teachers, doctors, police officers) were approved by GD No 270 of 8 April 2014.

The joint Order of MLSPF, MoH, MoEd, MIA approved the Notification sheet of suspected case of violence, neglect, exploitation and trafficking of children - a unique and national referral guardianship authorities instrument, containing a standardized list of indicators and signs of violence, neglect, child exploitation.

The inter-sectoral mechanism involves the application of some specific tools that improve the efficiency of timely response to all cases of suspected abuse and application of special protection and assistance measures to ensure a protective environment for all children and meet their needs.

These tools include:

- Referral form of suspected case of violence against children – a document used for registration, reference and tracking of suspected cases of child abuse, neglect, exploitation and trafficking, in a single format for all institutions responsible for child protection. The referral form is filled out by the specialist who identified the suspected case of violence against the child and is sent to all the relevant professionals within 24 hours.
- Child protection interview – the first discussion with the child, during which the professional identifies the immediate needs of the child, the level of security, the child's trusted person/ persons and during which the professional informs the child about his/her rights, about the available support services and the protective measures to be applied.

	<p>- Professionals are provide methodological materials such as a compilation of national and international regulations, publications for professionals on the intervention in various cases of abuse, guidelines on how to implement the instructions for intersectoral cooperation mechanism for identification, assessment, referral, assistance and monitoring of child victims of abuse, neglect, exploitation and trafficking.</p> <p>- The inter-sectoral mechanism established a unique and comprehensive record of cases of abuse, neglect, exploitation, trafficking of children registered by experts from all involved sectors.</p>
<p>Monaco</p>	<p>Il existe une parfaite coordination et une efficiente proximité entre les différents services de l'Etat qui sont amenés à intervenir dans un tel cadre.</p> <p><u>Additional information sent on 25 April 2019:</u> La Direction de la Sûreté Publique n'a pas eu connaissance, jusqu'à présent, de situation d'abus dont un migrant mineur aurait été victime durant son parcours ou sur le territoire monégasque.</p> <p>Tout enfant isolé, touché par la crise des réfugiés, repéré sur le sol monégasque, est recueilli au sein de la seule structure d'accueil des mineurs existante en Principauté, à savoir le Foyer de l'Enfance Princesse Charlène. Dans ce cadre, une prise en charge globale (éducative/sanitaire/psychologique) de l'enfant est assurée.</p> <p>Dans l'hypothèse où la parole d'un enfant mentionnerait :</p> <ul style="list-style-type: none"> - un abus sexuel commis durant son parcours, le Foyer de l'Enfance Princesse Charlène organiserait et financerait sa prise en charge psychologique en faisant appel, si besoin, à un traducteur assermenté ; - un abus sexuel commis sur le territoire monégasque, <ol style="list-style-type: none"> 1. la personne ayant recueilli la parole de l'enfant aurait l'obligation de faire un signalement auprès du Procureur Général ; 2. l'auteur présumé serait suspendu sans délai de ses fonctions (dans l'hypothèse où l'auteur présumé serait un professionnel du Foyer de l'Enfance), selon le principe de précaution et ce, dès l'instruction ; 3. une prise en charge psychologique serait organisée et financée.
<p>Montenegro / Monténégro</p>	<p>There is a clear co-ordination of the work of the competent services when children seeking international protection are in question, from expressing the intent to the completion of the procedure upon his application. It involves a whole team of staff in order to provide adequate support and assessment at all stages of child protection. In this regard, this process involves police officers, social workers, psychologists, guardians, medical staff, interpreters, process leaders, UNHCR representatives, International Organization for Migration (IOM), all with the aim of providing full support to the child and clear organized action of all participants. The guardian is obliged to timely prepare an unaccompanying minor for the interrogation and to provide him with information on the meaning and consequences of the hearing.</p> <p>Pursuant to Article 40 of the Law on the International and Temporary Protection of Foreigners, the centre for social work shall assign to an unaccompanied minor, who states an intention to apply for international protection, a guardian trained to work with minors seeking international protection, and whose interests are not contrary to the interests of the minor. An unaccompanied minor shall immediately be informed of the appointment of a guardian.</p> <p>It is planned to adopt a binding document which will regulate the treatment of all actors involved in the organization of protection and support (Standard Operating Procedures), primarily in the interest of protecting the most vulnerable groups, refugee/migrant children, as well as for ensuring a continuous, coordinated, comprehensive and clear response to the needs of children.</p>

	<p>Such a document would aim to ensure smooth operation of the cross-sectoral approach to child protection, that is: all participants have a clear idea of the common goal in the child protection process, to have a good knowledge of the roles of their own and the basic role of other sectors, as well as their professional responsibilities in relation to these roles, to be well aware of ways of information exchange and consultation within and between sectors, accompanied by appropriate documents and feedback.</p> <p><u>Additional information sent on 21 December 2018:</u> As already mentioned, in practice, there is a clear cooperation and coordination of various institutions (Police Administration, Centre for Social Work, Reception and Accommodation Centre for Foreigners Seeking International Assistance, Health Institutions, in particular the Centre for Mental Health, the Court, and international organizations UNHCR, IOM, as well as the Montenegrin Red Cross). These authorities provide protection and support to every child, including children affected by the refugee crisis. After discovering of a victim of sexual abuse, a child who is a foreigner seeking international protection would have immediate support within the Reception and Accommodation Centre for Foreigners Seeking International Assistance (general practitioner, psychologist, social worker, educator, medical worker who are present every day), as previously answered in the context of recommendation R29. In addition to the state system, successful cooperation exists with the Red Cross of Montenegro, which by its mandate provides psycho-social support to vulnerable categories, thus covering all children of migrants, regardless of their status, i.e. whether their claims are in the process or have already achieved some kind of protection.</p> <p>In addition, we have previously discussed the adoption of a comprehensive document (Standard Operating Procedures) in the interest of protecting the most vulnerable group of children as well as to ensure a continuous, coordinated, comprehensive and clear response to the needs of children, for the treatment of all actors involved in organizing protection and support. As we stated in the answer to recommendation (R27), "Standard operating procedures (SOPs) for dealing with unaccompanied and/or separated children, with a special focus on proactive identification of potential victims of violence or human trafficking" have been adopted. As one of the forms of trafficking in human beings is sexual exploitation and abuse, this procedure defines clear steps for dealing with unaccompanied children. This SOP ensures successful communication and cooperation between relevant actors who have the mandate and obligation to act within the already established mechanism, and who have provided the necessary tools for identification and referral of these children, including children whose rights have been violated during the migration process. The steps involved in this procedure are: identification, registration and referral, accommodation, care and initial assistance, regulation of the status of a child separated from the parent or unaccompanied, family reunification - return, integration into the society - long-term assistance.</p>
<p>Netherlands / Pays-Bas</p>	<p>In addition to these measures, a new working method was developed in 2016 which, in short, focuses on multidisciplinary risk assessment of the minors in the protected shelter. The goal of this risk assessment is to determine if the minor can be expected to file a complaint, cooperate with an investigation or is able to tell his or story. The analysis is executed by several organizations: Nidos Foundation, the Central Agency for the Reception of Asylum Seekers (COA), JADE Foundation, the Expertise Center for Human Smuggling and Trafficking (EMM), and the Immigration and Naturalization's Service (INS). The analysis is drawn up to assess what kind of follow-up is appropriate and whether the minor needs additional guidance and protection.</p> <p>If there is an indication or a real suspicion of premature departure and/or occurrence of a suspicious situation, the unaccompanied minor will be placed in a protected shelter. In the protected shelter, welfare workers, guardians and human trafficking investigators work together under one roof. Protected shelters have additional security measures and supervision in place compared to normal reception centers. The purpose of the protected shelter is twofold: on the one hand protection against possible human trafficking and on the other hand the supervision of UAMs so that they can be 'disconnected' from human traffickers. If an employee knows that an UAM is planning on leaving the shelter, the staff of the shelter will try to convince the UAM to stay.</p>
<p>North Macedonia / Macédoine du Nord</p>	<p><u>Additional information sent on 22 March 2019:</u> Besides the positive legal framework, the Government of the Republic of Macedonia has also adopted two important documents: Standard operating procedures for dealing with unaccompanied children foreigners, and the Standard operating procedures for dealing with vulnerable categories of refugees. Both documents are carried out in close cooperation between the Ministry of Internal Affairs and the Ministry of Labor and Social Policy.</p>

Additional information sent on 20 December 2018:

All institutions in charge of implementing the laws are obliged to cooperate, and this cooperation is effectively implemented in practice. The practice of working in multifunctional teams and in close co-operation between governmental and non-governmental professional services, as well as among domestic and international experts has already been established and functional as well as at the level of implementation of the policy and at the level of the operational provision of services.

Additional information sent on 22 March 2019:

As a part of the basic services in the framework of the Reception-Transit Centers, the Ministry of Labor and Social Policy and the local centers for social work, had hired additional field social workers, with 24 hour presence at the transit centers. Social workers, through multi-functional teams and in collaboration with partner UN agencies and non-governmental organizations, carried out continuous supervision and individual interviews and assessments for each person, especially children registered in the frameworks of the transit centers. In this procedure, the social worker, together with a psychologist, a translator and, if necessary, a specialist on assessment in connection with a potential case of human trafficking, sexual exploitation and sexual abuse, makes social history with the aim of detection of the different indicators for the exposure to social risk. In that process, the social worker, also makes an analysis for the best interest of the child, after which, further steps are implemented for the protection of the child i.e. measures are implemented depending on the specific situation.

Taking into account the specifics of the migrant crisis and the need for appropriate approach and treatment of different categories of migrants, especially children affected by the refugee crisis, the border police uses the relevant tools aimed at identifying victims of sexual exploitation and abuse: Standard operating procedures for treatment in case of human trafficking, from the aspect of human trafficking with purpose of sexual exploitation and trafficking of children.

Police officers who carry out border control are familiar with the indicators for sexual exploitation and trafficking of children and pay particular attention to the indicators that are related to border crossings for land and air transport, as potential channels for trafficking in people.

Also, the members of the border police are familiar with the manner of treatment in the detection of victims of human trafficking, as well as with the assumed victims of human trafficking.

With the aim of improving the situation in this field, continuously are held trainings for the members of the border police, on the topics related to human trafficking and on the application of the national legislation and international standards.

Additional information sent on 27 March 2019:

The social worker, together with a psychologist, a translator and, if necessary, a specialist on assessment in connection with a potential case of human trafficking, sexual exploitation and sexual abuse, makes social history with the aim of detection of the different indicators for the exposure to social risk. In that process, the social worker, also makes an analysis for the best interest of the child, after which, further steps are implemented for the protection of the child i.e. measures are implemented depending on the specific situation.

If there is a case of human trafficking, sexual exploitation and sexual abuse, this will be reported to the police and the Public prosecutor and than further measures will be taken jointly to avoid child's revictimization. This multi-functional team will work with this child (victim) and this victim will be provided with a safe place / accommodation (foster families or special accommodation facilities, separate from adults' section). If the victim is a unaccompanied child than, in that case, it will be provided with guardian (through Ministry of Labor and Social Policy). This victim (with it's parent or guardian) will be informed of their rights and obligations and will be provided with legal assistance and support. The child victim has the right to special measures of procedural protection in giving statements and

	<p>examination at all stages of the procedure (using screens for protection of the victim and the witness from the defendant's view, hiding the identity, protection of the privacy of the child and his / her family, a video and audio record of the statement to be used as evidence...).</p>
Poland / Pologne	<p>Employees of the Department for Social Assistance of the Office for Foreigners together with the personnel of the Dajemy Dzieciom Się Foundation developed and introduced a program for protecting children against abuse in centers for foreigners operated by the Office. The program was developed as a result of a partnership project called “Chronimy dzieci w ośrodkach dla cudzoziemców” (We protect children in the centers for foreigners) co-funded from the European Asylum, Migration and Integration Fund (AMIF)</p> <p>The Department for Social Assistance pursues the main objectives set by the creators of the initiative through:</p> <ul style="list-style-type: none">- establishing and implementing the Children Protection Policy;- monitoring of employees and co-workers for possible abuse of children;- educating the employees in the field of child protection and assistance in crisis situations;- educating the parents in the field of non-violent upbringing of children and protection of children against violence and abuse;- educating the children on the rights of the child and protection against violence and abuse;- monitoring and periodical verification of compliance of the activities with the adopted rules of the Children Protection Policy. <p>Children protection is the most important element of cooperation between both institutions, and it was created within the framework of the project. This document is of key important when it comes to children protection in centers for foreigners, because it is the first to correctly identify the systemic actions of a preventive character, intended to educate on the protection of the rights of the child and minimization of the risk for children abuse. It is also of an interventionist nature, because it points to adequate steps to be undertaken by everyone who is involved in the case of suspicion or abuse against a child.</p> <p>The document, addressed to all employees and coworkers of the Office, sets the standards and procedures of conduct intended to:</p> <ul style="list-style-type: none">- raise awareness of the importance of protecting children from all forms of harm,- instruct and define procedures and responsibilities for all actions relating to child safety,- ensure safety of children through preventive measures. <p>A guidebook entitled <i>Chronimy dzieci w ośrodkach ochrony dla cudzoziemców</i> (We Protect Children in the Centers of Foreigners) was developed along with the Children Protection Policy. The guidebook, addressed to employees of the Department for Social Assistance of the Office for Foreigners, complements and explains the Children Protection Policy. Recognizing the importance of the document, internal courses for employees working in the centers and non-governmental organizations cooperating with them were conducted.</p>

	<p>According to the adopted documents, all employees of the Department and their coworkers (everyone who is willing to take up regular activity in the center), must sign:</p> <ol style="list-style-type: none">1. A declaration confirming their understanding of the Children Protection Policy, acceptance of its provisions, and their obligation of observing them;2. Clean criminal record statement regarding offenses against sexual freedom and decency, and against violent crimes to the detriment of minors. <p>At the same time, the Foundation employees organize: educational meetings for fathers and mothers who live in the centers, workshops for children and youth regarding avoidance of threats and violence from peers. There are also trainings for personnel from the center, regarding the problem of harming children.</p> <p>The local cooperation groups operate in each center, and such a group is composed of social workers, local police officers, medical personnel and representatives of the non-governmental organizations.</p>
Portugal	<p>No cases of sexual abuse or exploitation of refugee children are identified. Nevertheless, legal mechanisms and practices are established for this purpose.</p> <p>The Portuguese Asylum Law (article 17-A) established a mechanism of identification of special needs and vulnerability within the framework of international protection. The Portuguese Immigration and Borders Service (SEF) pays special attention to all the cases referred to in article 17-A, that is, applicants whose ability to exercise rights and fulfil obligations is limited because of personal circumstances, in particular because of their age, gender, sexual identity, sexual orientation, disability or serious illness, mental disorder, because they have been victims of torture, violation or other serious forms of psychological, physical or sexual violence.</p> <p>Portuguese authorities signal the situation and report it as a matter of urgent priority.</p> <p>At this level other steps are taken, i.e., the Portuguese Council for Refugees is currently developing a transnational project focused on creating mechanisms to satisfy these special needs and carry out an effective routing of protection seekers particularly vulnerable (project "Time for needs").</p> <p><u>With additional information sent on 21 March 2019:</u></p> <p>At the same time, in case children need medical care, the Portuguese National Republican Guard (GNR) <u>or the Public Security Police (PSP)</u> takes them to the nearest Hospital for proper <u>medical assistance and report immediately to the local institutions to provide social care, articulated to the national response mechanism to refugees.</u></p> <p>This new asylum law also guarantees the free translation of documents for asylum applicants with insufficient income as well as the right to make statements in the applicants' mother tongue, in conditions that assure due confidentiality.</p> <p>For this effect, minors and unaccompanied minors are also legally considered as asylum applicants with specific needs.</p> <p><u>Additional information sent on 21 March 2019:</u></p> <p><u>During the last years, the Portuguese Immigration and Borders Service (SEF) has consistently reported cases of African minors being brought to Europe, detected at the international border unaccompanied or accompanied by unrelated and uncooperative adults. The vast majority of such minors have been referred as victims of trafficking in human beings to the NRM. Under such NRM, children are granted immediate sheltering, medical and psychological care and access to education. The right to legal residence is assured by the issuance of residence permits, even when the minors identity and nationality isn't supported by formal ID or travelling</u></p>

documents. In compliance to Portuguese law, as soon as an unaccompanied minor is detected (at the border or not), the Family and Minors Court is informed so that a formal judicial protection file is open. SEF has created dedicated teams at the air borders, all of them acting under an SOP and a flowchart that has been developed to help police expedite all situations involving minors, with a special focus on minors who are presumably victims of trafficking. The Public Prosecutor's office has appointed an element to be an active partner of the Lisbon International Airport team. All actions taken towards the protection of the minors are guided by the acting principle of the "Protection of the Minor's best interest". Officers placed at the border have been receiving continuous training on Trafficking in Human Beings indicators (based on the FRONTEX dedicated manual), delivered by elements of the Anti-trafficking in Human Beings Unit of the Central Directorate of Criminal Investigation. Besides training delivery and investigative work, this Unit liaises with all the entities part of the NRM, namely with NGO's, towards the achievement of the common goal of providing a quick and suitable answer to the minors needs. NGO's are seen and treated as essential partners of the minor's protection scheme, and their presence is required as soon as an unaccompanied minor is detected by SEF in or trying to enter Portugal.

Concerning good practices, NGOs in Portugal developed guiding tools for professionals and citizens with the GNR collaboration. These tools, as technical resources, are a surplus for the GNR professionals and other staff who deal/may deal with these children. Once again, the GNR contributed to a booklet for professionals and staff working with refugee children.

GNR and the High Commission for Migration signed a Protocol in November of 2017 aiming at actively cooperating in the implementation and development of GNR's Migrant Support Program; sharing information and good practices, providing relevant and adequate initiatives to the target groups' challenges; and promoting awareness raising and training opportunities to local partners and the general public on deconstructing stereotypes and prejudices.

In February 2017, 98 GNR officers received training on "Cultural and Religious Diversity in Portuguese Society".

The Police of Public Security (PSP) has not foreseen any activity specifically designed for children from refugee groups who seek asylum in Portugal. However, in order to promote inclusion and contribute to local integration and interaction with these minority groups, in July 2016, PSP signed a Protocol with the High Commission for Migration to implement the "TOGETHER FOR ALL Programme". This programme aims "to contribute to the prevention of conflict in multicultural communities who may have some vulnerabilities, and also for the safety of all citizens regardless of their nationality or cultural belonging." Under the protocol, the PSP committed to «provide training to ACM professionals, on the legal framework that manages the police action, taking into account the main strategic and tactical guidance of Special Programs and relevant projects, under this Protocol, and how to articulate communication strategies with the PSP "and the High Commission committed to "provide training to elements of the PSP of the first two levels of intervention on the immigration phenomenon in Portugal, the national and cultural groups living in the country, the issue of diversity and intercultural dialogue (stereotypes, discrimination and ways to deal with difference)».²¹

The training activities foresee the participation of 1000 officers. Until April 2018, 47 sessions in the area of integration and cultural diversity have taken place, with the participation of 896 police officials and agents from all over the country.

In terms of the cooperation between the ACM and other relevant entities, we would like to highlight the Protocol between the ACM and the Portuguese Ombudsman. Being the National Human Rights Institution, with a status according with the Paris principles, the Ombudsman, has among other priorities, the work regarding the protection of minors.

²¹ <https://www.acm.gov.pt/-/acm-e-psp-juntos-por-todos->

	<p>In 2016, the cooperation continued to be as fruitful as in previous years, with the common goal of defining the rights of migrant citizens. As a concrete outcome, in 2016, there was the public launch of a brochure about migrants' rights in different languages: Portuguese, French, English, Romanian, Russian, Ukrainian and Mandarin</p>
Romania / Roumanie	<p>There is a framework for cooperation with specialized NGOs and UNHCR to provide appropriate assistance in situations involving sexually abused children.</p> <p>In view of the vulnerability and the increased risk of victimization of minors, there is a close co-operation between the police and other institutions as well as non-governmental organizations, not only in terms of identifying, investigating and prosecuting traffickers, but also insuring the first line of identifying victims (in general) and trafficked minors (in particular), and subsequently ensuring the security and protection of victims (including minors) involved throughout the process after their identification. In this sense, measures and actions are under way, in accordance with the National Mechanism for Identification and Referral of Victims of Trafficking in Human Beings, approved by Order no. 335 / 29.10.2007. In Chapter F. "REFERENCE PROCEDURES", point 6, concretely specifies the way in which child victims of trafficking in human beings are referred, including where the child victim is a foreign national.</p> <p>Under the current legislation, if the victim, child, is a foreign national, it will benefit without discrimination from the same assistance and protection measures as all children victims of trafficking in human beings.</p> <p>Also, according to Law no 272/2004 on the protection and promotion of the rights of the child, foreign diplomatic and consular missions have the obligation to notify the Ministry of Labor and Social Justice and the General Inspectorate for Immigration of all situations in which they are aware of foreign children living in Romania who are not, for any reason, accompanied by parents or by another legal representative, or are not under the legal supervision of some persons. In cases of auto-seizure, the Romanian authorities will promptly notify the competent foreign mission to the children concerned.</p> <p>In these situations, the Ministry of Labor and Social Justice, until the completion of the legal steps falling within the competence of the General Inspectorate for Immigration, shall request the Bucharest Tribunal to establish the child's placement in a special protection service proposed by the Ministry of Labor and Social Justice.</p> <p><u>Additional information sent on 17 April 2019:</u> <u>Government decision 49/2011 - on the approval of the Framework Methodology on multidisciplinary and networking prevention and intervention in child violence and family violence, and the Multidisciplinary and inter-institutional intervention methodology on children exploited and at risk of exploitation by work, child victims of trafficking in human beings as well as Romanian migrant children victims of other forms of violence on the territory of other states regulates the methodology of co-ordination and collaboration of the different actors who intervene in cases of child abuse.</u></p> <p><u>According to Government Decision no. 49/2011, Annex 1, child sexual exploitation and sexual abuse are considered emergency situations, thus to be reported immediately to General Departments for Social Assistance and Child Protection, using helplines – specially organized in each county and district of Bucharest for reporting emergency cases of any form of violence against children.</u> <u>Immediately after reporting, a mobile team – consisting of a social worker/ psychologist and police officer – verifies the situation (initial evaluation). It is supposed to get to place where the violence occurred within one hour maximum. Then they decide if it is or not a violence case. If suspicion persists, they decide as it is a case of violence against the child. Then they decide if the child needs emergency medical care and if the child may remain within the family or not. If the child cannot remain with the family, an emergency placement is decided.</u></p> <p><u>We quote below some of the relevant provisions of Government Decision no. 49/2011, Annex 1, regarding the principles of interdisciplinary intervention:</u></p>

”IV.2.1. Multidisciplinary and inter-institutional team

The situation of a child victim of violence may present complex issues related to the child, the family and the alleged perpetrator / perpetrator, so it is not enough and it is not advisable for a single professional to evaluate it. The same applies to the adult victim of domestic violence, which can cause housing problems, socio-professional reintegration and long-term recovery. Involvement of a multidisciplinary team in assessing these situations reduces pressure on the child and the adult and increases the quantity and quality of the data obtained and the relevance of the decision.

The multidisciplinary and inter-institutional team can intervene both in the evaluation process and for providing the specialized services.

There is no standard formula regarding the composition of the team according to its objectives - assessment or intervention - but there are some categories of professionals that are part of the minimum compulsory membership:

1. the social worker, who is usually the case manager (if he has the powers required by the law);
2. the psychologist (usually from a department / specialized department of DGASPC);
3. the doctor (usually from a specialized department of DGASPC). In the case of a child victim it is recommended to include a specialist pediatrician in the team; in case of need, it may request specialized medical examination and / or forensic examination in accordance with the legislation in force. In the case of the adult victim, it is advisable to include in the team a doctor from the emergency service in situations requiring such intervention or a doctor in the unit for preventing and combating domestic violence; as appropriate, doctors of other specialties will be consulted: gynecology-obstetrics, psychiatry etc.;
4. the policeman. Depending on the typology of the case, one or more police officers may work together, including within the following structures: Criminal Investigations, Public Order (Proximity Police and Police), Analysis, Prevention and Research, Criminal Investigation and Combating Organized Crime, as well as the police officer who is a member of the Child Protection Commission (CPC).
5. the jurist (as a rule, DGASPC jurist).

It is recommended that the social assistant, psychologist and lawyer be employed by the DGASPC and that the doctor and the policeman participate in the regular meetings of the team by delegation from their own institution and at the invitation of the case manager. The DGASPC may conclude collaborative agreements with the institutions of the multidisciplinary team members by providing a list of individuals who may be part of the team at a given time, as the case may be. Team participation will be part of the job tasks and their responsibilities within the team will be included in the job descriptions. If necessary, the child's teaching staff and / or school counselor may be invited to the multidisciplinary team (compulsory for labor exploitation, child trafficking, and the repatriation of Romanian migrant children victims of other forms of violence on the territory of other states).

In addition to the members of a minimally formed team, other professionals may also be involved who, through their professional training or vocation, can bring added value to the services provided by the multidisciplinary team. Thus, these professionals become members of the intervention network and can be:

- a) teachers;
- b) forensic physicians;
- c) specialized therapists;
- d) probation counselors;
- e) lawyers;
- f) priests;
- g) caregiver;
- h) the child's reference person.

The case manager is the one that ensures the coordination of the multidisciplinary team and the provision of services by the other professionals in the intervention network and will be informed about each stage of the case.

	<p>During case management, at least weekly meetings of the multidisciplinary team are recommended, with the case manager being convened. At these meetings, depending on the situation, professionals from the intervention network can also participate.”</p> <p>* Note: DGASPC is acronyms for the General Directions of Social Assistance and Child Protection, which are organized at regional level in the country.</p>
Russian Federation / Fédération de Russie	<p>Strengthening and development of interdepartmental coordination of assistance to children is carried out on the basis of the following normative documents</p> <ul style="list-style-type: none">- Federal Law of December 28, 2013 N 442-FZ "On the Basics of Social Services for Citizens in the Russian Federation" <p>Article 21 defines a list of urgent social services, which include provision of food, basic necessities, assistance in obtaining temporary accommodation, legal and emergency psychological assistance</p> <p>Examples of coordinating structures:</p> <ul style="list-style-type: none">- Governmental Commission for Minors Affairs http://government.ru/department/159/about/ is a coordinating body to ensure a unified state approach to the agenda on protecting rights and legitimate interests of minors; coordinates the activities of federal executive bodies and executive authorities of the constituent entities of the Russian Federation related to ensuring the implementation of legislation in the field of prevention of minors’ neglect and delinquency- Coordinating Council under the Government of the Russian Federation http://government.ru/docs/33272/ for the implementation of activities under the program "Decade of Childhood" to ensure the interaction of federal government bodies, state authorities of the Russian Federation entities, local governments, scientific, public, other organizations (Decree of the Government of the Russian Federation No. 823, July 14, 2013) <p>Urgent social services and rehabilitation support, for refugee children included, are provided in concrete centers of social rehabilitation and support, examples of the centers are:</p> <ul style="list-style-type: none">- "Social and Rehabilitation Center for Minors No. 1" of the Tula Region http://www.srcn1-tula.ru/socsoprov.htm- "Urai Social and Rehabilitation Center for Minors" http://scuray.ru/socialnoe-soprovozhdenie/- Budgetary institution of the Omsk region "Center for Social Assistance to the Family and Children (with a Social Hotel) provides temporary residence (beds) to citizens with minor children who have been victims of local wars, interethnic conflicts, http://cspsd-gostinica.wixsite.com/centr-gostinica-omsk/contact- State autonomous institution of further education of Perm Krai "Center for psychological and pedagogical and medico-social support" http://soscentrpk.ru- Smolensk Social and Rehabilitation Center for Minors "Phoenix" http://www.smolfeniks.ru/ Specialists of the service take part in investigative actions and rehabilitation activities. <p>The center specialists take part in investigative actions and rehabilitation activities.</p> <p><u>Additional information sent on 8 May 2019:</u> Preamble Previously, the Russian Federation has already sent information about the legislative base of the Russian Federation and current federal projects under which all children-citizens and non-citizens of the Russian Federation have equal rights and protection from violence, including sexual one. Regarding the above reply, the Russian Federation received an official note that no specific information was provided. We hereby confirm once again that the legislation of the Russian Federation regards all children as subjects of equal rights in the territory of the Russian Federation. <u>There is no need for specific regulation of activities on interagency cooperation for particular refugee minors as due to current statistics on minor refugees.</u></p>

According to the data of the Ministry of Internal Affairs of the Russian Federation in 2018, 60 (2017 - 90, 2016 - 149) children were included by their parents into the applications for refugee status recognition.

Petitions of minors who arrived in the territory of the Russian Federation unaccompanied by their parents or guardians were not received by the territorial bodies of the Ministry of Internal Affairs of Russia in 2018.

The number of children included by their parents in the applications for temporary asylum on the territory of the Russian Federation in 2018 is 1,506 (2017 - 2,839, 2016 - 4,627).

The number of minors who arrived in the territory of the Russian Federation unaccompanied by their parents or guardians, and who applied for temporary asylum in 2018 is 4 (2017 – 5. 2016 - 59).

Interagency cooperation takes place with regard to every case which is subject to examination due to the fact of suspicion of sexual violence against minors, including minor refugees or minors with temporary asylum/residence status.

Taking into account the note on insufficient information at the session in March 2019, we hereby provide the clarification on our reply to Recommendation 29.

The request for information clarification concerned the following points:

How cooperation and collaboration operate when there is a case of sexual exploitation or sexual abuse of a child affected by refugee crisis, with the aim to provide him/her with immediate support just after the child discloses he/she is a victim of sexual exploitation or sexual abuse?

1. Legal grounds for interagency cooperation

The Procedure was developed in accordance with:

- the Constitution of the Russian Federation,
- the Family Code of the Russian Federation,
- the Federal Law of July 24, 1998 No. 124-FZ "On Basic Guarantees of the Rights of the Child in the Russian Federation",
- Federal Law of 24 June 1999 No. 120-ФЗ "On the basis of the system for the prevention of neglect and juvenile delinquency" (hereinafter - Federal Law No. 120-FZ),
- Federal Law of July 27, 2006 No. 152-ФЗ "On Personal Data",
- Federal Law of April 24, 2008 No. 48- Federal Law "On Guardianship and Guardianship",
- Federal Law of February 7, 2011 No. 3-ФЗ "On Police",
- Federal Law of June 21, 2011 No. 323-FZ "On the Principles of the Protection of Citizens' Health in the Russian Federation",
- Federal Law of December 29, 2012 No. 273-FZ "On Education in the Russian Federation",
- Federal Law of December 28, 2013 No. 442-FZ "On the Principles of Social Services for Citizens in the Russian Federation",
- Decree of the Government of the Russian Federation of November 6, 2013 No. 995 "On Approval of the Approximate Provision on Commissions on cases of minors and protection of their rights",
- other regulatory legal acts of the Russian Federation.

2. The administrative background for interagency cooperation

In the Russian Federation there is an administrative background for interagency cooperation that is verbalized in the document in force under the title:

PROCEDURE FOR INTERAGENCY COOPERATION IN IDENTIFYING, PREVENTING AND ELIMINATING VIOLATIONS OF THE RIGHTS AND LEGITIMATE INTERESTS OF MINORS.

This Procedure was developed and approved in the set manner in accordance with clause 4.2 of the Protocol of the Security Council of the Russian Federation operational meeting dated March 28, 2017 and sub-clause of clause 1 of the minutes of the meeting of the Government Commission on Minors' Affairs and their Rights Protection, the document dated by December 21, 2016 No 14.

Further text of Russia's detailed reply to recommendation 30 reproduces key points of the mentioned document.

3. Subjects to interagency cooperation

The following bodies and institutions of the system for the prevention of child neglect and juvenile delinquency take part in interagency cooperation in identifying, preventing and eliminating violations of the rights and legitimate interests of minors:

- a) the commission on minors' affairs and protection of their rights;
- b) the bodies of management of social protection of the population and institutions of social services;
- c) healthcare authorities and medical organizations;
- d) bodies and institutions for youth affairs;
- e) guardianship bodies;
- f) educational management bodies and organizations carrying out educational activities;
- g) employment service agencies;
- h) law enforcement bodies (divisions for minors, temporary detention centers for minors, other divisions);
- i) institutions of the penitentiary system (pre-trial detention centers, educational colonies and criminal executive inspections).

The Commissioner under the President of the Russian Federation on the rights of the child, the Commissioners on the rights of the child in the entities of the Russian Federation, the Commissioners in other bodies, institutions and organizations also take part in the interagency cooperation within their competence in the manner established by the legislation of the Russian Federation and (or) the legislation of the subjects of the Russian Federation.

4. Levels of coordination

The coordination of the interagency cooperation of bodies and institutions of the system for the prevention of neglect and juvenile delinquency is carried out:

- at the level of the constituent entity of the Russian Federation – by the commissions on the minors' affairs and the protection of their rights, created by the highest executive bodies of state power of the constituent entity of the Russian Federation, these commissions operate in the territories of the respective subjects of the Russian Federation;
- at the level of urban settlements, municipal districts, urban districts, urban districts with intracity division, intracity districts, intracity territories of cities of federal importance to these constituent entities of the Russian Federation – by territorial (municipal) commissions on minors' affairs and the protection of their rights.

5. Main stages of interagency cooperation are

- a) identification of the facts (signs) of violations of the rights and legal interests of minors;
- b) decision on the need for interagency cooperation in organizing assistance activities in the framework of individual preventive work in relation to minors, their parents or other legal representatives of minors in accordance with Federal Law No. 120-ФЗ (hereinafter - measures to assist minors, their parents or other legal representatives);
- c) analysis of the causes of the revealed violations of the rights and legal interests of minors, the development and approval of an interagency plan (program) for organizing and conducting activities to assist minors, their parents or other legal representatives (hereinafter referred to as the interagency plan);
- d) implementation of the interagency plan;
- e) decision on the termination of activities to assist minors, their parents or other legal representatives.

6. The procedure for identifying the facts (signs) of violations of the rights and legitimate interests of minors

6.1. The identification of facts (signs) of violations of the rights and legitimate interests of minors is carried out by the bodies and institutions of the system for the prevention of neglect and juvenile delinquency upon the information received from individuals and (or) legal entities, from the media, including information posted on the Internet information and telecommunications network, from other publicly available sources, during:

- 1) the performance of the agencies' main activities;
- 2) interagency measures (monitoring, visits to families, interviews with children, other activities) to prevent neglect, juvenile delinquency and social orphanhood.

6.2. The bodies and institutions of the system for the prevention of neglect and juvenile delinquency, which revealed the facts (signs) of violations of the rights and legal interests of minors:

- a) within their competence, take immediate action to ensure the observance of the rights and legitimate interests of minors, to protect them from all forms of discrimination, physical or mental violence, insult, ill-treatment, sexual and other exploitation;

b) in accordance with clause 2 of Art 9 of Federal Law No. 120-FZ, the relevant authorities immediately provide exchange of information on the relevant facts and circumstances thereof;

c) send information to the territorial (municipal) commission on minors' affairs and the protection of their rights.

6.3. The circumstances that contain evidence on the violation of the rights and legitimate interests of children, the need for the parties to the interagency cooperation to provide and exchange information may include the following:

a) the abuse of alcohol by parents or other legal representatives of minors, the use of narcotic drugs or psychotropic substances;

b) involvement of children in illegal or antisocial actions (begging, vagrancy, etc.);

c) signs of parental/other legal representatives abuse with the child (children), expressed, in particular, in the exercise of physical or mental violence against them, in the attempt to affect their sexual integrity;

d) neglect, rude actions, degrading treatment, insult or exploitation of children;

e) lack of care for a child that is required due to psychological needs of the child in accordance with his/her age and health conditions;

f) complete or partial loss by parents (other legal representatives) of control over the behavior of children, other actions or inaction leading to harm to the physical and mental health of children, their moral development;

g) failure to provide medical assistance to children;

i) other circumstances that violate the livelihood of children, the implementation of their rights and legitimate interests;

6.4. The information on the identification of facts (signs) of violation of the rights and legitimate interests of minors is immediately (within 24 hours) submitted by any staff of the bodies and institutions mentioned above to the officer in charge appointed by the head of such bodies and institutions (hereinafter referred to as officer), for registration in the info message log file. This file contains the data on the minor personal info, abuse event, actors to the event.

6.5. After registering the relevant information, the officer immediately sends information on the identification of facts (signs), violations of the rights and legitimate interests of minors to the chairperson of the territorial (municipal) commission on minors' affairs and protection of their rights, either to the deputy chairperson or the responsible secretary of the specified commission by phone with the subsequent transfer of such information in writing and by the e-mail.

6.6. The Executive Secretary of the Territorial (Municipal) Commission on minors' affairs and protection of their rights registers the information in the set order.

6.7. According to the instructions of the chairperson (deputy chairman) of the territorial (municipal) commission on minors' affairs and the protection of their rights, the above information is subject to immediate examination, followed by the meeting of the mentioned commission that considers the measures to be taken.

6.8. The information is stored and used in a manner that ensures its confidentiality.

6.9. When the bodies and institutions of the system for the prevention of neglect and juvenile delinquency identify cases of violations of the rights and legal interests of minors, identify signs or proof for a threat to the life and health of the child, emergency measures are taken to ensure the safety of the child.

7. Decision on the need/ no need for interagency cooperation in organizing events to assist minors and their parents or other legal representatives

7.1. The territorial (municipal) commission on minors' affairs and the protection of their rights at a regular or extraordinary meeting, on the basis of the documents submitted:

a) makes a decision in the form of a regulation on the need/no need for interagency cooperation in organizing and conducting activities to assist minors, their parents or other legal representatives;

b) if there is a need for interagency cooperation on organizing and conducting activities to assist minors, their parents or other legal representatives, within three working days, sends a resolution to analyze the causes of a violation of the rights and legal interests of minors and prepare proposals to the draft interagency plan to the relevant department, taking into account its competence and on the basis of the nature of the violation of the rights and legitimate interests of the child (s);

c) if there is no need for interagency cooperation in organizing and conducting activities to assist minors, their parents or other legal representatives, within three working days, sends a resolution to the body or institution of the system for the prevention of neglect and juvenile delinquency, to take appropriate measures within the established competence or to take into account their particular work.

8. Analysis of the causes of violations of rights legal interests of minors, development and approval of an interagency plan (program) for organizing and conducting activities to assist minors and their parents or other legal representatives

8.1. The body or institution of the system for the prevention of neglect and juvenile delinquency, upon receiving the above resolution:

- a) collects information about a minor, his/her parents or other legal representatives and persons living with them;
- b) analyzes the capabilities of parents or other legal representatives to protect the rights and legitimate interests of the child;
- c) in cooperation with other bodies and institutions of the system for the prevention of neglect and juvenile delinquency, with the engagement of parents or other legal representatives of minors, drafts an interagency plan;
- d) submits an interagency plan draft to the territorial (municipal) commission on minors' affairs and their rights protection for approval.

8.2. The territorial (municipal) commission on minors' affairs and the protection of their rights for a period of not more than five working days approves the interagency plan and determines the bodies or institutions of the system for the prevention of neglect and juvenile delinquency, responsible for the implementation of this plan, and the procedure for monitoring its execution.

8.3. The interagency plan, approved by the resolution of the territorial (municipal) commission on minors' affairs and their rights protection, is sent within three working days for execution to the appropriate bodies and institutions of the system for the prevention of neglect and juvenile delinquency.

9. Implementation of the interagency plan (program) to organize and conduct activities to assist minors, their parents or other legal representatives and monitor its implementation

9.1. Heads of bodies and institutions of the system for the prevention of neglect and juvenile delinquency organize the execution of an interagency plan within their competence.

9.2. The officer in charge of the body or institution of the system for the prevention of neglect and juvenile delinquency, in order to coordinate the implementation of measures:

- a) collects and analyzes information from other bodies and institutions of the system for the prevention of neglect and delinquency of minors involved in the implementation of the interdepartmental plan for its execution;
- b) interacts with the parents (other legal representatives) of the minor;
- c) in cooperation with the bodies and institutions of the system for the prevention of neglect and juvenile delinquency, within their authority, monitors the dynamics of changes in the living conditions of the child (children).

9.3. The control over the implementation of the interagency plan (interim and final) is carried out in the manner set out by the territorial (municipal) commission on minors' affairs and the protection of their rights.

10. Termination of activities aimed to assist minors, their parents or other legal representatives

10.1. According to the results of monitoring dynamics of changes in the living conditions of a child (children), the effectiveness of assistance provision to a family and a child (children), the territorial (municipal) commission on minors' affairs and the protection of their rights:

- 1) considers the results of the activities of bodies and institutions of the system for the prevention of neglect and juvenile delinquency in assisting minors, their parents or other legal representatives;
- 2) makes one of the decisions in the form of a regulation:
 - a) on the continuation of activities under the approved interagency plan;
 - b) on changes and (or) additions to the interagency plan and continuing work on it;
 - c) on the termination of activities aimed to assist minors, their parents or other legal representatives.

10.2. The respective resolution of the territorial (municipal) commission on minors' affairs and the protection of their rights, with regard to the interagency interaction termination is issued and adopted in the following cases:

- a) the elimination of the causes and conditions of violation of the rights and legitimate interests of minors;
- b) the child reaches the age of 18;
- c) the deprivation of parental rights;

d) change of the family residence place;
e) the death of parents or other legal representatives of the child (children);
f) the existence of other motivated reasons by decision of the territorial (municipal) commission on minors' affairs and their rights protection;
g) the existence of other circumstances stipulated by the legislation of the Russian Federation.

In case of a change in the family residence place the chairman (deputy chairman) of the territorial (municipal) commission on minors' affairs and their rights protection within no more than three working days from the date of issuance of a regulation providing for a decision to terminate assistance activities for minors, their parents or other legal representatives, information on the decision is sent to the territorial (municipal) commission on minors' affairs and their rights protection, which holds the territorial jurisdiction of the new place of family residence.

10.3. The above-mentioned resolution of the territorial (municipal) commission on minors' affairs and the protection of their rights is sent within three working days to the bodies and institutions of the system for the prevention of neglect and juvenile delinquency, participating in the implementation of the interagency plan.

11. Emergency measures to ensure the safety of the child

11.1. The guardianship and custody body within the course of the execution of its activities, as well as upon receiving from other bodies and institutions of the system for the prevention of neglect and delinquency of minors and other citizens information about a child (children) who is (are) in a situation that represents a direct threat to his/her life or health:

- 1) arrives at the place of residence (location) of the child (children);
- 2) conducts an investigation of the living conditions of a minor and his/her family in order to identify the circumstances indicating the creation by the parents (one of them) or by other persons in charge of the child (children), by their actions or inaction, conditions that pose an immediate threat to the life or health of the child (children), and draws up an inspection report in the form approved by the Ministry of Education and Science of the Russian Federation;
- 3) in case of identifying circumstances that indicate an immediate threat to the life or health of the child (children), immediately:
 - a) prepares an act on the removal of the child (children).The act of the child (children) removal is signed by an authorized officer of the guardianship and custody body of a constituent entity of the Russian Federation or the head of a municipality (if under the law the local bodies are vested with powers of custody and guardianship);
 - b) takes measures to remove the child (children) away from their parents (one of them) or from other persons in whose care he/she is, and if necessary, summons officers of the internal affairs bodies to ensure prompt access to the place (room) where the child (children) is located. If necessary, ensures medical care provision through the address to the medical organization;
 - c) notifies the prosecutor in writing of the removal of the child (children);
 - d) ensures the transfer of the child (children):
 - in the case of the removal of the child (children) from one of the parents or from other persons in whose care he/she was; if it is impossible to transfer a child (children) to one of the parents, he organizes the temporary placement of the child (children) in accordance with the legislation of the Russian Federation in a specialized institution for minors in need of social rehabilitation, a medical organization and informs the management body of social protection of the population for individual preventive work;
 - in the case of the removal of the child (children) from a single parent or both parents, organizes the placement of the child (children) in a family of citizens of the Russian Federation (custody or guardianship, in a foster family or in cases provided for by the laws of the constituent entities of the Russian Federation, in the patronage family), and in the absence of such a possibility temporarily, for a period prior to the placement in the family, placed the child under the supervision of the organization for orphans and children left without parental care.Brothers and sisters in case of their removal are transferred to one family or placed in one organization for orphans and children left without parental care, except in cases where it is contrary to their interests;
- 4) in the case of the child removal from a single parent or both parents, registers within three working days from the date of the adoption of the act on the child (children) removal, the information in the primary log file on children left without parental care;

	<p>5) within seven days after the approval of the act on the removal of the child (children), the officer goes to court with a claim to deprive the parents of their parental rights or to limit their parental rights;</p> <p>6) when identifying violations of the rights and legitimate interests of the child (children) not connected with an immediate threat to his/her life or health, the officer submits the information about the identification of facts (signs) of violations of the rights and legal interests of minors in the set manner.</p> <p>11.2. The body of law enforcement agency in the course of the execution of its activities considers the issues of a neglected child (children), including those who</p> <ul style="list-style-type: none"> - got left without parental care or that of legal representatives; - got lost or abandoned, including minors who left the family without permission; - left the organization for orphans and children or another children's institution; - have no place of residence, place of stay and (or) the essentials; - live in a family in a socially dangerous situation: <p>1) takes measures to establish the identity of a neglected and homeless child (children), as well as the identity of his/her parents or other persons, whose care he/she is subject to;</p> <p>2) ensures the transfer of a child (children) to parents (one of them) or to other persons whose care he/she is subject to;</p> <p>3) when it is impossible to transfer a child (children) to parents (one of them) or to other persons whose care he/she is subject to, delivers an unattended and homeless child (children) to a specialized institution for minors in need of social rehabilitation, medical organization and, if necessary calls for health officials. Transfer is carried out in the manner established by the Ministry of the Interior of the Russian Federation and the Ministry of Health of the Russian Federation. Transfer and temporary placement of brothers and sisters who need social rehabilitation, medical care is provided to one specialized institution for minors, to a medical organization, except in cases when it is contrary to the minors' interests;</p> <p>4) immediately notifies the social welfare authority (and the guardianship and custody agency, in case of a minor without parental care) of the transfer of a child (children), with the view to individual preventive work being organized;</p> <p>5) within three working days from the date of the transfer of a neglected child (children) to a medical organization, or to a specialized institution for minors in need of social rehabilitation, it sends to the territorial (municipal) commission on minors' affairs and the protection of their rights the information on the measures that have been taken to protect the rights and ensure the safety of the child (children);</p> <p>6) the child (children) who have been brought by the law enforcement body to a medical organization or a specialized institution for minors in need of social rehabilitation, can be transferred to parents or other persons whose care he/she/they are subject to, if there are no obstacles to the return of the child (children) to their parents/legal representatives, and if the child (children) belongs to the category of orphans and children left without parental care, under the agreement with the guardianship body.</p> <p>The basis for refusal to transfer the child (children) to parents or other persons, whose care he/she was subject to, might result from the checks which social welfare authority or the guardianship and custody body conducted with regard to the child (children) living and residence conditions, interviews with minors, with further conclusions that minors' living and residence conditions threaten his/her life, health and development.</p> <p>The social welfare body, and the guardianship and custody body (if the child/children belongs to the category of orphans and those left without parental care), sends the information to the territorial (municipal) commission on minors' affaires and the protection of their rights about the fact of the transfer of the child (children) to parents or other persons under whose care he/she/they were (are) subject to.</p> <p><i>In conclusion the Russian Federation officially points out that in view of the opinion on the lack of structures and procedures, that would specifically deal with refugee children and their protection in cases of sexual violence.</i></p> <p><i>The Russian Federation, bearing in mind the earlier mentioned statistics, legislation, administrative regulations and their implementation with regard to refugee minors in the country, reserves the right to challenge such conclusions as going beyond the text of the Lanzarote Convention.</i></p>
<p>San Marino / Saint-Marin</p>	<p><u>Information sent on 4 March 2019:</u> Il n'y a plus de mineurs - accompagnés ou non - présents sur le territoire de la République de Saint-Marin depuis avril 2018.</p>

	<p>En effet, les mineurs qui étaient arrivés avec leurs familles par les couloirs humanitaires sont partis vers d'autres pays avec leurs familles. Les mineurs non accompagnés, arrivés eux aussi grâce aux couloirs humanitaires depuis l'Italie, sont devenus majeurs entre-temps et sont parfaitement intégrés dans notre société, après avoir reçu toute l'assistance nécessaire.</p> <p>Ils avaient été l'objet d'un suivi, au préalable par les autorités italiennes et les ONG "Papa Giovanni XXIII" et "Comunità Sant'Egidio" qui les avaient accueillis, et ensuite par les services compétents saint-marinais, mais aucun cas d'abus n'avait été signalé (d'autres types de violence, mais non sexuelles).</p> <p>En ce qui concerne les recommandations urgentes, les n. 18, 27, 29, 30 et 33, nous pouvons affirmer que, hypothétiquement, les mêmes dispositions que pour tous les autres cas de mineurs victimes d'abus sexuels seraient appliquées.</p> <p>L'approche des services compétents à Saint-Marin se fait au cas par cas, selon les besoins et situations personnelles.</p> <p>La rec n.30 est appliquée de tout temps.</p> <p><u>Additional information sent on 11 April 2019:</u> Saint-Marin a la chance de pouvoir procéder au cas par cas. On peut décider du mécanisme le plus adéquat en rapport à l'examen du cas spécifique. Si nous avons besoin d'une expertise particulière, nous la recherchons et nous nous la procurons, même d'en dehors du territoire. C'est ce que nous faisons pour tout ce qui concerne les mineurs à vrai dire : adoptés, en séparation conflictuelle, victimes de violence, avec des désordres alimentaires, toxicomanes, etc.</p>
Serbia / Serbie	<p>There are several possibilities. In case of reported sexual victimization, first step is removal from dangerous surrounding. Child could be transferred in other collective center with higher safety guarantee, or it could be protected in foster care or institution which is specialized to temporary host children which were the victims of any form of family violence. (Institution is suited in Belgrade). Being a capital Belgrade has different resources in health protection and social protection system to offer basic or even "in deep" consulting and assistance to victims. Similar resources are available in larger cities like Novi Sad, Nis, Kragujevac etc. Each center for social work are capable to offer a basic support, while in larger cities there are specialized services of intensive family support (so called family support worker), which is in fact intensive "outreach social work". All these activities are coordinated through guardian and his/hers center for social work.</p> <p><u>Additional information sent on 21 December 2018:</u> When following-up on the decisions, and to protect unaccompanied children, in addition to a representative of the system, civil sector is involved in a manner as foreseen under a plan of services and actions developed on case by case basis, for every individual child.</p> <p>It is essential to note that there are several regulatory bodies in the Republic of Serbia which monitor and supervise centres social work – among which are the line ministry, Ombudsman, Equality Commissioner, Commissioner for Information of Public Importance and Personal Data Protection, etc.</p> <p>In our everyday work, we greatly benefit from the cooperation with the NGOs active in the field.</p> <p><u>Additional information sent on 10 April 2019:</u> During the reception and accommodation of asylum seekers and migrants into asylum and reception centres, there is permanent assessing and identification of special needs. This includes screening for the potential victims of sexual abuse. Also, in accordance to the Commissariat Procedural Guide, employees of the centres are obliged to use EASO tool for identification of persons with special needs (IPSN). The primary objective of this tool is to facilitate the timely identification of persons with special procedural and/or reception needs. It may be used at any stage of the asylum procedure and at any stage of the reception process.</p>

	<p>For faster and easier response and coordination in such situations, Standard Operating Procedures for the Protection of Refugees and Migrants Children, Standard Operating Procedures for the Prevention and Protection of Refugees and Migrants from Gender Based Violence (including boys on the move), Standard Operating Procedures for the Treatment of Trafficking Victims are developed. Employees in asylum and reception centres have been trained both for the use of EASO toll and for the implementation of these procedures. Implementation of those tools provide rapid screening and preliminary identification of highly vulnerable refugee and migrant children and appropriate referral according to the procedures.</p> <p>Given that prevention of and response to GBV require a joint synchronised approach by all stakeholders involved in addressing this issue, the SOPs are to be used by all institutions and organisations operating along the migrant route, as well as by those extending care and assistance to migrants in Serbia, primarily: local Minimum Standards for Prevention and Response to Gender-Based Violence in Emergencies, UNFPA, police stations, out-patient health care clinics, social welfare centres and other social welfare institutions providing accommodation services, as well as family accommodation and adoption centres, the Centre for the Protection of Human Trafficking Victims, the Commissariat for Refugees and Migration, the Red Cross of Serbia, UNHCR, UNICEF, and international and local CSOs.</p> <p>In relation to all of the foregoing, if it is recognized that the child asylum seeker or migrant has suffered sexual exploitation and sexual abuse, the police, Centre for Social Work (guardian), doctor on duty (local health centre or medical checkpoint in the asylum or reception centre), are instantly informed. That child, like other citizens of the Republic of Serbia, will be placed in foster families, as well as in other shelters intended for the care of these children, all in the best interests of the child and in the same standard and protocols as for the nationals.</p>
<p>Slovak Republic / République slovaque</p>	<p>According to Article 33 para 2 of the Act no. 274/2017 Coll. on the victims of criminal offences and on the change and supplements of some acts (as stated above, the pertinent Act came into force in October 2017 and became effective on 1st January 2018), Ministry of Labour, Social Affairs and Family of the Slovak Republic ensures coordination and creation of systemic measures in the area of prevention from the domestic violence and violence against children. The Ministry issues methodological guidelines for these purposes.</p> <p>On 11th October 2017, the Government of the Slovak Republic adopted the updated National Strategy on the Protection of Children against Violence (<u>National Coordination Centre for Resolving the Issues of Violence against Children</u> is primarily responsible for <u>implementation of the Strategy</u>). The key goals of the Strategy (from which many various tasks and duties resulted) are as follows: the creation of national coordination framework for the resolving the issues of violence against children, ensuring the systematic monitoring and evaluation of systems of protection of children against violence, preventing from institutional and systemic violation of rights of child, ensuring the professional and qualitative performance of the politics in this area and raising awareness about the issue of violence against children. Preparation of the updated National Strategy on the protection of Children against Violence started in January 2017 <u>in cooperation with representatives of relevant state authorities (Ministry of Interior, Ministry of Justice, Ministry of Labour, Social Affairs and Family, Ministry of Education, Science, Research and Sport, Ministry of Health, Ministry of Culture), General Prosecution of the Slovak Republic as well as with active participation of non-governmental organisations’ representatives</u>. The implementation of Strategy goals establishes further cooperation of the above-mentioned stakeholders as well as other relevant entities depending on the specifics of the tasks to be carried out. Within the implementation of the updated Strategy, it is of utmost importance <u>to further develop the system of coordination of the protection of children against violence on national, regional and local level focused on strengthening the prevention, to continuously support the systematic education of employees of relevant authorities and entities, to ensure the raising awareness about this issue aimed at promotion of tools for help as well as to build capacities in the area of supportive services for child victims of violence</u>.</p> <p>In line with the strategic goal of the updated Strategy „to create national coordination framework for the resolving the issues of violence against children“ and its specific tasks “to develop coordination of national policies and measures concerning with the issues of violence against children” and “to develop coordination mechanism of protection of children against violence on local and regional level”, together with the strategic goal “to prevent from institutional and systemic violation of rights of child” with specific task “to prepare and coordinate programmes of universal and selective prevention from violence against children on local</p>

level”, the National Project Support on the Protection of Children against Violence was adopted on 23st of October 2017. The project aims at rebuilding the system on the protection of children against violence through systemic coordination of entities involved in tasks related to the protection of children (authorities of socio-legal protection of children and social guardianship, the Police Force of the Slovak Republic, prosecution, courts, schools and school facilities, health- care providers, accredited entities in line with the Act no. 305/2005 Coll. on the socio-legal protection of children and social guardianship, municipalities) to ensure effectiveness of these entities in resolving the issues of violence against children (in the area of prevention, identification and intervention). The National Project has created new positions of local coordinators on the protection of children against violence with task to support and develop mutual communication among these entities, to organise and facilitate work meetings of the entities to deepen their cooperation in general as well as in the framework of individual cases, to identify needs of relevant stakeholders in the area of protection of children against violence on local level (throughout organisation of initiate and general meetings with relevant entities, definition of common procedures of these entities, identification of obstacles in mutual cooperation and its removal aimed at leading to common solutions, to simplify and fasten the communication, to prevent from ineffective duplicity of the actions and elimination of delays in the proceedings, to analyse situation in the area of violence against children occurrence focused on identification and intervention), to execute preventative activities on raising awareness and educative activities with support of the entities to analyse situation of the violence occurrence in their region with emphasis on the identification and intervention as well as to provide with cooperation to the above mentioned entities, to support execution of measures concerning with fulfilment of the National Strategy on the Protection of Children against Violence on national level and to perform other relevant tasks. The local coordinators are under the methodological guidance of the National Coordination Centre for Resolving the Issues of Violence against Children.

From October 2017, intensive education of coordinators for protection of children against violence was carried out. The education was focused on the various areas of the problematic (relevant legislation, CAN syndrome, CSA syndrome, domestic violence in broader context, dynamics of domestic violence, coordination of protection of children against violence, systemic and legislative outcomes in terms of protection of children against violence: investigator of the Police Force in the system of protection and help to victims of criminal offences (in cooperation with the Department of Investigation of the Unit of Criminal Police of the Police Force), entitlements of the member of the Police Force (in cooperation with Disciplinary Department of the Presidium of the Police Force), prevention at schools (in cooperation with Coordinating-Methodical Centre for gender-based and domestic violence), socio-legal protection of children and social guardianship and scope of the authority of socio-legal protection of children and social guardianship (in cooperation with Central Office of the Labour, Social Affairs and Family) as well as on developing the soft skills (effective communication, presentation, planning, facilitation, negotiation etc.).

Additional information sent on 7 January 2019:

In the context of the potential protection of child victims of sexual exploitation and sexual abuse affected by the refugee crisis, on behalf of the Slovak Republic we point out to the functioning inter-institutional cooperation mechanism, applicable in all cases of need to protect all children (regardless of their status) from all forms of violence at national level (the functioning of an interdepartmental working group consisting of relevant ministries and other bodies somehow involved in the protection of children against violence and mutual co-operation of those in discussion concerning with proposals for new legislative regulation or adoption of non-legislative measures), but especially at the local level through the above-mentioned concept of coordination of protection of children against violence at the local level. The Coordinator for the Protection of Children from Violence ensures effective communication and co-operation of individual entities in the framework of general co-ordination meetings, focusing in particular on addressing systemic deficiencies and setting up further cooperation and communication among individual actors in order to ensure prevention, adequate intervention and protection of children/child victims. The Coordinator for the Protection of Children against Violence in specific cases calls for extraordinary coordinating meetings related to the specific cases occurred, but the extraordinary coordination meeting is not intended to solve pertinent case but to identify systemic shortcomings and failures and the possibilities of preventing other similar cases in the future. The findings of the co-ordination meetings are subsequently discussed at national level, which may result in proposals for legislative changes and non-legislative measures in a certain area. In view of the above and the fact that the setting up of mutual cooperation among individual actors concerns the protection of all children, irrespective of their status, the Slovak Republic considers that Slovak legal regulations, its implementation and applicability in practice and related non-legislative measures implemented in practice is in full compliance with the recommendation of the Committee.

The problematic of refugees in the Slovak Republic is covered within the agenda of specialised unit- Bureau of Border and Alien Police of the Presidium of the Police Force which was created on 1st of April 2000 as an entity with jurisdiction throughout the whole territory of the Slovak Republic to ensure the border controls of the Slovak Republic. This bureau directly manages, methodically guides and controls activity of its organisational units in fulfilling the tasks within the fight against illegal migration, residence regime of foreigners, return of foreigners, work in the field of asylum procedures etc. Relevant tasks in this area are also performed by the Migration Office of the Ministry of Interior of the Slovak Republic as a first instance authority responsible for decisions of granting the asylum and providing with the supplementary protection for foreigners. The Migration Office acts in accordance with the Act no. 480/2002 Coll. on asylum which reflects the Geneva Convention on legal status of refugees from 1951, New York Protocol on legal status of refugees from 1697 as well as relevant European directives and regulations related to the international protection of foreigners.

The Police Force continuously supports the activities aimed at coordination and cooperation. By its activities, the Police Force is focused on all the victims and children, not only the victims and child victims affected by the refugee crisis. If the units of the Police Force are required to provide with certain form of cooperation, its relevant unit cooperates with all the stakeholders involved in activities which are important in revealing of sexual exploitation and sexual abuse of children. The last cooperation (although not directly related to the refugee crisis) was cooperation of the representatives of Department of Investigation of the Bureau of Criminal Police of the Presidium of the Police Force and Ministry of Labour, Social Affairs and Family of the Slovak Republic in December 2017. There were lectures held with regard to the implementation of updated National Strategy on the Protection of Children against Violence, specifically to task “to develop coordination mechanism of the protection of children against violence on local and regional level” as well as implementation of National Project on Support of Protection of Children against Violence. Simultaneously, the Bureau of Criminal Police of the Presidium of the Police Force participates within the preventative projects of eSlovensko o.z., (www.zodpovedne.sk, www.pomoc.sk, www.stopline.sk, www.ovce.sk) which were focused on protection of children against risks of virtual space including protection of children against sexual abuse throughout the internet. Within the continuous lifelong learning of policeman, there are annual courses offered by CEPOL (European Police College) and MEPA (Central European Police Academy) in cooperation with member states on topic of fight against the sexual abuse of children online. There is also individual mechanism of reporting throughout the line of help www.stopline.sk run by the National centre for reporting the illegal content or activities on the internet (Stopleveline.sk) via form, especially: abuse of children (child pornography, sexual exploitation, child prostitution, child trafficking, grooming etc.), expressions suppressing the universal human rights and freedoms and different illegal content or activities on the internet which have elements of the criminal offence. Reports related to the content placed outside of the territory of the Slovak Republic are sent to partner organisations which cooperate in international network INHOPE. On contrary, if citizen of foreign country reports suspicious content placed in the territory of the Slovak Republic, the pertinent report is sent to stopline.sk through the national network INHOPE. The victims could contact the helpline (LDI- UNICEF, 0800 116 111).

Additional information sent on 7 January 2019:

Within the framework of its competencies, the Office of Border and Foreign Police of the Presidium of the Police Force, supports the cooperation and coordination of the various actors working with children affected by the refugee crisis in order to ensure adequate support after revealing the cases of sexual exploitation and sexual abuse of children.

With reference to valid legislation, in particular Act no. 576/2004 Coll. on Health Care, Services Related to the Providing with Health Care and on Amendments and Supplements to Some Acts, Act no. 578/2004 Coll. on Health Care Providers, Health Care Workers and Professional Organisations in Health Service on Amendments and Supplements to Some Acts, Act No. 580/2004 Coll. on Health Insurance Companies, Supervision of the Providing Healthcare and on Amendments and Supplements to Some Acts, and the above mentioned inter-departmental participation within the in the National Strategy for the Protection of Children against Violence and the National Project to Support the Protection of Children against Violence, including the cooperation of general outpatient health care providers within the framework of regional coordination meetings, the Ministry of Health of the Slovak Republic also significantly contributes to the prevention

	<p>of violence against children as well as potential victims of sexual exploitation and or abuse affected by the refugee crisis in the provision of outpatient and constitutional health care, in particular by identifying child neglect, maltreatment and abuse and reporting this suspicion under the special regulation.²²</p>
<p>Slovenia / Slovénie</p>	<p>Government Office for the Support and Integration of Migrants intensively cooperates with various departments at the state level and non-governmental organizations in the field of humanitarian work with migrants. In case sexual exploitation or sexual abuse is discovered, various mechanisms are initiated, based on <i>Standard Operating Procedures in the field of sexual violence and gender-based violence</i> to provide for protection and appropriate care of a child.</p> <p>As a Party to the Lanzarote convention Slovenia has continuously striven for active implementation of Convention provisions. In accordance with the recommendation R33 from the Protecting Children Affected by the Refugee Crisis from Sexual Exploitation and Sexual Abuse, the Slovenian police actively cooperates with Interpol and Europol, both in investigation and prevention of sexual abuse. Slovenian Police is a member of the EMPACT group (EU Police Cycle), a platform for multidisciplinary cooperation established within Europol. Moreover, Slovenia actively collaborates with other countries in detection and prevention of sexual abuse of children. Since 2015 Slovenia is connected to Interpol base ICSE (International Child Sexual Exploitation database), the aim of which is an identification of victims, prevention of further abuse and victimization of the affected.</p> <p>In Slovenia, children arriving from crisis areas benefit from the same proceedings providing their safety as Slovenian children. Asylum seeking children refugees are included into PATS project where they are acquainted with the dangers and pitfalls of trafficking in human beings, sexual abuse and sexual violence. Conversations with refuge children are conducted by social workers from Centre for social work. Non asylum-seeking children refugees are housed at Centres for aliens where each minor has an appointed guardian who conducts conversations with the child. Through conversations with children social workers pay special attention to possible crimes of sexual abuse.</p> <p><u>Additional information sent on 10 April 2019:</u></p> <p>In the event of the detection of any violence, all relevant institutions (Police, Centers for Social Work, Health Centers, Schools and NGOs) competent in this area shall be immediately involved in the treatment and resolution of the case. In the event a child needs immediate safe accommodation due to personal circumstances, accommodation is provided by the Center for Social Work, which transfers the child in accommodation intended for children.</p> <p>The Center for Social Work will then convene a multidisciplinary team where the case is being discussed, an aid plan is made. A child may also be included in various programs of empowerment and overcoming trauma.</p> <p>All cases of sexual and gender-based violence are in parallel discussed also in the Expert group appointed under the “Standard Operating Procedures for Prevention and Action in Cases of Sexual Violence and Gender Based Violence”. The case is presented in the meeting of the Expert group and an expert plan for the assistance and treatment is proposed. The expert plan shall include threat assessment, security plan, search for safe housing, advocacy plan, legal aid and other forms of assistance such as psychotherapeutic assistance, expert psychosocial support, inclusion in workshops for personal growth and empowerment and referral to relevant assistance and support facilities.</p> <p>Following the request for international protection, unaccompanied minors who are applicants for international protection are immediately to be hosted at the Students’ home in the Forestry and Wood School in Postojna, where they are cared for 24 hours per day by professional staff composed of various educational profiles, including social workers and a psychologist.</p>

²² Art. 79 para. 2 letter b) of the Act no. 578/2004 Coll. as amended.

	<p>Younger unaccompanied minors (children) requesting international protection shall be provided with accommodation by the Center for Social Work (see above). In order to ensure the rights of the child and the best interests of the child, all unaccompanied minors are also provided with legal representatives or guardians.</p>
Spain / Espagne	<p>The aim of the FRAMEWORK PROTOCOL FOR UNACCOMPANIED FOREIGN MINORS - in compliance with article 190.2 of Royal Decree 557/11 April 20th, on the rights and freedoms of foreigners in Spain and their social integration- is to coordinate the intervention of all administrations and institutions concerned, from the detection of the presumed to be a minor to the identification, age assessment and transfer to the public entity of child protection and documentation.</p> <p>This Protocol is intended to achieve a proper and adequate functioning of the Register of Unaccompanied Foreign Minors according to article 215 of the R.D, abovementioned, being one of the most effective tools to protect the best interest of the U.A.M, and also a reliable and complete source of information to get to an understanding of the children migratory phenomenon, which is the base to implement any legal or administrative initiative as established in the “European Action Plan on Unaccompanied Minors” (2010-2014).</p> <p>As an example of the existing collaboration, on a monthly basis, the regional public entity of minors' protection will send to the Attorney General's office, as well as to the correspondent national Government's Office a list of UAMs under protection in which any relevant information is related.</p> <p>The Framework protocol for unaccompanied foreign minors, approved by the Ministers of Labour, Migration and Social Security, of Justice and of Health, Consumption and Social Welfare, as well as by the State Public Prosecutor, the State Secretary for Security of the Ministry of the Interior and the Undersecretary of Foreign Affairs and Cooperation on 22 July 2014 (Official Journal of 16 October 2014), coordinates the intervention of all institutions and administrations involved, from the detection of the presumed minor to the identification, age assessment and transfer to the public entity of child protection and documentation.</p> <p>Any unaccompanied foreign minor detected within the national territory shall be registered at the Registry of Unaccompanied Foreign Minors (RMENA) for the sole purpose of identification and location.</p> <p>Once the underage status has been established by a court decision or by a decree of the Public Prosecution Service and the child has been placed under the competent child protection services, the determined age shall be entered in the RMENA.</p> <p>The child protection services shall inform the foreign minor, with certainty and in an understandable language, on the core content of the right to international protection and on the procedure envisaged for its application, as well as about the regulations in force on children protection and in particular human trafficking. Such actions shall be recorded in writing.</p> <p>Should it be proven that a child has suffered sexual abuse within the national territory the Spanish legal framework shall apply, as a child victim, i.e. the provisions of the Criminal Procedure Code, the Act on the standing of victims of crime and the Legal Aid Act.</p> <p>Concerning the right of victims to protection, Article 19 of the Act on the standing of victims of crime sets out that authorities and officials responsible for investigating and prosecuting criminal offences shall take the necessary measures pursuant to the provisions of the Criminal Procedure Code, to ensure the victim's and their relatives' life, their physical and psychical integrity, security, sexual integrity and freedom, as well as properly protect their intimacy and dignity, particularly when receiving statements from children or when the latter must give evidence in a trial and, in order to prevent the risk of revictimization or secondary victimization.</p> <p>In the case of underage victims, the Public Prosecution shall especially look after the fulfilment of this protection right, taking the appropriate measures for their best interest when it becomes necessary to reduce or prevent damages that might be caused to children as a result of proceedings.</p>

	<p>Article 23 adds the individual assessment of victims to determine their particular protection needs: throughout criminal proceedings, the adoption of protection measures for minor victims shall take into account their personal situation, immediate needs, age, gender, disability and level of maturity and shall fully respect their physical, mental and moral integrity. In the case of minor victims of an offence against the sexual integrity or freedom, measures mentioned in letters a), b) and c) of Article 25.1 shall apply.</p> <p>The Protocol of the Subdirector General on Integration of Immigrants for the detection and action before possible cases of human trafficking for sexual exploitation can also be mentioned. The objective of this Protocol is to establish action guidelines to detect and intervene in possible cases of trafficking for sexual exploitation that can be submitted to the Social Work Unit (UTS), to the Asylum and Refuge Office (OAR), Refugee Reception Centres (CAR) or the Centre for the Temporary Stay of Immigrants (CETI) depending on the Ministry of Labour, Migration and Social Security, as well as to NGOs' migration centres and care services that implement programmes supported by the Directorate General for Migration.</p> <p>Specific precautions shall be taken for minors since they are particularly vulnerable and therefore the law envisages a special protection for them. In cases of reasonable doubts as to the underage status of a potential victim of human trafficking, they shall be deemed to be minors.</p> <p>Unaccompanied minors shall immediately be put at the disposal of Law Enforcement authorities that shall take the appropriate measures within the scope of their respective powers. In the event an unaccompanied or at risk minor is detected, irrespective of whether they are finally considered victims of trafficking or not, action shall be taken in accordance with the following instructions:</p> <ul style="list-style-type: none">- It shall be reported to the expert tasked with the detection of evidence for a potential underage status and, if so, of being a victim of trafficking and shall present his conclusions to the responsible person within the entity.- If there are signs of underage status, it shall be referred to the competent authorities. Competence to determine the age of children lies with the Prosecution Service.- In the event that it is confirmed that the minor is also a potential victim of trafficking, it shall be reported without delay, officially and preferably by electronic means, to the trafficking competent unit of the Police or the Civil Guard, to be brought to the attention of the Public Prosecution and child protection services.- If the Prosecution's decree determines that the legal age has been reached, appropriate measures should be taken so that, as a potential victim of trafficking, the procedure set out in this Protocol.
Sweden / Suède	<p>Children affected by the refugee crisis that have been sexually exploited or abused are entitled to receive health care and social support to the same extent and on the same terms as all other children living in Sweden.</p> <p>The County Administrative Board has got an assignment in its letter of appropriation, to develop local procedures for cooperation and information exchange between authorities involved in the search of unaccompanied children that have disappeared.</p> <p>The Government has commissioned the National Board of Health and Welfare to establish a national knowledge center focused on unaccompanied minors and young adults. The development and dissemination of knowledge will reinforce the measures taken in social services and health care to assist unaccompanied minors and young persons. Measures to be highlighted are those promoting greater cooperation between municipal authorities and county councils, professionals working in schools and those working in health care and social services. This assignment will last until the end of 2020.</p>

The Government allocates 40 million SEK annually to increase the availability of psychiatric trauma care and 50 million SEK to improve the mental health of children and young people who are asylum seekers and those who have recently received a residence permits. Within the initiative, funds have been allocated to, among others, Red Cross and Vårsta Diakoni to increase accessibility to psychiatric care. Linköping University, on behalf of the government, will develop and disseminate a trauma care training for personnel in psychiatric staff.

In 2015 the Government undertook a mental health review with one clear objective: not turning a blind eye to any of the challenges we are facing. Mental health and mental illness are not separate tracks, but closely interrelated. In order to reach a point where mental health becomes equally as important as mental illness, all parts of society need to recognize these challenges and play their part. We need to strengthen preventive and promotional efforts, provide early and effective interventions for those affected and utilize our specialized health care resources appropriately. The issue of how we, as a society, can combat the increase in mental health challenges we are currently seeing is a concern for us all.

The Government has adopted a national strategy for mental health for the period 2016-2020. The strategy is based on five focus areas that have been identified as the main challenges when it comes to strengthening mental health and wellbeing and combating mental ill health. The five focus area is: 1) Preventive and promotional efforts 2) Accessible services early 3) Vulnerable groups 4) Participation and rights 5) Organization and leadership. It is important to bear in mind that each focus area covers people of all ages – children, young people, adults and the elderly – as well as girls and boys, men and women. Just as the focus areas have been developed in collaboration with a number of key stakeholders, all improvement work in the field of mental health must be conducted simultaneously, and in a collaborative manner.

[Additional information sent on 4 March 2019:](#)

[The County Administrative Board has got an assignment in its letter of appropriation, to develop local procedures for cooperation and information exchange between authorities involved in the search of unaccompanied children that have disappeared.](#)

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Switzerland / Suisse	<p>In the context of its recommendations, the Conference of Cantonal Directors of Social Affairs (CDAS) has specifically addressed the question of unaccompanied minors as potential victims of human trafficking and other forms of exploitation. The specific recommendations made to the cantons can be found here (section 16): http://www.sodk.ch/fileadmin/user_upload/Aktuell/Empfehlungen/2016.05.20_MNA-Empf_farbig_f.pdf</p> <p>When it comes to housing and supervising children and young unaccompanied minors, attention needs to be paid to the particular risks to which they are exposed, such as human trafficking and other forms of exploitation (especially sexual exploitation) or contacts with criminal organisations.</p> <p>Raising awareness and preventing any situation in which unaccompanied minors could be victims of human trafficking or other forms of exploitation in Switzerland are among the tasks of those responsible for providing supervision or legal representation. It is important to raise their awareness, or to provide training for them and other players involved, concerning the fact that unaccompanied minors may be victims and are potential targets for human trafficking or other forms of exploitation. Furthermore, measures must be taken and proper structures established to prevent human trafficking or other forms of exploitation, or even the disappearance of unaccompanied minors. If an unaccompanied minor disappears, searches must be conducted and it is necessary to notify and co-operate with the relevant services.</p> <p>Unaccompanied children and minors who are victims of human trafficking or other forms of exploitation need particular protection and specific care and supervision. The legal representative must defend the child's or minor's interests when dealing with the formalities to obtain the victim assistance provided for by the Federal Assistance for Victims of Crimes Act (LAVI, cf. end of reply to question below) and work with the relevant services (especially the recognised victim assistance consultation centres). If possible and appropriate, other unaccompanied minors who are victims of human trafficking and have not applied for asylum can also be accommodated in facilities designed for the reception of unaccompanied minors.</p>

	<p>Several cantons work with bodies that specialise in housing and looking after victims of human trafficking. Bearing in mind the principle of the best interests of the child, these cantons must consider whether it is preferable to house and look after the minors concerned in a specialised institution for victims of human trafficking or a facility designed for the reception of unaccompanied minors.</p> <p><i>The CDAS recommends in particular that the cantons:</i></p> <ul style="list-style-type: none">• make unaccompanied minors aware of the risks of human trafficking and other forms of exploitation, as well as of organised crime, and recommends that training in the issues involved be provided for individuals who supervise unaccompanied minors;• take steps and set up facilities that enable human trafficking or other forms of exploitation, or the disappearance of unaccompanied minors, to be prevented. <p>On the basis of the recommendations issued by the CDAS, the International Social Service (SSI), which champions the individual rights of children, families and migrants and provides them with social, legal and professional support, has also published a practical guide for the use of professionals who look after unaccompanied minors in Switzerland (cf. in particular p. 22, “vulnérabilités spécifiques”, and pp. 34 ff., “attitudes à adopter envers le/la jeune”).</p> <p>http://www.ssiss.ch/sites/default/files/2017-07/MANUEL_FR_WEB.pdf</p> <p>If a particular case arises, as already mentioned in section 2 above, concrete measures are immediately taken. The service for the protection of minors is informed by the person or institution that has been made aware of abuse or suspicions of abuse. This service, which exists in each canton, takes the necessary steps to protect the minor. The police services are informed and conduct the necessary enquiries in connection with the criminal investigation in order to prosecute the perpetrators and have them convicted.</p> <p>Furthermore, under the Federal Assistance for Victims of Crimes Act (LAVI, https://www.admin.ch/opc/fr/classified-compilation/20041159/index.html), each canton has one or more LAVI consultation centres, which provide support for victims of crime (such as sexual abuse or rape) in various forms and according to the urgency of the situation (accommodation, financial help, legal assistance, medical assistance). Their services are free of charge.</p> <p>Examples for 3 cantons:</p> <p>Fribourg: http://www.fr.ch/sej/fr/pub/aide_victime/prestation.htm</p> <p>Valais: https://www.vs.ch/web/sas/lavi-beneficiaires</p> <p>Geneva: http://www.centrelavi-ge.ch/</p>
Turkey / Turquie	<p>There is an inter-institutional approach in Turkey regarding services and measures provided for refugee children.</p> <p>For instance:</p> <ul style="list-style-type: none">- The Ministry of Justice is planning a project for “Improving the capacity of Interpretation Services for Access of Refugee Children to Justice”. The project aims at augmenting the level of interpretation services. For the objectives of the project, the Department of Expert Witnesses of the Ministry of Justice is working in collaboration with UNICEF.

	<ul style="list-style-type: none">- Ministry of National Education carries out a project titled “Renewal of Psychosocial Support Programmes” in cooperation with UNICEF. A guidebook named “Guiding Services for Individuals under Temporary Protection”. The guidebook contains information includes also the subject of “protection of children from sexual abuse” and is distributed to personnel working with Syrian children”.- Academy of Justice concluded a memorandum of understanding with UNHCR and carried out certain activities such as:<ul style="list-style-type: none">- 3 workshops on needs assessment outputs for access of refugees and migrants to justice- A vocational training seminar for 60 judges and prosecutors on the subject matter.- 7 seminars on “Access of Refugees and Migrants to Justice”- In the case of suspicion of sexual abuse regarding a refugee child, the personnel working the DG Migration, a teacher or a medical staff has to inform law enforcement authorities. After the reporting, as we stated above, the investigative procedures and medical examination are carried out within Child Monitoring Centres. The Child Monitoring Centres’ proceedings are carried out with cooperation of The Ministry of Justice, Ministry of Interior Affaires, The Ministry of Health, The Ministry of Family and law enforcement authorities.- Ministry of Interior Affaires has informed us that the forces of Gendarmerie carry out a project for improving the capacity of Departments of Child and Women.- DG Migration works with International Organization of Migration (IOM) and International Centre for Migration Policy Development (ICDMP) in order- to give training to public officer who are likely to work with victims of human trafficking. Under this project, 1249 personnel have received training. <p>DG Migration examines check lists prepared by foreign or international organizations such as European Asylum Support Office or Sweden Migration Agency and adapts these lists.</p>
Ukraine	<p>The Resolution of the Cabinet of Ministers of Ukraine approved the Procedure for the interaction of state bodies and local self-government bodies in identifying children who are separated from their families and who are not Ukrainian citizens. The Procedure determines the mechanism of interaction between state bodies and local governments when working with children who are separated from their families and who are foreigners or stateless persons and have expressed the desire to personally or through other persons to acquire refugee status or a person who needs additional protection in accordance with the Law Ukraine "About refugees and persons in need of additional or temporary protection". The work of the state bodies and bodies of local self-government with a child separated from the family is conducted in compliance with the following principles:</p> <ol style="list-style-type: none">1) protection of the rights and interests of the child;2) prevention of discrimination against children;3) taking into account the opinion of the child in solving issues relating to her life;4) ensuring the confidentiality of information about the child. <p>A clear algorithm for action is foreseen:</p> <ul style="list-style-type: none">- identification of children separated from the family;- temporary placement of a child separated from a family; <p>Determined powers of legal representatives and authorized bodies for the social protection of a child separated from the family.</p> <p>Additional information sent on 9 April 2019: In Ukraine, the Cabinet of Ministers of Ukraine (dated 16.11.2016, No. 832) approved the Resolution, which defines the Procedure of interaction between state bodies and local self-government bodies in identifying children who are separated from their families, who are not Ukrainian citizens. This procedure defines the</p>

	<p>powers, obligations and rules of action of all officials in the case of an unaccompanied child, who is not a Ukrainian citizen. The issue of registration, granting of a child's status, medical and psychological examination, determination of the official representative for the child, temporary placement and assessment of the child needs for taking into account during the drawing up of an individual plan for child social protection is determined by this Procedure. In the event of revealing the fact that the child is a victim of sexual exploitation or sexual abuse, all further actions are carried out in accordance with the current legislation, in particular the Criminal Code of Ukraine, in order to ensure the protection of the rights of the child.</p> <p><u>Additional information sent on 11 April 2019:</u> In the case of the identification of the child victim of violence, officials of the Children's Service, together with the authorized National Police unit, a social service specialist and a health-care professional an immediate assessment of the child's safety level will be done. In a case of necessity other experts may be involved. Then the child is sent to the hospital for urgent care or provision of treatment in a hospital setting.</p> <p>Cabinet of Ministers of Ukraine approved the resolution about mobile team of social and psychological assistance for victims of domestic violence and sexual violence (dated 22/08/2018 № 658). In a case of violence children can get the assistance of such team too.</p> <p><u>Additional information sent on 16 April 2019:</u> It certainly applies to children affected by the refugee crisis.</p>
United Kingdom	<p><u>Information sent on 1 March 2019:</u> Local authorities, under section 10 of the Children Act 2004, have a responsibility to promote inter-agency co-operation to improve the welfare of all children.</p> <p>Through new arrangements introduced by the Children and Social Work Act 2017, local authorities, police and health are jointly responsible for local multi-agency safeguarding arrangements. These three local safeguarding partners must work together to put in place arrangements that respond to local needs and threats in safeguarding and promoting the welfare of children locally.</p> <p>The safeguarding partners will be accountable for how well agencies work together to protect children from abuse and neglect in their local area. These changes are now in force, and all local areas must set up the new arrangements by September 2019.</p> <p>In cases of children affected by the refugee crisis, where there has been disclosure of sexual exploitation and/or sexual abuse, local authority social care services must take action to assess and respond to the child's needs. They should comply with, the published arrangements set out by the local safeguarding partners. Any support provided should be tailored to the needs of the child.</p> <p>In making their local arrangements, the safeguarding partners should agree with their relevant agencies the levels for the different types of assessment and services to be commissioned and delivered. These should include services for children who have suffered or are likely to suffer abuse and neglect whether from within the family or from external threats.</p> <p>The safeguarding partners should publish a threshold document, which sets out the local criteria for action in a way that is transparent, accessible and easily understood.</p> <p><u>Additional information sent on 22 May 2019:</u> It is anticipated that the local authority will provide timely support to the child based on their assessment of the case once referred. Practitioners should work together to reduce the immediate risk of harm to the child.</p>

Recommendation R33 / Recommandation R33

The Lanzarote Committee:

urges Parties to make use, within the context of the refugee crisis, of the specific co-operation tools already available in the framework of Europol/Interpol which are specifically aimed at identifying victims of sexual exploitation and sexual abuse (R33).

Le Comité de Lanzarote :

exhorte les Parties à recourir, dans le contexte de la crise des réfugiés, aux outils de coopération déjà disponibles dans le cadre d'Europol/Interpol visant spécifiquement à identifier les victimes d'exploitation et d'abus sexuels (R33).

Albania / Albanie

The INTERPOL National Central Bureau for Albania is part of the State Police's International Cooperation and Coordination Directorate. It is the country's exclusive platform for taking investigations beyond Albanian borders.

INTERPOL Tirana has a staff of 15 people:

- 1 Head of the NCB;
- 10 law enforcement specialists;
- 2 telecommunications officers;
- 1 archives specialist;
- 1 secretary.

In order to strengthen national security, INTERPOL Tirana has integrated INTERPOL's databases into Albania's national police network. This means that police across the country have instant and automated access to INTERPOL's global databases, enabling them to obtain critical data on wanted persons, vehicles and stolen and lost travel documents in just seconds, no matter where they are.

Additional information sent on 9 April 2019:

Albania adheres to INTERPOL's international organization with full rights, as well as an Operational Agreement with EUROPOL, and consequently State Police structures have continuous cooperation and exchange of information with these organizations. The cooperation is carried out through the National Office Europol and the National Interpol Office - Tirana, at the Department of International Relations, at the General Directorate of State Police, which have direct access to the respective systems and databases. These official communication instruments and channels are used in all cases that it is necessary to obtain and/or exchange information with homologous law enforcement authorities, as well as on the identification of persons, means, documents and within the scope of criminal investigation, including cases of sexual exploitation and sexual abuse evidenced during the procedures of verification of foreigners at entry - border exit or asylum procedures for children affected by the refugee crisis.

The establishment in Albania of Frontex mission in May 2019 will facilitate the exchange of information between the Albanian Police and Europol/Interpol regarding this category.

**Andorra /
Andore**

L'arrivée de réfugiés en Andorra se fait par le corridor humanitaire créé avec la communauté de Sant'Egidio. Les bénéficiaires doivent avoir des documents de voyage internationalement reconnus. À cette fin, les autorités libanaises et l'ambassade d'Espagne à Beyrouth prennent les mesures nécessaires pour obtenir l'autorisation de transit pour le territoire andorran.

Pendant le traitement de cette documentation, il y a une coordination avec Interpol pour recueillir les empreintes digitales, afin de garantir les processus d'identification des personnes.

Additional information sent on 10 April 2019:

Andorre rejoint Interpol en 1987. Tous les services des États chargés des enquêtes criminelles peuvent coopérer avec leurs homologues des autres pays membres par le biais d'Interpol.

Tous les services fournis par Interpol sont accessibles à tous les agents de police des États membres.

Il convient de tenir compte du fait que tous les services des États chargés des enquêtes criminelles peuvent coopérer avec leurs homologues des autres pays membres par le biais d'Interpol et que tous les services fournis par Interpol sont accessibles à tous les officiers de police de tous les pays. États membres.

L'échange d'informations entre les différents pays membres et les organes d'Interpol s'effectue par le biais des réseaux de télécommunication d'Interpol I-24/7 et d'i-link, de couverture mondiale. Ce réseau permet la diffusion de messages (photographies et empreintes digitales incluses) et permet même des recherches automatiques dans la base de données de cette institution.

En dehors de cela, le Protocole pour les victimes de la traite des êtres humains serait appliqué et les mesures de protection spéciales suivantes seraient appliquées :

- Établir un représentant légal à des mineurs non accompagnés afin de les représenter et d'agir dans l'intérêt supérieur de l'enfant, conformément aux principes énoncés dans le protocole signé avec le Centre de protection pour enfants et adolescents (CAI).
- Fourniture immédiate d'assistance, de soutien et de protection. Ces mesures doivent assurer l'intégrité physique et mentale du mineur, ainsi que son éducation.
- En cas de non accompagnement, une attention particulière doit être accordée à la vulnérabilité, et jusqu'à ce qu'une solution permanente soit trouvée, des mesures d'accueil appropriées doivent être appliquées aux besoins de l'enfant. Il est également nécessaire d'adopter les mesures appropriées pour établir l'identité, la nationalité et/ou le lieu d'origine, ainsi que pour disposer des outils nécessaires pour localiser sa famille.
- L'adoption de mesures de protection supplémentaires lors des entretiens et explorations menés lors d'enquêtes et de procédures judiciaires. En ce sens, l'entretien doit être mené dans les meilleures conditions, dans les conditions appropriées, avec la présence du procureur et en garantissant la présomption de minorité d'âge en cas de doute.
- Avant de procéder à un éventuel rapatriement, une évaluation des risques et de la sécurité que peut impliquer le rapatriement sera réalisée. Elle ne sera effectuée que si cela garantit l'intérêt supérieur de l'enfant. De même, il est nécessaire de s'assurer qu'il existe une personne dans le pays d'origine pour s'occuper du mineur.

	<p>- Conformément à l'article 10.3 de la Convention, lorsque l'âge de la victime est incertain mais qu'il existe des motifs raisonnables de croire qu'il a moins de 18 ans, elle est présumée être mineure et bénéficiera de mesures de protection spéciales en attente de vérification de l'âge.</p> <p>En plus, le Service d'Attention aux Victimes de la Traite des êtres humains, a participé à une formation de l'OSCE sur la traite des êtres humains sur les routes migratoires.</p>
<p>Austria / Autriche</p>	<p>Austria closely cooperates with Europol/Interpol and other member states in criminal matters. However as there is no general statistic on those cases, no further information can be given if or how many cases concerning child abuse of children affected by the refugee crisis have been investigated within the framework of international cooperation.</p> <p><u>Additional information sent on 22 March 2019:</u> In addition to the information Austria already submitted, I can inform you that Austrian police services generally work with tools from EUROPOL. However, they specifically use the "Analysis Project Twins - AP Twins" which supports the prevention and combating all forms of criminality associated with the sexual exploitation and abuse of children. This covers the creation and distribution of child abuse material through all kinds of online environments and other online criminal behaviour involving children such as grooming, self-generated indecent material, sexual extortion and live distant child abuse. Moreover, Austrian investigators also participated in the Victim Identification Taskforce hosted by EUROPOL where they worked on and analysed unprecedented amounts of data and investigated clues that could localise investigations and lead to the identifications of the victims. Austrian investigators also work with the Europol online campaign "Stop Child Abuse - Trace an Object" where objects are shown which appear in the background of child porn footage. Europol asks people to visit this website and to look at the objects. The project seeks to identify objects and their locale in order to find and aid victims, situate crime scenes and apprehend perpetrators. Individuals may submit information about objects anonymously without further contact from EUROPOL or other law enforcement agencies.</p> <p>Austrian police services also work with tools from INTERPOL. They generally use all of their 17 databases which cover e.g. international alerts for fugitives, suspected criminals, persons and entities subject to UN Security Council Sanctions, potential threats, missing persons, dead bodies and criminal methods. Moreover, they specifically use the INTERPOL "International Child Sexual Exploitation database". This database helps victim identification specialists worldwide analyse and compare child sexual abuse images. It is an intelligence and investigative tool, which allows specialized investigators to share data on cases of child sexual abuse. Using image and video comparison software, investigators are instantly able to make connections between victims, abusers and places. The database avoids duplication of effort and saves precious time by letting investigators know whether a series of images has already been discovered or identified in another country, or whether it has similar features to other images. It also allows specialized investigators from more than 50 countries to exchange information and share data with their colleagues across the world.</p>
<p>Belgium / Belgique</p>	<p>The Guardianship Service refers to the Public Prosecutor's Office any situation it considers worrying, especially as regards sexual exploitation or abuse.</p> <p>The police services work with Europol/Interpol when it comes to identifying victims of sexual exploitation. Belgium did not put anything special or specific in place that was not already there for children affected by the refugee crisis who are victims of sexual exploitation and sexual abuse. The way the police collaborates with Europol or Interpol is the same as for other victims. They use the usual procedures etc.</p> <p>So far no child in a migration situation in Belgium has been discovered as a victim of Child sexual abuse material or Child sexual exploitation material, but if tomorrow this would be the case, police would handle these cases as usual and for instance send this material to Interpol to the databank ISEC.</p> <p><u>Additional information sent on 22 March 2019:</u></p>

	<p>- La police fédérale essaie d'identifier les personnes impliquées au moyen d'images disponibles. Ils utilisent ICSE mais aussi toutes les sources ouvertes possibles. Si, par exemple l'adresse IP ou l'adresse e-mail se réfère à la Belgique, ils établissent un PV pour le Parquet fédéral à des fins d'identification. Après réception des pièces d'identité, ils rédigent le rapport officiel qui, par l'intermédiaire du parquet fédéral, est transmis au parquet local compétent pour complément d'enquête. Si les informations les amènent à l'étranger, ils transmettent les informations disponibles par l'intermédiaire d'Europol ou d'Interpol (selon les informations sur la destination) au pays compétent.</p> <p>Naturellement, la police utilise également les bases de données disponibles au sein d'Europol pendant leur enquête.</p>
<p>Bosnia and Herzegovina / Bosnie-Herzégovine</p>	<p>All relevant institutions use, within the context of the refugee crisis, all available capacities for the possible identification of victims of sexual exploitation. Fortunately, there were no registered cases of children victims of sexual abuse and sexual exploitation.</p> <p>According to the information provided by the Directorate for Coordination of Police Bodies of BiH, the NCB Interpol Department, the competent police agencies of Bosnia and Herzegovina (FBiH Ministry of the Interior, the Ministry of the Interior of the RS and the Police of the Brcko District of BiH), who have direct access to Interpol's database of images and video materials (International Child Sexual Exploitation database (ICSE DB), did not use the database to identify children victims of sexual exploitation and sexual abuse in the context of the refugee crisis.</p> <p>Additional information sent on 22 March 2019: As stated in our previous reply „there were no registered cases of children victims of sexual abuse and sexual exploitation” among migrants in Bosnia and Herzegovina. This is the main reason why database ICSE DB was not used, which doesn't exclude possible database use for such purpose in the future.</p>
<p>Bulgaria / Bulgarie</p>	<p>The Agency for Social Assistance and the Territorial Units interact and work together with all competent state and local authorities to prevent and combat the violence on children. In order to identify the victims of sexual exploitation and sexual abuse, the Social Assistance Directorate uses the available resources of specialists in the Child Protection Department, as well as specialists working in social services for children who have expertise in identifying and working with victims of violence and sexual exploitation.</p> <p>The Agency for Social Assistance also organizes and periodically conducts training of employees of Child Protection Departments in the country to work with children, migrants, refugees and children who are victims of trafficking and violence. The trainings are conducted with experts from other institutions, international organizations and NGOs, who have experience and expertise in identifying and working with children and families at risk.</p> <p>Also, the territorial units in the country are provided with methodological guidelines, recommendations and instructions for working with children at risk, children who are victims of trafficking and violence, and children seeking asylum and international protection in the country.</p> <p>In order to work with children, including victims of sexual violence and sexual exploitation, the employees of the State Agency for Refugees with the Council of Ministers have been trained by the European Asylum Support Office (EASO), United Nations High Commissioner for Refugees (UNHCR), Bulgarian Red Cross (BRR), UNICEF, LUMOS and others.</p> <p>The information provided under the recommendations is compiled and summarized by the State Agency for Child Protection and will be reported by the notified representative of the Agency, who is also a member of the Bureau of the Committee, at the next meeting of Lanzarote in June 2018.</p> <p>The International Operational Cooperation Directorate (IOCD) at the Ministry of Interior supports and coordinates the Bulgarian and foreign law enforcement agencies in the area of law enforcement, in particular combating the trafficking in human beings. All tools for international cooperation are effectively used in this regard – the second generation Schengen Information System (SIS II), Europol, Interpol, the network of liaison officers (overseas representatives of the Ministry of Interior in other countries and the foreign liaison officers situated in Bulgaria), there is an exchange of information on the Prüm Decisions (for fingerprints, DNA</p>

profiles, EUCARIS vehicle registration data checks) and simplified exchange of information, pursuant to Council Framework Decision 2006/960/JHA on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union.

The most frequently used international tools in combating human trafficking, sexual exploitation of children and irregular migration are through Interpol and Europol.

Interpol:

The International Child Sexual Exploitation (ICSE) image database contains images of sexual exploitation of children. It was launched in 2009 for the purpose of identifying perpetrators of this type of crime, locating and detaining them, as well as removing the victims from the environment of violence. It is a powerful intelligence and investigative tool which allows specialized investigators to share data with colleagues across the world.

In February 2016 the third version was released, extensively expanding the database's features to include video analysis tools, as well as state-of-the-art technologies aimed at supporting the investigators' efforts to identify the victims depicted in video recordings of sexual exploitation of children. The police forces from 49 countries plus Europol are linked to the ICSE database, in Bulgaria only the General Directorate for Combating Organized Crime (GDOC) has access to it.

The Facial Recognition was launched in 2016 and it is a database of stored portrait images provided by Member States, allowing comparison of images of wanted persons or unidentified bodies and the images stored in the database. This tool enables the global law enforcement community to share and compare data in order to identify refugees, missing persons, as well as unknown persons.

Europol:

The European Migrant Smuggling Centre (EMSC) was established in early 2016 following a period of highly dynamic irregular migration affecting the European Union. The goal is to support the EU Member States by preparing analytical and strategic reports and providing on-the-spot support. The Centre closely cooperates with Eurojust and Frontex, and supports police and border authorities by coordinating highly complex cross-border anti-smuggling operations. Europol develops and maintains systems for information collection, processing and analysis, including personal data. The Europol Regulation establishes strict rules on respect for human rights, data protection and security.

The Europol Information System (EIS) contains information on serious international crimes, suspected and convicted persons, criminal structures, and offences and the means used to commit them (such as cars, phone numbers, bank cards, etc.). It is a system that can be used to check whether information on a certain person is available in other Member States and Europol's partners.

The Analysis Projects are an information processing system with a focus on certain crime areas (such as drugs trafficking, human trafficking, Islamist terrorism, etc.). The database stores information from ongoing investigations in Member States and Europol's partners. In all exchanges of information with Europol, the data provided are checked and if there are matches, the stakeholders are notified. The goal is to establish links between the investigations in different countries, to support the law enforcement authorities by analysing and providing more structured and accurate information, as well as by providing subsequent technical and financial support.

The Analysis Projects on trafficking in human beings, sexual exploitation of children and migrant smuggling are:

	<ul style="list-style-type: none">- AP Phoenix - trafficking in human beings for the purposes of sexual and labour exploitation, forced criminality, child trafficking and human organ trafficking;- AP Twins – prevention and combating of all forms of criminality associated with the sexual exploitation and abuse of children;- AP Migrant Smuggling – combating of organised criminal networks for migrant smuggling. <p>Bulgaria also participates in the European Multidisciplinary Platform against Criminal Threats (EMPACT).</p>
Croatia / Croatie	<p>Interpol enables its member countries instant exchange of information via its Global Communication System I 24/7 (hereinafter I 24/7). Furthermore, it helps them fight crime by keeping centralised data bases on travel documents, vehicles, identification documents, administrative documents, wanted persons, terrorists and weapons.</p> <p>The Republic of Croatia became a member of Interpol in November 1992 at a regular session of the Interpol General Assembly and then, on a national level, established an Interpol National Central Bureau (NCB Zagreb). Today, NCB Zagreb is a department within the International Police Cooperation Service of the Criminal Police Directorate of the Ministry of the Interior.</p> <p>Interpol is the only international organisation which currently has a system of international notices and exchange of information at a global level which is, by means of the unique Global Communication System I 24/7, available in all 190 member countries.</p> <p>Identity establishment and verification of children of illegal migrants/asylum seekers who are detected as victims of sexual abuse and exploitation is, in accordance with the usual practice, conducted via Interpol bureau of the country of origin, transit country and possibly country of destination, if such data exists. Besides the regular exchange of information on travel documents, identification documents, administrative documents, Interpol bureaus exchange information on persons with international notices issued against them.</p> <p>In the cases where gathering additional information about a child - victim of sexual abuse and exploitation is needed, such data is gathered via blue and/or yellow Interpol notice.</p> <p>Blue notices are issued when the collection of additional information is necessary about a person. Persons who are subjects of data collection can be perpetrators of criminal offences of whom not enough information is available to issue a red notice, potential witnesses of criminal offences, persons harmed by criminal offences and the perpetrators of so-called parental abductions in situations when the issue of custody has not been completely resolved and the issuing of a red notice is not possible. Information that may be collected may concern the identity of the person for whom the blue notice is issued, finding those persons, i.e. establishing their temporary residence or collecting data on their previous criminal activities. Data that can be found in blue notices are almost identical to those in red notices.</p> <p>Yellow notices are issued for missing persons or persons who are unable to identify themselves. Regarding content, they are different from the red notices because the part with judicial information is excluded, and additional information on the basis of which it is possible to identify a person is added (dental chart, detailed description of clothes and jewellery the person was wearing at the time of the disappearance and the description of luggage they had on their person). If the subject is a missing child, the country which finds it shall notify the NCB which issued the notice immediately and place the child under the care of a competent institution as well as immediately notify the closest diplomatic or consular representation of the country which issued the notice. Yellow notices are often used in cases of so-called "parental abductions" of children when blue or red notices are issued for the parents and yellow notices for the children.</p>

	<p>Besides the regular exchange of data on travel documents, identification documents, administrative documents and on persons for which international notices have been issued, in the Interpol bureaus police checks are conducted and additional information on the identity of an identified victims is collected as well as on the members of its immediate and extended family, address of residence, etc.</p> <p><u>Additional information sent on 31 December 2018:</u> The Republic of Croatia holds that Recommendation 33 has been implemented in the national legislation in accordance with our earlier statement in relation to the recommendations contained in the Special Report.</p> <p><u>Additional information sent on 1 March 2019:</u> Beside the information given regarding Europol, we like to add that since July 2013, the Republic of Croatia has been a full member of Europol, enabling it to fully exploit the capacity and capabilities of Europol to investigate serious and organized crime. In this regard, the Europol Unit has been set up as the Europol National Unit (ENU) which is responsible for achieving co-operation with Europol and member states / partners and is part of the International Police Cooperation Department (IPCD) in Criminal Police Directorate. Also, The Republic of Croatia has the Liaison Office at Europol. The Republic of Croatia uses the SIENA encrypted communication network to communicate with Europol and the Member States/Europol partners.</p> <p>It provides the possibility of direct communication with the competent authorities within Europol as well as the possibility of communication between Member States / partners without the inclusion of Europol.</p> <p>The SIENA communication network has provided an urgent exchange of information with a maturity of 8 hours for the submission of information on criminal offences located in police national bases, 7 days for the submission of information concerning criminal offences which can be reasonably assumed that they are located in police national bases and 14 days for the exchange of information on all other requirements.</p> <p>The Republic of Croatia is a member of more Focal points (FP) in Europol, and so is the FP Twins, which refers to the treatment in the field of sexual exploitation of children through the Internet, therefore uses the analytical support provided by EUROPOL to all Member States.</p> <p>Please note that the Republic of Croatia has access to the Interpol's International Child Sexual Exploitation (ICSE) image and video database. ICSE database uses sophisticated software to compare images and videos in order to establish a link between victims, abusers and the place of the offences, used by specialized investigators, and provides data exchange with other Member States of Interpol and Europol. Certified users in the Member States are given direct access to the real-time database, which provides an immediate response to enquiries concerning child sexual exploitation investigations.</p>
Cyprus / Chypre	<p>As mentioned above, a first screening is contacted at the point of refugees' entry in the Republic of Cyprus. In case there are suspicions that a child is a victim of sexual exploitation and sexual abuse, further investigation is carried out. The victim might be referred to the Children's House (operating since September 2017) or the Mental Health Services for further handling and support.</p> <p>In some cases, where there is suspicion of human trafficking, the Cyprus Police Office of on the Combat of Trafficking in Human Beings is involved. Although the Office is not involved during the screening procedure of refugees, it handles all referrals of potential victims of trafficking for the identification procedure. The identification procedure is based on an internal manual that has been drafted based on manuals of international organizations dealing with trafficking in human beings and victimization.</p>

	<p>A first screening is conducted at the point of refugees' entry in the Republic of Cyprus. During the first screening, according to a check list, a potential victim of sexual abuse/exploitation might be identified and the competent authorities (i.e. Social Welfare Services, Mental Health Services) are informed for further action.</p> <p>Furthermore, Asylum Services Officers have received specialized training on the identification of victims of trafficking. During the interviews of the asylum application, when there are suspicions of a victim of trafficking, the Cyprus Police Office of on the Combat of Trafficking in Human Beings (the competent authority for the identification of victims of trafficking) is notified for further action.</p> <p>The identification procedure is based on an internal manual, based on victim identification procedures adhered by Interpol, the International Labour Office (ILO), the International Centre for Migration Policy Development (ICMPD) and the World Health Organisation (WHO).</p> <p><u>Additional information sent on 9 April 2019:</u> The Office for Combating Cyber Crime of the Cyprus Police uses cooperation tools in the context of Europol/Interpol to facilitate. More specifically the Office is a member of the Victim Identification Task Force of Europol. Every year a member of the Office for Combating Cyber Crime visits VITFE for the purpose of cooperation and identification of victims from the database of Europol. There is an ongoing cooperation for the handling of cases.</p> <p>The Office for Combating Cyber Crime is a member of TWINS, which is a focal point of Europol for the collection and analysis of data related to sexual exploitation and sexual abuse of children.</p> <p>The Office for Combating Cyber Crime is a member of Europol Multidisciplinary Action Against Crime Threats, for cases of child sexual exploitation and/or abuse, where member states have developed an operation plan to effectively combat the phenomenon, which has been adopted by the Office for Combating Cyber Crime in Cyprus.</p> <p>It is noted that the Pedagogical Institute in cooperation with the Police and other competent authorities are implementing the National Strategy for a Better Internet for Children, that was approved by the Council of Ministers in 2018. Among the actions included in the Strategy is the sensitization of adolescents on cyber bullying, sexual exploitation/abuse and information on how to act and where to report.</p> <p><u>Additional information sent on 17 April 2019:</u> The services provided to child victims of sexual abuse and/or sexual exploitation are provided to all children residing in Cyprus. The Office for Combating Cyber Crime uses the same tools for the identification of child victims of sexual violence for all the children residing in Cyprus, including children affected by the refugee crisis.</p>
Czech Republic / République tchèque	<p>There is an intensive international police cooperation in place during the process of searching for the children, who left the education facilities providing care (especially entering the runaway unaccompanied minor into the international database SIRENE), ensured by the Police Presidium of the Czech Republic.</p> <p>The Police of the Czech Republic makes use of appropriate tools of Interpol and Europol for the identification of child victims of sexual exploitation and sexual abuse, for example the Operational Analysis Project Twins (Europol), the International Child Sexual Exploitation Database (Interpol). The international police exchange of information of operational character between respective national and foreign actors is carried out by the International Police Cooperation Division of the Police Presidium of the Czech Republic.</p> <p>Currently, there is no registered case of sexually abused children affected by the refugee crisis in the Czech Republic. The Czech Republic is only a transit country in the context of migration, and to a very limited extent in comparison with other EU member states.</p>

<p>Denmark / Danemark</p>	<p>As included in the Committee's Special Report from March 3rd 2017, Denmark focuses on successful police cooperation within the context of Interpol and Europol.</p> <p>The participation of Danish police in international cooperation is still primarily rooted in the framework of EU cooperation, including Eurojust, EUROPOL, Frontex, CEPOL and Schengen, as well as the PTN (Police and Customs in the North) cooperation. Denmark also participates in INTERPOL cooperation.</p> <p>Since 2013, the Danish police has entered persons who are convicted of sexual assault against children in EUROPOL's Information System (EIS). These entries are sent once a year in connection with EUROPOL's project Recording Europeans Abusing Victims in Every Nation (RAVEN). Also, the Danish police participate in a number of actions concerning the fight against human trafficking and sexual exploitation of children within the framework of EUROPOL in the form of EMPACT priority B and G2 projects.</p>
<p>Finland / Finlande</p>	<p>The Government notes that the police use the channels of Interpol and Europol. The channel used in international criminal police cooperation depends on each individual case and on the state with which an exchange of information is needed. These instruments are used both in cases of sexual offences discovered during asylum procedures and in investigations of offences revealed in other police activities. The Finnish Immigration Service generally does not use the cooperation instruments available within Europol and Interpol.</p> <p>Additional information sent on 30 January 2019: With regard to the Recommendation 33, the police in Finland use the channels of Interpol and Europol as recommended. These instruments are used both in cases of sexual offences discovered during asylum procedures and in investigations of offences revealed in other police activities.</p>
<p>France</p>	<p>Informations complémentaires envoyées le 8 janvier 2019 : ▶ exhorte les Parties à recourir, dans le contexte de la crise des réfugiés, aux outils de coopération déjà disponibles dans le cadre d'Europol/Interpol visant spécifiquement à identifier les victimes d'exploitation et d'abus sexuels (R33).</p> <p>Le ministère de la justice s'attache à favoriser le recours aux outils de la coopération pénale internationale, par le biais de la circulaire du 22 janvier 2015 relative à la politique pénale en matière de traite des êtres humains et à la circulaire de politique pénale du 24 novembre 2015 relative à la situation du Calais, à la lutte contre l'immigration irrégulière organisée et à la délinquance connexe, dans le cadre de la promotion d'une approche globale de lutte contre les réseaux.</p> <p>La traite des êtres humains (TEH) est une « euro infraction », faisant partie de la liste des 32 catégories d'infractions qui dispense l'État d'exécution du contrôle de la double incrimination. Elle rend plus aisée la mise à exécution des mandats d'arrêt européens et facilite l'exécution des commissions rogatoires internationales (CRI) dans des pays ayant adopté une conception plus restrictive du proxénétisme (Espagne, Allemagne notamment).</p> <p>Le recours à Eurojust, pour la mise en place des équipes communes d'enquêtes notamment, mais aussi au réseau des magistrats de liaison, est un soutien nécessaire à la lutte contre le trafic d'êtres humains. Au mois d'avril 2018, 11 équipes communes d'enquête ont été signées en matière de traite des êtres humains, 9 en matière de proxénétisme et 12 en matière d'immigration irrégulière.</p> <p>S'agissant de la coopération avec le Royaume-Uni, pays de destination de réseaux de traite transitant par le territoire français, la désignation d'un magistrat de liaison adjoint spécifiquement dédié à la lutte contre le trafic de migrants et la TEH est de nature à fluidifier l'entraide pénale internationale.</p> <p>La Direction des affaires criminelles et des grâces (DACG) s'attache enfin à proposer l'organisation de séminaires de coopération à l'occasion desquels peuvent être discutés et signés des protocoles ECE avec les pays ne disposant pas des instruments d'enquête européens et/ou avec lesquels les problématiques de traite et de proxénétisme sont prégnantes et nécessitent le renforcement des liens entre les magistrats spécialisés dans cette thématique.</p>

Interpol a mis en place plusieurs opérations qui apportent leur soutien aux polices locales des lieux de départ des migrants, tel que l'opération Spartacus. En juin 2016, des services de police de 25 pays d'Amérique centrale et du Sud ont secouru un nombre important de victimes, arrêté 134 personnes et démantelé au moins sept réseaux de criminalité organisée impliqués dans la traite d'êtres humains. Des opérations semblables avaient été menées en 2012 et 2014. La prise en charge est ainsi effectuée en amont de l'arrivée sur le territoire français.

Informations complémentaires envoyées le 24 avril 2019 :

La recommandation R33 relève davantage de la compétence du ministère de l'Intérieur dans la mesure où il s'agit de l'usage qui est fait des outils de coopération policière (Europol et Interpol notamment) aux fins d'identification des victimes.

Le caractère intrinsèquement itinérant et transnational des réseaux de traite des êtres humains appelle à ce que soient toujours plus usités et développés les outils d'entraide policière que représentent les institutions Europol-Interpol. Ces outils, à la main des services d'enquête, ont vocation à être actionnés tant s'agissant de l'identification des auteurs de faits de traite, du recueil d'informations financières que s'agissant de l'identification des victimes. Le ministère de la justice s'attache à faire connaître des magistrats ces outils notamment par le biais des formations dispensées par l'Ecole nationale de la magistrature, des séminaires organisés par la DACG que par voie de circulaire.

Ainsi, la circulaire du 22 janvier 2015 de politique pénale en matière de lutte contre la traite des êtres humains (http://www.textes.justice.gouv.fr/art_pix/JUSD1501974C.pdf) rappelle l'intérêt d'une consultation systématique des services de coopération policière dès le début des investigations.

La DCPJ a très régulièrement recours aux outils d'Europol et d'Interpol en matière de lutte contre l'exploitation sexuelle des mineurs commise en ligne.

- Concernant Europol

L'office central pour la répression de la violence aux personnes (OCRVP) de la DCPJ s'appuie sur la base de données et les analystes du projet d'analyse AP TWINS (pédopornographie) dans le cadre des enquêtes initiées sur des internautes à profil élevé, producteurs de fichiers à caractère pédopornographique, diffuseurs de ces fichiers et/ou abuseurs sexuels.

La base de données, alimentée par les pays membres et les pays tiers, permet notamment d'aider à l'identification d'internautes pédophiles, que ce soit sur l'Internet clair ou le Darknet, à partir de recherches effectuées sur des pseudonymes, adresses IP ou e-mail, numéros de téléphones etc. Les personnels spécialisés de l'AP TWINS procèdent au recoupement et à l'analyse de ces données et apportent une aide et plus-value aux enquêtes, notamment dans le cadre d'investigations complexes impliquant de nombreux internautes utilisateurs de plusieurs sites, forums et outils de communication.

A l'issue des enquêtes, l'OCRVP alimente la base d'Europol avec des données issues des investigations et de l'exploitation des supports numériques découverts et utilisés par les mis en cause.

A noter, en outre, qu'un enquêteur de l'OCRVP est membre de la VIDTF (Victim Identification Task Force) qui regroupe des enquêteurs spécialisés de plusieurs pays et les membres de l'AP-TWINS. Ces derniers procèdent à l'analyse de contenus inconnus issus de la base internationale d'image d'Interpol (International Child Sexual Exploitation database – ICSE) afin d'aider à l'identification des victimes et de leurs abuseurs. Les travaux de la VIDTF ont notamment permis à l'OCRVP d'identifier plusieurs victimes françaises et d'interpeller leurs agresseurs.

Par ailleurs, l'OCRVP fait ponctuellement appel à l'AP-TWINS afin de bénéficier d'un appui opérationnel et logistique dans le cadre d'opérations nécessitant une expertise et l'utilisation de matériels spécifiques. Un soutien opérationnel et technique est systématiquement proposé par l'Agence aux enquêteurs.

L'office central pour la répression de la traite des êtres humains (OCRTEH) alimente également l'AP PHOENIX (TEH et réseaux de prostitution), afin d'identifier des auteurs et des victimes. A noter que l'OCRTEH n'a pas détecté à ce jour d'organisation criminelle active en France spécialisée dans l'exploitation sexuelle de mineurs. Cet office reste toutefois particulièrement vigilant.

	<p>Au cours de l'année 2018, sur les 147 victimes d'exploitation sexuelle mineures identifiées au cours des enquêtes, seules 18 étaient étrangères (Nigeria 3, Maroc 3, Côte d'Ivoire 3, Algérie 2, Cameroun 2, Roumanie 1, Belgique 1, Espagne 1, Serbie 1, République Dominicaine 1), les autres étant toutes françaises et victimes de réseaux de proxénétisme de cité.</p> <p>En raison du faible nombre de victimes mineures identifiées, l'OCRTEH ne participe pas aux réunions EMPACT TEH dédiées à l'exploitation des mineurs.</p> <p>- Concernant Interpol</p> <p>Les enquêteurs de l'OCRVP sont habilités à consulter et à alimenter la base internationale d'images pornographiques de mineurs d'Interpol (International Child Sexual Exploitation database - ICSE). Cette base de données est utilisée au quotidien et constitue un outil d'aide à l'enquête indispensable. Elle permet de vérifier si des clichés photographiques ou des vidéos sont intégrés, connus ou identifiés. Elle est alimentée par les matériels découverts et saisis après l'interpellation des suspects et issus de leur production personnelle ou inconnus de la base.</p> <p>Du fait de leur expertise, les enquêteurs de l'OCRVP travaillent sur les séries de clichés, intégrées dans la base, susceptibles d'être de production française aux fins d'identification des victimes et de leurs abuseurs.</p> <p>On dénombre ainsi, en janvier 2019, en total cumulé, 220 victimes françaises identifiées et 126 auteurs identifiés de nationalité française dans la base de données ICSE.</p> <p>L'ensemble des fonctionnaires du groupe central des mineurs victimes de l'OCRVP a été formé à l'utilisation de cette base par les spécialistes de la thématique, au sein du Secrétariat général d'Interpol.</p> <p>Interpol a également mis en place l'outil CAPSEND (Central Aggregation Point for Sexual Exploitation Network Data) qui a pour but de récupérer des données trouvées sur le Net pour aider les enquêteurs à se focaliser sur les agresseurs à hauts risques et/ou les délinquants d'habitude. CAPSEND est également utile lorsqu'il s'agit de suivre certains dossiers particuliers ou surveiller des suspects ciblés.</p> <p>Le système des Notices Interpol est également utile pour lutter contre la pédopornographie, notamment dans le secteur du tourisme sexuel. Un État membre peut solliciter la publication d'une notice rouge lorsqu'un délinquant sexuel est recherché en vue d'une extradition ultérieure. Une notice verte peut être publiée lorsqu'un délinquant sexuel condamné est susceptible de voyager hors de ses frontières, et que le risque de récidive est élevé. Enfin, en cas de disparition d'enfant, une notice jaune peut être publiée, mentionnant les données relatives à l'enfant, et les circonstances de sa disparition.</p> <p>L'unité « crimes contre les enfants » d'Interpol collabore avec les services de la police de différents pays pour établir et mettre à jour la liste « IWOL » d'Interpol, liste qui répertorie les sites Internet qui diffusent les contenus à caractère pédosexuel les plus extrêmes et les plus violents. Cette liste, mise à disposition des fournisseurs d'accès Internet par les bureaux centraux nationaux (BCN), leur permet de filtrer ces sites et de bloquer l'accès de leurs abonnés à ces contenus illégaux.</p> <p>L'OCRVP privilégie cependant le canal des attachés de sécurité intérieure de la Direction de la coopération internationale (DCI) pour des raisons d'efficacité opérationnelle dans le cadre de certaines affaires. Par exemple, l'affaire de l'instituteur interpellé à Besançon début avril 2019 résulte d'une coopération par le canal des ASI. Le canal Interpol n'avait pas été utilisé par le service enquêteur.</p>
Georgia / Géorgie	<p>In February 2014, based on the initiative of the National Central Bureau of Interpol in Georgia, a Cooperation Agreement was drawn up with The National Center for Missing and Exploiting children (NCMEC) formed in the United States of America. NCMEC is subordinated to the Congress of the United States of America and operates as a national resource center and information bank about missing or sexually exploited children.</p> <p>As a result, certain standards were defined for the Ministry of Internal Affairs of Georgia to facilitate remote contact with the virtual network and ensure downloading reports of the units against exploited children containing examples of the crimes related to sexual exploitation of children.</p> <p>Additional information sent on 23 April 2019:</p>

	<p>On April 4, 2017, Georgia signed Agreement on Operational and Strategic Cooperation with EUROPOL. On March 9, 2018, the Memorandum of Understanding on Secure Communication Line and Liaison Agreement were signed with EUROPOL. The Parliament of Georgia ratified the Memorandum, which entered into force on June 20, 2018. On September 1, 2018, Georgian liaison officer was deployed to EUROPOL's Headquarters. The liaison officer also serves as a police attaché to the Netherlands.</p> <p>Georgia has started actively using EUROPOL's secure channels (SIENA) for the exchange and communication of law-enforcement information.</p>
Germany / Allemagne	<p>In the area of law enforcement aimed at combating the sexual abuse of children/adolescents and combating child/adolescent pornography, I can confirm that use is made of cooperation formats within the framework of Europol and Interpol.</p> <p>Due to the increasingly international nature of these phenomena (resulting not least from global networking via the internet), the Federal Criminal Police Office (Bundeskriminalamt) has been actively involved in various forms of international cooperation since 1994, e.g. regularly participating in the annual meeting of the ICPO-Interpol Working Group "Crimes against children", using the "Interpol Child Sexual Exploitation Database" (ICSE-DB), taking part in the analysis project "Twins", attending expert meetings at Europol and operating within the framework of EMPACT cooperation.</p> <p>The main core of the Federal Criminal Police Office's activity in this field is to process information from abroad regarding possible offences in/from Germany with a focus on the possession or dissemination of child pornography on the internet. The goal is to determine whether territorial jurisdiction lies in Germany and, in particular, to identify perpetrators and victims by analysing the content of photo/video material. In addition, the Federal Criminal Police Office supports the police forces of the <i>Länder</i> by obtaining the requisite information from abroad and by providing foreign authorities with relevant information about the owners, distributors and producers of child pornography material. The Federal Criminal Police Office – either in its function as the National Central Bureau for the International Criminal Police Organization (ICPO-Interpol) or via Europol – forwards the intelligence submitted by the police forces of the <i>Länder</i> on foreign perpetrators or cases to the competent foreign authorities.</p> <p>In addition, the Federal Criminal Police Office makes intensive use of the "Interpol Child Sexual Exploitation Database" (ICSE-DB). This database uses software to compare newly appeared images with existing images in order to detect any consistencies. Such consistencies can then potentially help to identify the location of the crime or the whereabouts of the victim. Working with information obtained in this way makes it easier for national investigators to track down the suspects and their networks.</p> <p>The database enables participating countries to have direct online access via the I-24/7 network, both for queries and for cancellations (of searches). The Federal Criminal Police Office was involved in developing the ICSE-DB from the very beginning (in 2003). It co-funded the project, ran the system during the testing phase and has been using it heavily ever since it became operational in 2009. The use of ICSE-DB is an essential component in the processing of all cases handled by the Federal Criminal Police Office where child pornography material is detected.</p> <p>In the area of human trafficking, the focus in connection with the migrant crisis has increasingly been on Nigerian females. Within the scope of the project EMPACT ETUTU (suppression of Nigerian human trafficking) led by the Federal Criminal Police Office, underage Nigerian victims of human trafficking are identified in Europe. Apart from Europol, 17 Member States plus Morocco and Nigeria are involved in the ETUTU project. The main objectives of the project are to establish an international network for identifying victims and perpetrators from Nigeria and to strengthen the cooperation with NAPTIP (the Nigerian National Agency for the Prohibition of Trafficking in Persons).</p> <p>During the Action Days and Joint Action Days which are conducted within the scope of the EMPACT cooperation, checks for human trafficking are regularly carried out in locations where prostitution takes place. Victims of human trafficking are thus identified. For example, during the EMPACT THB Action Days against child</p>

	<p>trafficking (held on 2–6 July 2018), checks were carried out on 333,790 individuals throughout Europe, leading to the identification of 72 adult and 51 underage potential victims of human trafficking.</p> <p>Generally speaking, it is clear that strong emphasis must be placed on giving high priority to the protection of refugee children against sexual abuse and sexual exploitation. Preventive measures and victim protection measures are especially important here.</p> <p>In asylum procedure, Germany applies the different guarantees for refugees in need of particular protection. These special rules from the European directives will be used for procedure and admission.</p> <p>In cases of unaccompanied minors concerned of sexual exploitation or sexual abuse, the Federal Office for Migration and Refugees will inform the legal guardian, the police and the Aliens Department.</p> <p>In cases of accompanied minors the youth welfare office will be informed and the child can be taken in custody by this authority. The police and the Aliens Department will be informed too.</p> <p>Most cases of sexual exploitation or sexual abuse concern victims of human trafficking. Victims of human trafficking are mostly young women from Nigeria between 18 and 30 years. The Federal Office for Migration and Refugees make reports to the security authorities, mostly to a State Criminal Police Office (Landeskriminalamt) or to the Federal Criminal Police Office. The victims can give evidence in a criminal procedure.</p> <p>Identification of victims of human trafficking happens in the asylum interview. Special interviewer or special representatives watch for certain indicators, such as travel route, unsuitable clothes, mental condition or high debts. A victim of human trafficking has the right to contact an advisory center for women in distress and in case of a credible interview it is possible to invoke the sovereignty clause by Germany.</p>
<p>Greece / Grèce</p>	<p>Regarding the identification and support of victims of sexual exploitation and sexual abuse, upon arrival, all third country nationals and especially children are submitted to reception and identification procedures that include the identification of vulnerable persons, such as victims of sexual exploitation and sexual abuse and unaccompanied minors, through vulnerability assessment conducted by the specialized medical and psychosocial personnel. Moreover, RIS has drafted a specific toolkit on the prevention and response of sexual gender-based violence in the form of checklists with standards to be respected and procedural steps to be taken to prevent and protect victims of sexual abuse and sexual exploitation.</p> <p>Additional information sent on 6 June 2019: Not only all available tools of EUROPOL/INTERPOL are in use in Greece regarding identification of immigrant/refugee children - victims of sexual violence and exploitation but that also in the Aegean islands (where the most common entry point is) there are permanent points in which EUROPOL conducts by itself respectful screening etc. apart from training to Hellenic Police force which is regularly conducted.</p>
<p>Hungary / Hongrie</p>	<p>See the answer given with regard recommendation 27</p> <p>Section 2 k) of Act LXXX of 2007 on Asylum determines the categories of persons requiring special treatment, including among them the victims of sexual violence. While carrying out each asylum procedure, it shall be examined whether the person falls under any of the category to be regarded as a person requiring special treatment.</p> <p>Regarding the issue, we would also like to refer to the provisions of section 33 of Government Decree no. 301/2007 (XI. 9.) on the implementation of Act LXXX of 2007 on Asylum, according to which the unity of the family has to be maintained, where appropriate and possible, even during the separate placement of a person requiring special treatment. Throughout reception, the measures should primarily be taken in a way that the best interest of the child applying for protection is taken into consideration, this is a subjective matter, thus it shall be examined on a case by case basis, and can give reason to omit uniting the family, if necessary. During the placement in the reception centre, children have to be provided with meals, clothing, mental health care, medical care, safekeeping and education which are suited for the age, health condition and other needs of the children and which help their physical, mental, emotional and moral development. On the basis of the relevant legislation on child protection, unaccompanied minor applicants are placed in child protection institutions, if they are recognized as minors by the asylum authorities. The designated accommodation for</p>

	<p>unaccompanied minors can be changed only in exceptional cases and only with regard to the interest of the unaccompanied minor. During the placement of an unaccompanied minor, the unity of the family has to be maintained by the joint placement of siblings, having regard to their age and maturity. To provide children who were victims of rape, serious neglect, exploitation, torture, inhuman or degrading treatment or who suffered trauma during an armed conflict should be provided with adequate rehabilitation, or in case of need, mental health care and advisory service, therefore, the Immigration and Asylum Office notifies the competent healthcare institutions and, in case of unaccompanied minors, the competent child protection institutions.</p> <p>Both the members of the Police and the Immigration and Asylum Office perform tasks in this regard. Activities in this field, thus identification of victims, have recently started, and related co-operation is being developed. Members of the police, including the healthcare personnel with whom the police is in contractual relationship, as well as the staff of the Immigration and Asylum Office have taken or are going to take part in related training, and those who have not yet participated so far will receive continuous training during the following two years.</p> <p>In addition, the personnel of the Immigration and Asylum Office can use the methodological guide, which was prepared as part of the Office's MMIA tender and aims to help identify victims of trafficking.</p> <p>1. Within the context of the refugee crisis, the Hungarian police authorities use the specific co-operation tools already available in the framework of Europol/Interpol, which are specifically aimed at identifying child victims of sexual exploitation and sexual abuse.</p> <p>The cooperation with Europol EC3 AP Twins is on daily basis. Police officers specialised in this field share information through the SIENA system with Member States and EUROPOL continuously, also they attend trainings on how to identify children falling victim to sexual exploitation and sexual abuse and they use the new knowledge in their work.</p> <p>The Cybercrime Department of the National Bureau of Investigation (NNI) uses the Interpol ICSE (International Child Sexual Exploitation) database continuously.</p> <p>2. Hungary, Romania and Bulgaria participate in a joint project managed by the Organization for Security and Co-operation in Europe (OSCE) in the topic of gender-based violence. The time of the project: 2018-2020.</p> <p>The focus of the project is to share information and best practises regarding criminal proceedings on gender-based violence; and to organise awareness raising campaigns and trainings for practitioners. One step of the project is a situational analyses report in all partner countries to identify the specific strengths, weaknesses and needed activities. The analyses process has not started yet.</p>
Iceland / Islande	As a matter of principle, all cases of suspected victims of sexual abuse and exploitation would be reported to the State Police which in turn would involve Europol for the purposes of applying the Interpol ICSE Database and other available tools for victim identification.
Italy / Italie	With regard to international cooperation in the investigation and prosecution of crimes, the Ministry of the Interior, with specific reference to the phenomena of sexual abuse and exploitation of children, including trafficking for the purpose of sexual exploitation, has developed numerous activities through its articulations operating at international level - including Interpol - and at European level - S.I.Re.N.E. and Europol. These include the initiative of Europol (Cybercrime Centre and FP Twins), launched in 2013, of the RAVEN project (Recording Europeans Abusing Victims in Every Nation) with the aim of creating a shared European database accessible to European police forces and containing information on criminals involved in pedophile crimes, as well, within the G6 countries, the participation in the UK project on the sexual exploitation of children and pedophilia, known as "Improving the exchange of criminal records of child sex offenders", which focuses on studying and strengthening mechanisms for exchanging and sharing information on sex offenders.
Latvia / Lettonie	<p>Additional information received on 20 December 2018:</p> <p>Evaluating this recommendation, Latvia has come to the conclusion that the existing legal framework is compliant with this recommendation. Latvia informs that the State Police is already using and will continue to use special cooperation tools available in the Interpol and the Europol systems specifically designed to identify victims of sexual exploitation and sexual abuse (there is access to the Interpol database system "ICSE"). The State Police received an access to the ICSE in May 2016</p>

	<p>after 3-day training that was provided by the the Interpol. In addition, the State Police is participating in the Europol and the Interpol and the U.S. law enforcement initiatives and projects relating to combating and preventing the child sexual abuse crimes.</p> <p>Latvia is involving in the Policy cycle of the European Union (EU) in accordance with the EU Council conclusions on setting the EU priorities for the fight against serious and organized crime within the framework of the European multidisciplinary platform against criminal threats (EMPACT), including "Cybercrime" sub-priority "Child pornography and exploitation" and the priority "Human Trafficking". Within the framework of priorities, Operational Action Plans are being developed that include a range of multidisciplinary and inter-institutional activities, including the preparation of information on a specific crime area, the collection of information on perpetrators and investigations, the launching of joint investigations, the organization of preventive measures, application of the new tools and mechanisms etc.</p> <p>The State Police uses special cooperation tools available in the Interpol and the Europol systems specifically designed to identify victims of sexual exploitation and sexual abuse (there is access to the Interpol database system "ICSE"). The State Police received an access to the ICSE in May 2016 after 3-day training that was provided by the the Interpol. In addition, the State Police is participating in the Europol and the Interpol and the U.S. law enforcement initiatives and projects relating to combating and preventing the child sexual abuse crimes.</p> <p>After receiving an asylum application, the State Border Guard shall inform the competent authorities of the fact of requesting asylum. The competent authorities shall, in accordance with their competence, carry out verification of the personal data of the asylum seeker and shall inform the Asylum Affairs Division of the Office of Citizenship and Migration Affairs regarding the results obtained.</p> <p><u>Additional information sent on 8 November 2018:</u> Latvia participates in <u>Europol's Analysis Program AP Twins</u> (in 2017, 69 inspections were carried out (25 in 2016), as a result of which 14 criminal proceedings were initiated in Latvia (in 2010 - 10 criminal proceedings)).</p> <p>Considering the above stated, we would like to request, that the third paragraph of <i>General overview of the information provided by the State parties on their implementation of Recommendation R33</i> in analysis of the Follow-up by Parties to the 5 "urge" recommendations is supplemented and Latvia would be included in the list of countries, which <i>refers to Analysis Program AP Twins that aims to support the competent authorities of the Member States in preventing or combating all the forms of criminality associated with the activities of criminal networks involved in the production and distribution of child sexual abuse materials and associated forms of crime</i>, as well on the lists of countries, which <i>reports on cooperation in the context of European Multidisciplinary Platform against Criminal Threats – EMPACT</i>.</p>
Liechtenstein	<p>Liechtenstein's National Police is aware of the various tools available in the framework of Europol/Interpol and keeps the competent authorities in Liechtenstein informed about them, particularly when new tools are being made available.</p> <p>The National Police has been a member of Interpol since 1960. In cases of sexual abuse and exploitation in Liechtenstein, the police can send the child sexual abuse and exploitation material to Interpol for analysis.</p> <p>Liechtenstein uses the Yellow Notices of Interpol to help locate missing persons, especially minors. At present no children are being written out by Liechtenstein as being missed via the yellow notices of Interpol. Upon arrival of migrants and asylum seekers the National Police follows special guidelines and investigate the persons entering the country and checks the police system, including the Yellow Notices of Interpol.</p>

	<p>Even though Liechtenstein has not issued a Green Notice via Interpol to warn about a person's criminal activity w.r.t. child abuse, Liechtenstein could do so at any time.</p> <p>The National Police uses the Blue Notices of Interpol intensively to locate, identify or obtain information on a possible criminal record or any other information relevant to investigation and could do so anytime w.r.t. child abuse activities in Liechtenstein.</p> <p>The National Police – and in particular the employees of the Crime Investigation Division – can access the data systems of Interpol, in which the various notices mentioned above are stored, any time. A check of the Interpol notices is a standard procedure of any identity check by the police.</p> <p>Since 2014 the National Police has an agreement with Europol on operative cooperation and has been in an active exchange w.r.t. all criminal categories. In cases of sexual abuse and exploitation in Liechtenstein the police can use the services of Europol and access the expertise of Europol experts.</p> <p>Additional information sent on 31 December 2018: In light of the practice-oriented and needs-based use of co-operation tools available in the framework of Europol/Interpol to identify perpetrators and victims of sexual exploitation and abuse by the National Police, Liechtenstein considers the recommendation as implemented and requests to be struck off the “urge” recommendation list. This request is further substantiated by the above-mentioned circumstances of an extremely low number of asylum-seeking children in Liechtenstein and the absence of cases of suspected sexual exploitation or abuse of asylum-seeking children on Liechtenstein territory.</p>
Lithuania / Lituanie	<p>In Lithuania, the State Border Guard Service upon receiving notification that a minor has disappeared or was allegedly taken to a foreign country, circulates information through the SIRENE bureau in the Schengen area, thus announcing the search for a person in 25 countries. If necessary, information is forwarded to INTERPOL.</p> <p>Also, the officers of the Territorial Police Office or the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania, after establishing an unaccompanied minor alien in the Republic of Lithuania, verify the data of an unaccompanied minor alien and his or her family members or other legal representatives, i.e. they check in the Lithuanian National Second Generation Schengen Information System SIS II there are states that have issued an alert on the prohibition of the entry or residence of his family members or other legal representatives.</p> <p>The Police Information System browser has fully deployed an Interpol search engineer. The day-to-day use of the second-generation Schengen Information System (SIS II) guarantees timely, prompt information, whether persons and things are not searched in the territory of the Schengen area. Lithuanian authorities cooperate with Europol and ensure the secure exchange of information through Europol channels.</p> <p>Moreover, recently a successful agreement has been reached on the launch of the AMBER Alert Facebook missing children's search system in Lithuania, between the Ministry of the Interior (MIA), the Police Department under the Ministry of the Interior, the representatives of the Missing People's Families Support Center and Facebook social network leaders.</p> <p>There is also a 24-hour helpline 116 000 of the Missing People Family Support Center.</p>
Luxembourg	<p>Dans ce contexte, la Police Grand-Ducale recourt systématiquement à la coopération internationale via les canaux d'Europol/Interpol afin d'échanger des informations.</p> <p>Additional information sent on 9 April 2019:</p>

	<p>Dans ce contexte, la Police Grand-Ducale recourt systématiquement à la coopération internationale via les canaux d'Europol/Interpol afin de demander ou de recevoir des informations.</p> <p>L'outil le plus utilisé afin d'identifier des personnes inconnues ou disparues est la base de données "ICSE" d'Interpol (International Child Sexual Exploitation).</p> <p>En ce qui concerne Europol, les services de police ont recours à l'EIS (Europol Information System) afin de vérifier si une enquête relative à une ou plusieurs personnes est en cours dans un autre pays membre de l'UE.</p> <p>De plus, le Luxembourg participe à nombreux AP (Analysis Projects), notamment Phoenix (traite des êtres humains), Twins (exploitation et abus sexuels envers mineurs) et Migrant Smuggling (trafic d'êtres humains).</p> <p>Dans le cadre du projet EMPACT, la Police Grand-Ducale participe également dans la priorité traite des êtres humains. La Police Grand-Ducale était d'ailleurs co-fondateur du sous-projet ETUTU afin de combattre la traite relative à des femmes nigériennes. Dans ce contexte, la police a participé activement à des Action Days et à l'échange d'informations.</p>
Malta / Malte	<p>The Cyber Crime Unit within the Police Department are constantly monitoring and identifying persons downloading child abuse material and also receive regular information through Europol channels to investigate and take all necessary action in relation to child abuse cases.</p> <p><u>Additional information sent on 25 March 2019:</u> The police investigate any reports or referrals of sexual allegations and such crimes are usually investigated by the specialised team called Vice Squad. Yes, the police can inform other authorities through official channels such as Interpol and Europol if during police investigations it results that other countries are involved or we require additional information about specific cases.</p> <p><u>Additional information sent on 26 May 2019:</u> Within the context of Europol, Malta is an active contributor to AP Twins which deals with Child Sexual Exploitation. The use of SIENA to share information of ongoing investigations has been included in the workflow of cybercrime related investigations since it is felt that Europol is in a good position to cross match and identify opportunities for Joint investigations.</p> <p>Within the context of EMPACT, Malta has been participating in the priority concerning "Cybercrime – Child Sexual Exploitation" since 2014. Throughout this period, Malta has participated in numerous activities undertaken through this group. In 2015, Malta led an activity within this group whilst it is currently co-leading another activity during the current year.</p> <p>Training of officers is an ongoing initiative. Officers from both Vice Squad and the Cyber Crime Unit have benefitted from training in Victim Identification, Management of Child Sex Offenders and Online Child Sexual Exploitation which were organised by CEPOL and Europol.</p> <p>The Victim ID function within the Police Force will be further strengthened through an EU Funded project that is currently being implemented by the Police Cyber Crime Unit. Through this project, the CCU will enhance its digital forensic capabilities whilst also introducing connectivity to international police channels / databases (ICSE, Europol, etc) which to date are accessed through the Police International Relations Unit. This project will greatly facilitate the investigative follow-up and sharing of information with other countries in investigations.</p>

	<p>The Police CCU is the 24/7 point of contact for the CoE Budapest Convention on Cybercrime as well as INTERPOL's NCRP Directory for computer related crimes. CCU officers are available round-the-clock to provide any assistance required in preserving or seizing evidence.</p>
Republic of Moldova / République de Moldova	<p>Republic of Moldova has four police officers who are connected to the Interpol ICSE database, which is specifically aimed at identifying victims of sexual exploitation and sexual abuse, as well as to the Europol Platform for Experts.</p> <p>About the Interpol database, it doesn't really work in a separate way when the case relates to migration. The officers are trained in general for victim identification.</p> <p><u>Additional information sent on 10 April 2019:</u> Law enforcement in Republic of Moldova uses the following EUROPOL tools in the framework of preventing and combating sexual exploitation and abuse of children:</p> <p>The Europol Platform for Experts is an online collaboration platform meant to reach specialists from law enforcement authorities in the EU Member States and outside the European Union. Relevant non-law enforcement experts from universities, private companies and other international organizations are also members of the EPE. The EPE includes dedicated space for Combating Child Sexual Exploitation, IT Forensics Training, materials from annual specialized training for law enforcement (COSEC - see below) and other relevant shared information.</p> <p>In 2019, Republic of Moldova also obtained access to EUROPOL "LFE- Large File Explorer", which allows large amounts of files to be shared in a secured way, including for victim identification.</p> <p>Cooperation with Focal Point Twins, that aims to support the competent authorities of the Member States in preventing or combating all the forms of criminality associated with the activities of criminal networks involved in the production and distribution of child sexual abuse materials and associated forms of crime.</p> <p>Specialized law enforcement officer attended the 5th Victim Identification Taskforce (VIDTF) organized by Europol, in 2018 and will attend the 6th VIDTF in May 2019. The essence of the VIDTF operations is bringing together specialists in Victim Identification from the EU Member States and Third Countries with Operational Agreement, to examine images, videos and intelligence related to child sexual exploitation, with the goal to support the identification and safeguarding of the victims and apprehension of the offenders related to the analyzed child abuse related data. The previous 5 VIDTF operations have provided support to ongoing or newly started investigations that led to the safeguarding of 270 victims and arrest/prosecution of 101 offenders.</p> <p>Specialized officers participate yearly at the annual training course "Combating the Sexual Exploitation of Children on the Internet" (COSEC), organized by EUROPOL in Selm, Germany. The course aims to build fundamental skills on investigating child sexual exploitation on the Internet and to bring law enforcement investigation standards together; to introduce/disseminate the latest investigation techniques and methods and to promote the sharing of mutual experience.</p> <p>Republic of Moldova joined the Europol SAY-NO campaign²³. The Romanian version of the awareness raising materials and video were distributed in schools and published online. The idea of the campaign is that offenders may try and approach victims online to get sexual photos or videos. To achieve this, they try to make victims feel special by pretending to be friends. They may also lure victims into sexualised conversation and performing sexual acts online. Once they get hold of</p>

²³ <http://politia.md/ro/content/campanie-de-informare-si-prevenire-spune-nu>
<http://www.ipn.md/en/societate/85728>
<https://strategeast.org/moldovan-police-joins-europols-campaign-against-sextortion/>

	<p>sexual photos or videos, they may demand them to send more, or ask for money, threatening to post the images on the internet or share them with victims' friends and family if they don't do as they say.</p> <p>Law enforcement in Republic of Moldova uses the following INTERPOL tools in the framework of preventing and combating sexual exploitation and abuse of children:</p> <p>Republic of Moldova is connected to International Child Sexual Exploitation –ICSE – database. The only global platform of its kind, INTERPOL's ICSE database enables specialist officers to use sophisticated image and video comparison software to make connections between victims, abusers and locations. By analyzing the digital, visual and audio content of photographs and videos, victim identification experts can retrieve clues, identify any overlap in cases and combine their efforts to locate the victims.</p> <p>The Moldovan law enforcement uses ICSE even within criminal cases involving child pornography. Seized child pornography material is uploaded into ICSE on one hand and ICSE reports are attached to cases on other hand, in order to show the international dimension of online child sexual exploitation and abuse.</p> <p>Interpol's Global Communication System I 24/7 for information sharing is used for secure connection and communication within criminal proceedings.</p> <p>I-CARE international project is being implemented. It includes the process of interconnection between ICSE and the national child pornography database ("Child Protection Information System"). At the moment, national database has the possibility to use ICSE hash sets of known files and export batches for ICSE. As result of I-CARE project implementation, the investigators will not have to upload the seized child abuse material twice in both databases, as well as other improvements are being implemented.</p> <p>Representatives of Republic of Moldova attend the INTERPOL Specialists Group on Crimes against Children, which meets on an annual basis to review the latest advances in global efforts to tackle online child sexual abuse, identify the young victims and prevent the spread of abuse materials. The INTERPOL Specialists Group on Crimes Against Children has played a key role in the global development of victim identification in child abuse image investigations, through its active role in capacity building and raising the investigative standards of the law enforcement response to child abuse worldwide.</p> <p>Also, all Moldovan law enforcement agencies cooperate with international police organizations via Center for International Police Cooperation (CCPI), which also have provided dedicated secured emails for the agencies communication. Center for International Police Cooperation is also responsible for cooperation with Interpol, where Moldova currently is in the management at regional level, and for cooperation with EUROPOL, having strategic cooperation agreement signed and a liaison officer in the Europol Headquarters.</p>
Monaco	<p>La Principauté promeut et utilise déjà les outils de la coopération policière internationale qui sont mis à sa disposition, non seulement par Interpol mais aussi par Europol dans le cadre de l'accord d'association stratégique et opérationnel qui les lie. En effet, l'Ordonnance Souveraine n° 3.509 du 2 novembre 2011 rend exécutoire l'Accord sur la coopération opérationnelle et stratégique entre le Gouvernement de S.A.S. le Prince Souverain et l'Office européen de Police (Europol).</p> <p><u>Additional information sent on 25 April 2019:</u></p> <p>En tant que membre de l'O.I.P.C. – INTERPOL, Monaco dispose d'une large consultation du Fichier I-24/7 sur lequel sont diffusés les avis de recherches tant des auteurs d'infractions graves commises contre des enfants, que des victimes mineures signalées d'exploitation et d'abus sexuels. Depuis plusieurs années déjà, les agents de terrain aux frontières disposent de bornes d'accès à ce fichier de recherche. De même, le système I-check-it permet d'automatiser la comparaison en temps réel des déclarations de séjours hôteliers – obligatoires à Monaco - avec le fichier I-24/7.</p>

	<p>Pour ce qui concerne EUROPOL, Monaco a signé un accord d'association stratégique et opérationnelle avec cet organe européen le 6 mai 2011. Depuis le 4 juillet 2018, l'accord s'étend à l'entièreté du cadre de compétence d'EUROPOL, dont la lutte contre la traite des êtres humains et contre la criminalité organisée.</p> <p>La Principauté promeut et utilise déjà les outils de la coopération policière internationale qui sont mis à sa disposition, non seulement par INTERPOL mais aussi par EUROPOL dans le cadre de l'accord d'association stratégique et opérationnel qui les lie.</p> <p>En effet, l'Ordonnance Souveraine n° 3.509 du 2 novembre 2011 rend exécutoire l'Accord sur la coopération opérationnelle et stratégique entre le Gouvernement de S.A.S. le Prince Souverain et l'Office européen de Police (EUROPOL).</p> <p>Par ailleurs, INTERPOL et EUROPOL sont sollicités sans aucune restriction pour toute information liée aux infractions contre l'enfance et notamment pour la protection contre l'exploitation et les abus sexuels.</p> <p>Le BCN INTERPOL MONACO est habilité à traiter et transmettre toute demande d'information. EUROPOL est également consulté et est à même de répondre à toute demande de coopération internationale dans ce domaine.</p> <p>Ainsi les bases de recherche INTERPOL et EUROPOL peuvent être consultées en permanence pour échanger toute information utile sur cette thématique criminelle. En pratique les enquêtes qui intéressent les auteurs majeurs, d'exploitation ou d'abus sexuels, sont confiées à la Section de Lutte contre le Crime Organisé (SCO) au sein de la Division de Police Judiciaire.</p>
Montenegro / Monténégro	<p>International Operational Police Cooperation Department INTERPOL-EUROPOL-SELEC continuously exchanges information with foreign partner services on all types of crime, including, inter alia, the criminal offenses of sexual abuse of children and the dissemination of child pornography on the Internet. The exchange of information is carried out at the request of domestic or foreign competent police units engaged in the investigation of child pornography and its distribution via the Internet. The General Secretariat of INTERPOL's Trafficking in and Smuggling of Human Beings enabled a standardized exchange of data for reporting on trafficking cases and checks in relevant INTERPOL databases.</p> <p>We also note that as part of preventive activities in the part of the fight against the abovementioned criminal offenses, the Police Directorate signed an agreement with the operator "Promonte GSM" in 2009 according to which the Police Administration (PA) regularly submits the "Worst of" - list of domains, all in order to block the domain by the aforementioned operator.</p> <p>The Interpol General Secretariat has created a centralized database of images presenting evidence of sexual abuse of children with the aim of attempting to identify victims whose photos circulate globally on the Internet and coordinating the global activities of law enforcement in this area. This standalone database is known as the Interpol Child Abuse Image Database (ICAID). Further activities of the General Secretariat of INTERPOL are ongoing in the part of defining access to the aforementioned database, as well as the allocated financial costs for improving the database, especially in the part of tools for the benefit of national investigations.</p> <p>Also, the Interpol diffusion and arrest warrant system allows global cooperation between all Interpol Member States in monitoring criminogenic and suspected persons, as well as gathering information to locate missing persons. In this context, INTERPOL Green Notice are particularly important in order to point out possible threats from the presence of persons registered as perpetrators of crimes of sexual abuse of children, and the Montenegrin border police is allowed to conduct checks at the Interpol's Stolen and Lost Travel Documents Database (SLTD) and the base of Stolen Motor Vehicles through technical solutions known as "MIND/FIND".</p> <p>A border police officer actively participated at the meetings on the topic "Basic Human Rights in the Border (protection of children)".</p>

	<p>In the mentioned periods, the following topics have been worked out:</p> <ul style="list-style-type: none">- Training content development- Case study development – scenarios- Identification of border risk indicators- Common assessment of course issues- CIRAM development (system of reliable analysis and incident report) of basic measurement system (e-tool) <p>All of the above stated has been presented as a tool on Virtual Auli Frontex with the aim of adopting a plan and program and it will be used as material for holding trainings by FRONTEX on the occasion of training border police officers on the topic “Basic Human Rights in the Border (protection of children)”.</p> <p>Additional information sent on 21 December 2018: Montenegro, when conducting police checks at border crossing points in the country, uses the bases and tools as follows: The Stolen and Lost Travel Documents Database (SLTD) – this Interpol’s database can be linked to potential victims of trafficking in human beings for the purpose of sexual exploitation in the manner that perpetrators of this offences transport victims across the border by using the fake of false passports and/or false identities.</p> <p>Also, the AFIS database is used for checking the fingerprints of suspects and persons recorded on the basis of committing criminal offences.</p>
Netherlands / Pays-Bas	<p>Original reply with additional information sent on 27 February 2019: Identifying victims is one of the main aims in the Dutch approach of (online) sexual abuse of children. The Dutch government/police work closely together with Interpol/Europol regarding the identification of victims. For example the Dutch Ministry of Justice and Security co-finances a program of Interpol, with al kind of activities regarding the development and to stimulate the use of the Interpol Child Sexual Exploitation Database (ICSE) by other countries for a period of five years (April 2015- May 2020). Part of this by the Netherlands co-financed program is further the training and equipping of professionals for identifying child victims of sexual abuse concerning by Interpol and the modernization of (the use of) the green notices (warning reports for traveling sex offenders). Until 2020 the Netherlands also contribute for the education/training of international liaisons, involved with combatting child abuse, in connection with Interpol.</p> <p>For example the Dutch Ministry of Justice and Security also co-finances the development and training in the area of identifying victims, concerning the Interpol Child Sexual Exploitation Database (ICSE DB), for a period of five years (April 2015- May 2020). And the Dutch police exchanges knowledge regarding Victim ID with the US and Australia (child victims of sexual abuse).</p> <p>The Netherlands use transnational cooperation tools for the identification of a missing minor, f.e. the Schengen Information System SIS II.</p> <p>International cooperation is essential for combatting human trafficking. The Netherlands also make use of JIT’s (f.e. with source countries of trafficking in human beings) to strengthen the cross-border cooperation in criminal cases. The Dutch police has together with the United Kingdom a leading part in the Empact project regarding Trafficking in human beings (cooperation of 26 European member states). One of the goals is to make the project more multidisciplinary, f.e. the cooperation with municipalities, ngo’s and reception organizations.</p> <p>The Dutch Ministry of Justice and Security also finances projects regarding financial investigations and Chinese trafficking in human beings. COA also has an instrument to monitor the safety of minors. The Netherlands also participates in/has on a daily basis contact with the Analysis Program AP Twins of Europol in</p>

	<p>preventing/combating the production and distribution of child sexual abuse materials and associated forms of crime. The Netherlands also participate in Europol's RAVEN project (Recording European Abusing Victims in Every Nation, it's a spinoff from the project HAVEN).</p>
<p>North Macedonia / Macédoine du Nord</p>	<p>The practice of working in multifunctional teams and in close co-operation between governmental and non-governmental professional services, as well as among domestic and international experts has already been established and functional as well as at the level of implementation of the policy and at the level of the operational provision of services.</p> <p><u>Original text with additional information sent on 22 March 2019:</u> The Sector for International Police Cooperation, within the Ministry of Interior (MoI) within the scope of its activities, uses the tools available to international police organizations INTERPOL, EUROPOL and SELEC (especially the use of the information exchange system SIENA and the use of the INTERPOL's databases at the police border control of travellers) in the fight against all kinds of crime, including the fight against crimes related to sexual exploitation and sexual abuse of children, as well as children affected by the refugee crisis. Also we have a liaison officer in Europol since 2011 and within the frames of EMPACT, the joint Europol action days, were realized several regional operational actions in the fight against all kinds of crime.</p> <p><u>Additional information sent on 20 December 2018:</u> Taking into account the specifics of the migrant crisis and the need for appropriate approach and treatment of different categories of migrants, especially children affected by the refugee crisis, the border police uses the relevant tools aimed at identifying victims of sexual exploitation and abuse: Standard operating procedures for treatment in case of human trafficking, from the aspect of human trafficking with purpose of sexual exploitation and trafficking of children.</p> <p>Police officers who carry out border control are familiar with the indicators for sexual exploitation and trafficking of children and pay particular attention to the indicators that are related to border crossings for land and air transport, as potential channels for trafficking in people.</p> <p>Also, the members of the border police are familiar with the manner of treatment in the detection of victims of human trafficking, as well as with the assumed victims of human trafficking.</p> <p>With the aim of improving the situation in this field, continuously are held trainings for the members of the border police, on the topics related to human trafficking and on the application of the national legislation and international standards.</p>
<p>Poland / Pologne</p>	<p>The Polish Police makes use of the international cooperation channels and tools necessary to combat sexual exploitation of children to the broadest extent.</p> <p>Regarding Interpol, the Polish Police uses the International <i>Child Sexual Exploitation Data Base (ICSE DB)</i>, the main objective of which is to identify minor victims and perpetrators in the pedophile films and photographs and afterwards to undertake actions intended to save children from further sexual exploitation and to bring the perpetrators to justice. The use of the above-mentioned database and establishment of international cooperation with law enforcement authorities allowed positive identification (status for 1 March 2018) of 130004 child victims and 5884 perpetrators in a number of states. This also applies to refugee and migrant children. In April, this year, two Polish police officers went to the General Secretariat of Interpol in Lyon to complete a training in using the ICSE, after which they were granted the full access to the database. It is also planned to carry out the <i>train the trainer course</i> for the current police officers - Polish users of the database - so after they obtain their training qualifications, they can train other officers from the Polish Police in accessing and using the discussed database.</p> <p>Furthermore, the Police intends to use the so-called Interpol Green Notice in order to inform the law enforcement authorities from other countries on perpetrators of sexual offenses committed against children, entered in the Sex Offenders Register, who travel to those countries (they are obliged to inform about the intention, purpose and date of travel according to the Act on tackling the threats of sexual crime). The purpose of communicating this information through the Interpol</p>

	<p>Green Notice is first of all limiting the sexual exploitation of children in travel and tourism (so-called child sex tourism) what also refers to children affected by the refugee and migrant crisis and to the interest countries' undertaking adequate actions compliant with their jurisdiction.</p> <p>As a member of Europol, the Polish Police is active in works of the special Analytical Point - AP Twins - which is intended to combat sexual exploitation of children and so-called child pornography. This concerns both the exchange of criminal information, participation in joint operational actions against the crime in question as well as participation in the identification of minor victims and perpetrators. A special secure information exchange system developed by Europol - i.e. SIENA - is used for this purpose on current basis. The Polish Police is also involved in other AP Twins actions, such as development of dedicated IT tools and solutions intended to support the EU member states in their fight with sexual exploitation of children.</p>
Portugal	<p>SEF, as the responsible authority for the procedural analysis of asylum applications cooperates with its counterpart authorities in the European Union and third countries on the exchange of information on refugee flows, with a view to preventing and combating situations of exploitation and sexual abuse of children. In the case of refugee relocation process at European level, all situations are thoroughly analysed and flagged in the framework of the established cooperation mechanisms.</p> <p><u>Additional information sent on 21 March 2019:</u> Most human trafficking cases involving minors have transnational features. To better prevent and investigate such cases, EUROPOL and INTERPOL are seen as valuable essential partners, and SEF uses all the tools provided by them as a way to better prevent and effectively investigate child trafficking cases.</p> <p>SEF represents Portugal in the Europol's EMPACT THB project. Actually, during the execution of the Operational Action Plan for 2019, Portugal is co-leading the Operational Action that aims to gather intelligence and disrupt active OCG's dedicated to child trafficking (together with the UK and Spain), and that will develop operational work during the second trimester of the year – Child Trafficking Joint Action Day.</p> <p>All the information collected at national level (either during Joint Action Days or during national investigations) is forwarded via SIENA (Secure Information Exchange Network) to Europol's AP Phoenix (as an intelligence contribute and for the purpose of cross check) and to Europol's member states (for the purpose of cross-check). SEF has appointed a liaison officer to the Europol's National Unit (UNE), the exclusive link between Europol and national competent authorities.</p> <p>Regarding Interpol, during 2016 SEF has appointed an element and is since then represented in the HTEG – Human Trafficking Expert Group, together other Member States, Private Sector Partners (UBER and Western Union) and International Agencies (Europol and Frontex), working together to fight human trafficking. SEF has also appointed a liaison officer to the Portuguese NCB (National Central Bureau), as a way to better contribute with national crime data to Interpol's global databases, in accordance with the national legislative framework, ensuring transmission of data towards the identification of trends, the prevention of a crime or a criminal's arrest.</p> <p>Since 2008, in all hospitals with pediatric care and in Primary Health Care services, there are support units and local services of the National System for the Promotion and Protection of Children and Young People in Danger (NACJR) that are able to follow all cases of risk of child maltreatment, including sexual abuse / exploitation.</p> <p>This structured response from de SNS is legally established by Ordinance n.31292/2008, 5 December.</p> <p>At present, there are 269 teams in Health Centers and Hospitals of the SNS; 12 teams in the Health Units and Hospitals of the Regional Health Care Service in Azores. Together they are accompanying 65,000 children up to 18 years, since 2008.</p>

	<p>This structure of services (NACJR) works together with the other entities in the community, one of its legal attributions the constitution of this local network of partners.</p>
Romania / Roumanie	<p>In investigating criminal cases in the field of trafficking in human beings, at the central and territorial level, the Directorate for Combating Organized Crime cooperates with the corresponding authorities of the destination countries in the Joint Investigation Team (JIT). In the JIT, coordination meetings are held at Eurojust level and joint procedural activities are carried out on the territory of the signatory States.</p> <p>At the same time, D.C. O. C. promotes the creation of international Task Force working teams in which specialists are involved in trafficking in human beings in Romania.</p> <p>Police cooperation with partners in the countries of destination of trafficking takes place, in most criminal cases, through a variety of channels of communication. Formal and informal cooperation is done through messages, meetings, discussions, permanent contacts with liaison officers and information exchange, in concrete cases, observing communication procedures. The country also hosts meetings with international partners in case-specific cases involving other law enforcement authorities. In many international cases, co-ordination meetings take place at EUROPOL and EUROJUST, involving case policemen and prosecutors from Romania and the destination countries.</p> <p>Operational international police cooperation in the field of identification of minor victims of exploitation and sexual abuse is carried out through the International Police Cooperation Center (CCPI) which, according to its attributions, supports national and foreign law enforcement authorities to prevent and combat this type of crime.</p> <p>Regarding the working tools related to this issue, provided by INTERPOL, they are used by the Romanian Police at maximum capacity, namely:</p> <ul style="list-style-type: none">- World Secure Network I-24/7 - facilitates the exchange of data and information with INTERPOL member countries to identify, locate and capture suspects, and to identify and protect victims. The information received by the INTERPOL National Bureau is transmitted with maximum efficiency to the specialized structures for the necessary measures. At the same time, the INTERPOL channel is also used to alert Member States to "traveling sex offenders";- Yellow notes representing alerts for the location of missing minors;- Blue notes for identifying and obtaining information relevant to police investigations;- Green notes, alerts on the public danger that people suspected of committing such crimes may represent;- Participation in the INTERPOL - ICSE database (containing images of minor victims of sexual abuse). DCCO police officers have been nominated as national contact points on this issue, being trained to identify victims and investigate this type of crime by INTERPOL specialists in training sessions regularly held at the headquarters of the General Secretariat of the organization;- Participation of Romanian police officers in working groups, projects and operations initiated and developed by INTERPOL in order to strengthen the capabilities of investigating, identifying and arresting sex offenders by improving the exchange of data and operative information between INTERPOL member countries (eg "Project Childhood").

	<p>At EUROPOL level, there are a number of tools (exchange of information, information analysis) to combat child sexual exploitation (including the online environment) where Romania actively and permanently participates, but they do not treat the situation of sexual exploitation sexual abuse of children affected by the refugee crisis.</p> <p>So far, there have been no cases of migrants trafficked for the purpose of exploitation on the territory of Romania, the purpose of migrants being mainly to arrive in the destination state concerned.</p> <p>However, if there is information about the exploitation of some migrants, the anti-trafficking mechanism will be triggered (migrants are considered as victims of trafficking in human beings, no matter how they entered Romania).</p> <p>In view of the vulnerability and the increased risk of victimization of minors, there is a close co-operation between the police and other institutions as well as non-governmental organizations, not only in terms of identifying, investigating and prosecuting traffickers, but also insuring the first line of identifying victims (in general) and trafficked minors (in particular), and subsequently ensuring the security and protection of victims (including minors) involved throughout the process after their identification. In this sense, measures and actions are under way, in accordance with the National Mechanism for Identification and Referral of Victims of Trafficking in Human Beings, approved by Order no. 335 / 29.10.2007. In Chapter F. "REFERENCE PROCEDURES", point 6, concretely specifies the way in which child victims of trafficking in human beings are referred, including where the child victim is a foreign national.</p> <p>Under the current legislation, if the victim, child, is a foreign national, it will benefit without discrimination from the same assistance and protection measures as all children victims of trafficking in human beings.</p> <p>Considering that there were no cases of refugee / migrant minors victims of trafficking in human beings or related crimes within our jurisdiction, international cooperation to date has not yet been required, but it should be noted that in all cross-border investigations of trafficking in human beings, Romania has had very good international cooperation with the authorities of the destination countries, in particular through EUROPOL.</p> <p>Our country is well acquainted with the mechanisms and instruments of international cooperation, both with regard to case law relating to EU Member States and third countries. For the EU Policy Cycle 2018-2020, Romania assumed the role of co-driver of the EMPACT THB Priority and for 2018 Romania assumed the status of co-leader in Action 2.1, 2.2 and 2.4 of the 2015, thus covering both sexual and labor exploitation in the conduct of joint investigative activities and active initiation and participation in joint actions.</p> <p>In view of the above, in the absence of case-law on the level of the international police cooperation cases handled by the Romanian Police on preventing and combating the sexual exploitation of children affected by the refugee crisis, examples of cooperation with other signatory states of The Council of Europe Convention for the Protection against Sexual Exploitation and Sexual Abuse, as required in paragraph 4 of the special questionnaire developed by the Committee of the Parties to that Convention cannot be given.</p>
Russian Federation / Fédération de Russie	<p>The cooperation is carried out by the Interpol National Central Bureau of the Ministry of Internal Affairs of the Russian Federation.</p> <p>1. Cooperation with Interpol is carried out on the basis of the Orders of the Ministry of Internal Affairs of the Russian Federation No. 786, of the Ministry of Justice of the Russian Federation No. 310, of the Federal Security Service of the Russian Federation No. 470, of the Federal Security Service of the Russian Federation No. 454, of the Federal Drug Control Service of the Russian Federation No. 333, of the Federal Customs Service of the Russian Federation No. 971 dated October 6, 2006 (amended on September 22, 2009) "On approval of the Instruction on the organization of information support for cooperation through Interpol" (Registered in the Ministry of Justice of the Russian Federation on November 3, 2006 N 8437)</p>

	<p>2. This recommendation is implemented in the course of processing requests of international law enforcement organizations and law enforcement agencies of foreign states on the minors' identification and other issues related to their safety, participating in the creation and operation of information systems for the exchange of personal data, data protection systems international information exchange through Interpol channels (I-24/7), work on a database of images of children subjected to sexual violence.</p> <p>3. The Russian National Contact Point for Interaction with Europol (RNAP), which solves the problems of ensuring the exchange of information among the competent authorities of the Russian Federation. The RNAP implements within its competence the functions of the main (central) competent body of the Russian Federation within the framework of the Cooperation Agreement between the Russian Federation and the European Police Organization (2003), the exchange of information, requests and responses, confidentiality in working with information, the established procedure of documentary and information-reference arrays, including their own databases, on issues related to cooperation with Europol, etc.</p> <p>4. Curently there is a more systematic agreement between the Russian Federation and the European Police Organization on strategic and operational cooperation under consideration.</p>
<p>San Marino / Saint-Marin</p>	<p>Information sent on 4 March 2019: Saint-Marin coopère déjà activement avec Interpol et avec les forces de police italiennes par le biais d'un accord bilatéral, en revanche nous ne sommes pas membres d'Europol.</p> <p>Additional information sent on 11 April 2019: Saint-Marin procède au cas par cas avec Interpol et nos rapports diplomatiques. Chaque cas est différent ; le fait d'avoir un Bureau national Interpol nous permet de contacter les forces de l'ordres de n'importe quel pays, ou d'utiliser les moyens offerts par l'organisation elle-même, et nous adaptons nos réponses et stratégies en conséquence.</p>
<p>Serbia / Serbie</p>	<p>Serbian Ministry of Interior has intensive cooperation with INTERPOL and EUROPOL, trough Administration Body for International Operative Police Cooperation, with whom is exchanging operative information aiming to prevent trafficking, illegal migration, terrorist activities and all other security issues related with migrant population, including possible cases of sexual abuse of companied and/or accompanied migrant children.</p> <p>Additional information sent on 6 May 2019: Concerning the cooperation with Interpol, Serbian Ministry of Interior, its Criminal Investigation Department, is using ICSE-Interpol Child Sexual Exploitation data base. This data base is for sharing photographs and other relevant information related with sexual exploitation of children, including: the investigation results, the number of cases solved, where victims and perpetrators were identified. Criminal Investigation Department is planning seminars in order to train more operators for using this data base".</p> <p>Concerning the Europol cooperation, SIENA network application is used on a daily basis, for safe and secure exchange of information. Its content is: early warnings, reports, including analytical reports based on the Europol cross-checked methodology, which are then forwarded to Serbian Criminal Investigation Department, but also to its Custom Department, and Ministry of Finance.</p> <p>Serbian Ministry of Interior is also a member of TWINS (AP TWINS), analytical project and Criminal Investigation Department staff is exclusively trained to use LFE-Large Files Exchange tool, which is used in international investigation cases of child sexual exploitation and abuse.</p>

Slovak Republic / République slovaque	<p>Relevant units of the Presidium of the Police Force use all available tools of EUROPOL and INTERPOL for which they are entitled to use when performing their activities. Within fulfilment of its tasks, National Central Office of Europol also deals with the issues of sexual exploitation and sexual abuse of children, mainly within <u>the Analytical project TWINS</u> of which the Slovak Republic is a member and participates on its activities through the experts from the relevant units of the Presidium of the Police Force. Within this project, there is an annual working meeting of experts in the headquarters of Europol in The Hague focused on identification of child victims of sexual abuse (so called <u>Victim Identification Task Force- VIDTF</u>). By using specific software tools, the experts analyse the gathered material and try to identify the abused victims what is one from the operational activities within the operational action plan EMPACT Cybercrime CSE. During VIDTF, experts also use the database of Interpol focused on this issue (Interpol ICSE). <u>National Central Office of Europol</u>, i.e. Office of International Police Cooperation of the Presidium of the Police Force sends all the information received from Europol or partner states for processing to relevant expert unit. <u>National Central Office of Interpol</u> also shares the information from abroad and sends them to relevant units/offices within the Police Force. Investigation and prosecution of the criminal offences concerned is subsequently carried out by the law enforcement authorities.</p> <p><u>Additional information sent on 7 January 2019:</u> For the purpose of identification of persons who have been victims of trafficking in human beings, an order issued by the Director of the Migration Office of the Ministry of the Interior on 31th May 2012 on the issue of methodological guidelines to ensure the identification of potential victims of human trafficking within the competence of the Migration Office. The Office of Border and Foreign Police, the Migration Office as well as the units of the Police Force uses all available tools of cooperation with Europol and Interpol, which are eligible to use for their activities.</p> <p><u>As stated before, we conclude that no child victim of sexual exploitation or sexual abuse in the context of the refugee crisis has been identified in the territory of the Slovak Republic.</u></p> <p>Finally, we would like to point out that so far no child victim of sexual exploitation or sexual abuse has been identified in the Slovak Republic in connection with the refugee crisis.</p>
Slovenia / Slovénie	<p>As a Party to the Lanzarote convention Slovenia has continuously striven for active implementation of Convention provisions. In accordance with the recommendation R33 from the Protecting Children Affected by the Refugee Crisis from Sexual Exploitation and Sexual Abuse, the Slovenian police actively cooperates with Interpol and Europol, both in investigation and prevention of sexual abuse. Slovenian Police is a member of the EMPACT group (EU Police Cycle), a platform for multidisciplinary cooperation established within Europol. Moreover, Slovenia actively collaborates with other countries in detection and prevention of sexual abuse of children. Since 2015 Slovenia is connected to Interpol base ICSE (International Child Sexual Exploitation database), the aim of which is an identification of victims, prevention of further abuse and victimization of the affected.</p> <p>In Slovenia, children arriving from crisis areas benefit from the same proceedings providing their safety as Slovenian children. Asylum seeking children refugees are included into PATS project where they are acquainted with the dangers and pitfalls of trafficking in human beings, sexual abuse and sexual violence. Conversations with refuge children are conducted by social workers from Centre for social work. Non asylum-seeking children refugees are housed at Centres for aliens where each minor has an appointed guardian who conducts conversations with the child. Through conversations with children social workers pay special attention to possible crimes of sexual abuse.</p> <p><u>Additional information sent on 10 April 2019:</u> <u>Cooperation within the framework and tools provided by both Europol and Interpol for identification of children who are victims of sexual violence or exploitation is smooth and ongoing in terms of regular international police cooperation in various forms. This has not changed with the refugee crisis.</u></p>

Within Europol, The Police participate on AP Twins programme for fight against all forms of crime related to child sexual abuse and the creation and dissemination of child sexual abuse material. Cooperation takes place in the form of an exchange of information, training and technical assistance.

The Police are also members of the EMPACT group, which is a platform for multidisciplinary cooperation. Slovenian experts participate in meetings on child sexual abuse online and other events involving the fight against child sexual exploitation and child sexual abuse and the preparation and dissemination of child sexual abuse material. We are also active in prevention projects in the fight against child sexual exploitation and child sexual abuse.

For a number of years, Slovenian police experts take part in education, training and meetings organised by Europol, CEPOL, Interpol and within the EMPACT Group. Here are some of the latest events that were organised with the aim of raising the level of detection, investigating and preventing sexual abuse and sexual exploitation of children.

Last year police experts attended a thematic meeting convened by the Compact Cybercrime CSE/CSA OAP 2018 O.A. 3.3 on "Child Sexual abuse and exploitation" held at the headquarters of Europol in The Hague (Netherlands). In the meeting they presented Slovenian good practice in the Online Application Spletno oko («Web Eye»), which is described below.

Between 17. 10. to 26. 10. 2018 Slovenian police experts have taken part in Europol's Annual Child Sexual Exploitation on the Internet (Europol Training Course on the Internet) held in Selb (Germany) in the "LAFP" Police Academy.

On 15.10.2018 Slovenian police experts attended an Expert Workshop in Brussels on Implementation of the directive 2011/93/EU with emphasis on the use of investment techniques and tools. Workshop was organised by the European Commission.

Also, from 11 to 12 September 2018 Slovenian police experts attended the Compact Cybercrime CSE/CSE Workshop on demonstration of tools which had been developed with EU funding.

Systematically, in the criminal proceedings involving children, victims of sexual exploitation and sexual abuse with the organised and transnational crime element, The Police are actively involved in cross border investigations and provide all available information.

In Slovenia, The Police actively cooperate with an online application Spletno oko («Web Eye»), the online focal point to anonymously report images of sexual abuse and sexual exploitation of children online (www.spletno-ok.si). The online focal point for reporting is established within a framework of the Safer Internet Center, coordinated by the University of Ljubljana, Faculty of Social Sciences and financed by INEA (at the European Commission) and the Ministry of Public Administration of the Republic of Slovenia. All reports are reviewed and forwarded to the Slovenian Police and the other reporting points abroad as well as to Internet Service Providers (ISPs). Spletno Oko also monitors the removal of child sexual abuse images on Slovenian servers.

The Police also use the Europol Platform for Experts (EPE) intended for sharing of experiences in various Member States.

The Police also regularly send investigators of child sexual abuse to Europol's trainings, such as the Victim Identification. Slovenian Police contributes to the Victims Identification Task Force (VIDTF).

	<p>The Police are also involved in AP Phoenix project (fight against trafficking in human beings) and AP Migration Smuggling (fight against organised criminal migrant smuggling networks). The Police attend the annual meetings where priorities, joint action days and other operational topics are set. In the context of the fight against trafficking in human beings, The Police also cooperate with NGOs (Ključ, Caritas) and we are members of the interdepartmental working group in Slovenia.</p> <p>The Police also work with Interpol. They use the Interpol international database on sexual exploitation of children ICSE. The Police take part in the ICSE training organised by Interpol and nominate experts in the investigation of sexual abuse of children to be trained to identify victims and investigate such crimes. Last year between 12. and 14. 12. 2018 two Slovenian Experts took part in such training. There are currently 8 certified investigators in Slovenia.</p> <p>In relation to missing children, Slovenia uses three systems to enter data on missing children, namely: a) Slovenian national register of missing persons, b) the Schengen Information System SIS II and c) Interpol's ASF system for missing and wanted persons. In order to ensure the protection of children, the court may prohibit a child's border crossing based on Article 20 of the Family Violence Prevention Act (ZPND). The decision on prohibition is entered by the police in the Slovenian national record and the Schengen Information System SIS II. Since 2016 Slovenia has signed an Arrangement on Cooperation with the NGO AMBER Alert Europe, which deals at various levels with missing children in Europe. The representative of the Slovenian police is a member of the international network of missing persons within this organisation.</p>
<p>Spain / Espagne</p>	<p>Parties of the Committee, including Spain, make use of these tools.</p> <p>The first Victim Identification Taskforce (VIDTF) initiative was launched in 2014. Since then, three more editions have taken place. Experts from EU Member States and third country partners all over the world gather at Europol for two weeks to tackle child sexual abuse material online, using advanced techniques, software and their knowledge and expertise.</p> <p>This 4th edition took place in two stages: the preparation week in early November and the analysis phase from 4-15 December 2017. Both were attended by victim identification experts from law enforcement agencies from Australia (AFP, Queensland Police), Austria, Belgium, Canada (RCMP, Toronto PD), Denmark, France, Germany, Hungary, Netherlands, Romania, Slovakia, Spain, Sweden, Switzerland, UK and USA (US FBI, US HSI, US DOJ) and INTERPOL. Over 400 series of child sexual abuse images and video files have been uploaded to the INTERPOL International Child Sexual Exploitation (ICSE) database and additions made to more than 50 existing sequences. Ten offenders and victims were localised in 9 different countries. In addition, Europol has distributed intelligence packages to several countries to assist in the identification of victims.</p> <p>Regarding the tools available to Europol, it is worth mentioning the different Europol Information Files in relation to this subject.</p> <ul style="list-style-type: none"> • AP TWINS -Analysis Project dedicated to the sexual exploitation of children in the digital world. • AP Phoenix -Analysis Project dedicated to the sexual exploitation of children. <p>The operational actions are focused on victim's identification; online markets and fora linked to serious CSE(Child Sexual Exploitation) offending; Travelling Child Sexual Offenders (TCSO); Child Sexual and Abuse Material (CSAM) involving companies hosting services and the organisation of a victim identification Taskforce at Europol. Regarding enhancing the intelligence picture, Europol will publish an intelligence dashboard showing intelligence trends and an international community of expertise on CSE undercover work will be maintained. As preventive measures, it is intended, inter alia, to develop an APP to raise awareness amongst minors and assist them.</p>
<p>Sweden / Suède</p>	<p>The Swedish Police Authority actively cooperates within the channels provided by Europol and Interpol, for example Interpol's database ICSE.</p>

	<p><u>Additional information sent on 10 January 2019:</u> Identification work is carried out continuously at both national and international level. The Police Authority has no information on cases where victims of sexual exploitation/abuse have been identified in the context of the refugee crisis specifically.</p> <p><u>Additional information sent on 10 January 2019:</u> The Swedish Police Authority actively cooperates within the channels provided by Europol and Interpol, for example Interpol's database ICSE. Identification work is carried out continuously at both national and international level. The Police Authority has no information on cases where victims of sexual exploitation/abuse have been identified in the context of the refugee crisis specifically.</p> <p><u>Additional information sent on 10 January 2019:</u> The Swedish Migration Agency handle cases regarding refugees and immigrants. The Swedish Police Agency therefor cannot do a total scanning of all person being refugees and immigrants. Instead the Police Agency cooperate with the Swedish Migration Agency to get information about refugee children that might have been victims. Once the Police Agency receives the information, it investigates if needed.</p> <p>The Swedish Police Authority is now implementing a national system for working with victim identification. Unidentified material is sent to the ICSE database and continually reporting to Europol's work files for cross matching of information. The Swedish Police Authority gets information from other countries through that channel too. The Authority works together with other countries in the effort to identify unknown pictures/movies of children in the ICSE database. This also of course includes refugee children.</p>
Switzerland / Suisse	<p>a) Aware that international co-operation and networking are the only ways to shed light on complex international cases, Switzerland (through the Federal Office of Police, fedpol) is regularly involved in operations by specialised groups and experts from Europol and Interpol. Under the leadership of Europol, it actively cooperates as a third state in the various EU action plans to deal with human trafficking and migrant smuggling. It actively participates in Europol meetings, operations and joint action days (JADs) run by the European Multidisciplinary Platform against Criminal Threats (EMPACT) in the areas of illegal immigration and human trafficking.</p> <p><i>Switzerland (through fedpol) is represented in the Specialist Operational Network against Migrant Smuggling, the network of Interpol specialists comprising experts from source, transit and destination countries, and in the Interpol Human Trafficking Expert Group (HTEG), engaging in both preventive action and operations. In October 2016, Switzerland hosted the 4th Interpol Global Conference on human trafficking in Lugano, in the canton of Ticino. Nearly 200 representatives and experts from all over the world were present. The issue of the exploitation of migrants and refugees – including minors – formed part of a panel discussion.</i></p> <p>In 2017, fedpol pledged its active commitment for the duration of the Interpol project to combat human trafficking, migrant smuggling and crime affecting children in North Africa. The main aim is to combat the criminal networks operating in Morocco, Algeria, Tunisia and Egypt, and possibly also Libya (beneficiary countries). This project is financed by Norway. Switzerland – alongside France, Italy, Germany and Spain – is involved in the operation. The project has been renewed in 2018 and extended to other countries in the Sahel region (Flyway project).</p> <p>b) To date, no cases of child victims of abuse affected by the refugee crisis in Switzerland have come to the knowledge of fedpol, so no co-operation measures on protecting and assisting victims have had to be introduced. However, Switzerland has experience of co-operation in the area of assisting and protecting children forced to commit theft or to beg.</p>

	<p>c) With regard to migrant smuggling and human trafficking, the primary responsibility for bringing prosecutions lies with the cantons. Fedpol has a key official function: it co-ordinates enquiries between the cantons and between Switzerland and other countries, provides support for investigations, carries out analyses and ensures the circulation of information from the criminal police.</p> <p>In order to facilitate the prosecution of traffickers, an anti-smuggling task force (Gruppo interforze per la repressione dei passatori (GIRP)) was set up in Chiasso near the Centre for Police and Customs Co-operation (CCPD) in 2015 under the authority of the Ticino cantonal police. Its aims are actively to combat people smugglers and anticipate their activities and crimes by gathering information and conducting investigations, as well as to work with Italy (primarily) and Germany. Its tasks are to conduct joint investigations into smuggler networks and report findings to the Public Prosecutor's Office, to develop a strategy and activities to combat illegal immigration, to develop information-gathering activities (data collection and sharing), to carry out analyses of illegal immigration and to develop a network for co-operation, co-ordination and the exchange of information with neighbouring countries.</p> <p>d) During asylum procedures, some applicants tell the State Secretariat for Migration (SEM) that they have been victims of human trafficking or recruited by a criminal network of people smugglers in their country of origin, in a State Party to the Dublin Regulation, in a transit country or in Switzerland. In some cases, although they do not explicitly state that they have been victims of exploitation, there are strong suspicions that they are potential victims. In both cases, the SEM is obliged to look into the matter without delay and work closely with the police authorities and fedpol.</p>
Turkey / Turquie	<p>The Ministry of Interior Affaires has informed us that they can make queries in the database of Interpol Child Sexual Abuse Database via the Department of Interpol and Europol.</p> <p><u>Additional information sent on 5 April 2019:</u> The co-operation with Europol/Interpol is carried out by Ministry of Interior. Turkey is not the member of European Union, so we have strategic relation with Europol. On the other hand, there is co-operation between Turkey and Interpol to protect child against sexual exploitation and sexual abuse. The communications are carried out with Member States in coordination with the Department of Fight Against Cyber Crimes for the identification of the suspects, through IP address info shared in the cases of sexual exploitation of the child committed on the internet and the evidence concerning these cases are shared with INTERPOL (on I-24/7 Share database).</p> <p>In order to ensure that an investigation is initiated in Turkey for the subject offence, the subject is forwarded to the Ministry of Justice and the locations of the persons are detected upon instruction and the required activities for their arrest are carried out.</p> <p>In the event that a Red Notice of diffusion is available for the purpose of arrest and extradition of the persons in relation with offence, the related notice/diffusion is forwarded to the Ministry of Justice and the required proceedings are carried out according to the rendered instruction.</p>
Ukraine	<p>The Cyber Police Department of the National Police of Ukraine constantly cooperates with Europol / Interpol in matters of identifying both victims of sexual exploitation and criminals.</p> <p><u>Additional information sent on 9 April 2019:</u> In 2016, Ukraine and Europol signed an agreement on strategic and operational cooperation that would allow the exchange and analysis of operational information and locate the location of the wanted criminals.</p> <p>Within the framework of cooperation with Interpol Ukraine has access to the I / 24-7 telecommunication system using the FIND technology, thus all the units of the National Police of Ukraine have access to Interpol databases. At the initiative of the EU Consultative Mission (EUAM), an interagency working group has been</p>

	<p>set up, which includes representatives of the National Security and Defense Council of Ukraine, the Ministry of Internal Affairs of Ukraine and the competent departments of the National Police of Ukraine.</p>
United Kingdom	<p><u>Information sent on 1 March 2019:</u> Europol: The Europol Analysis Project Twins (AP Twins) supports the prevention and combating of all forms of criminality associated with the sexual exploitation and abuse of children. Additionally, the CEOP Victim ID Team participates fully in the Victim ID Taskforce, convened by Europol.</p> <p>Certain members of UK law enforcement have access to INTERPOL's International Child Sexual Exploitation (ICSE) image database. It is used to identify victims of online sexual exploitation, but we cannot say to what extent, if any, it is used or is relevant to the refugee crisis. INTERPOL notices and diffusions are not otherwise routinely used in cases of identifying victims of sexual exploitation.</p> <p><u>Information sent on 23 May 2019:</u> The primary purpose of INTERPOL notices and diffusions is to identify those wanted for extradition or in relation to criminal behaviour. There is no type of INTERPOL notice or diffusion that identifies victims of sexual exploitation. For this reason, the UK does not use INTERPOL notices for this purpose.</p> <p>The International Child Sexual Exploitation (ICSE) image and video database is an intelligence and investigative tool. It allows specialised investigators to share data on cases specifically of online child sexual abuse and work with experts to identify and locate victims. It is widely used by UK law enforcement.</p>