



T-ES(2019)14_en final

6 June 2019

LANZAROTE COMMITTEE

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

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**Evaluation 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”**

Adopted by the Lanzarote Committee on 6 June 2019

Introduction

1. In March 2016 the Council of Europe's Secretary General called for a series of [priority actions to protect children affected by the refugee crisis](#)¹.

2. The Lanzarote Committee decided in June 2016, in light of the high number of migrant and asylum-seeking children who arrived and continue to arrive in Europe and being aware that many may be or become victims of sexual exploitation and sexual abuse, to carry out an [urgent monitoring round](#) to map the ways in which the risks of sexual exploitation and sexual abuse of children arising in the context of the refugee crisis are being dealt with.

3. The [Special Report on "protecting children affected by the refugee crisis from sexual exploitation and sexual abuse"](#) was adopted by the Committee in March 2017. It assesses the replies received, in particular in order to examine whether and to what extent Parties to the Lanzarote Convention² apply their existing overall protection framework and measures against sexual exploitation and sexual abuse to children affected by the refugee crisis. It also takes stock of the introduction of specific measures to address the situation of these children and analyses them. The report highlights both the major challenges identified as well as promising practices to tackle such challenges. It also puts forward Committee's recommendations as to specific steps that might be taken to warrant an effective protection of children affected by the refugee crisis from sexual exploitation and sexual abuse and suggests priority areas for targeted cooperation, bilateral and multilateral, to fully guarantee the protection of the human dignity, the safety, and the physical and psychological integrity of these child. When the Lanzarote Committee assesses that legislation or policies are not in compliance with the Convention, or when it finds that despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking, the Lanzarote Committee urges Parties to take specific actions. The Special Report includes the following 5 "urge" recommendations addressed to all State Parties:

- *to effectively screen, all persons, in line with Article 5 of the Convention, 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);*
- *to take the necessary measures to avoid risks that the child may be abused or exploited in case of family reunification (R27);*

¹ See document SG/Inf(2016)9 final of 4 March 2016.

² The following 41 States were parties to the Lanzarote Convention at the time of the launching of the urgent monitoring round: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, the Netherlands, North Macedonia, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey and Ukraine. Today 44 out of the 47 Council of Europe Member States have ratified the Convention. The three Council of Europe Member States that have not ratified the Convention are Armenia, Azerbaijan and Ireland. In Estonia, Norway and United Kingdom the Convention entered into force after the launch of the urgent monitoring round and subsequently there was neither reporting obligation applied to these countries nor a request on follow up measures to the Lanzarote Committee's recommendations.

- *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);*
- *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);*
- *to make use within the context of the refugee crisis of the specific cooperation tools already available in the framework of Europol/Interpol which are specifically aimed at identifying victims of sexual exploitation and sexual abuse (R33).*

4. To follow up on this report and its recommendations, in 2018, the Committee requested all State Parties to provide information on the follow-up given to the 5 urge recommendations. To allow the Lanzarote Committee to properly map and assess progress made and evaluate compliance, State Parties were also asked to submit information to describe measures taken to fulfil all the other recommendations contained in the Special Report.

5. At its 22nd meeting (7-9 November 2018), the Lanzarote Committee took note of the analysis of the information submitted by Parties to outline the follow-up given to the 5 “urge” recommendations (document T-ES(2018)26). It acknowledged that only a few Parties had taken measures after the adoption of its special report and agreed that all Parties should send to the Secretariat information to demonstrate that the 5 “urge” recommendations are complied with so that a decision may be taken during its 23rd meeting (5-7 March 2019) on the way forward with respect to the Parties still not complying with these recommendations.

6. The revised analyses of the information submitted by Parties on the follow-up given to each of the 5 “urge” recommendations (documents T-ES(2019)03-07) demonstrated that many Parties were still not in compliance with one or more of these recommendations, mainly due to lack of information. The Lanzarote Committee, therefore, decided at its 23rd meeting (5-7 March 2019) that:

- By 22 March 2019 at the latest, Parties may add/clarify the information submitted with respect to the situations with which they are considered not in compliance;
- On the basis of the above analyses and additional information submitted, the Chairperson will send an individualised letter to each of these Parties, highlighting the reasons for their non-compliance and asking them to send any additional clarification to the Secretariat (lanzarote.committee@coe.int) by 5 April 2019.

7. The current document reviews the situation for each of the Parties concerned in order to examine whether and what steps are taken by them to follow-up each of the 5 “urge” recommendations. A general table first sets out the situation for each party vis-à-vis each recommendation. Then, five tables (one per recommendation) lists Parties which are in conformity with the requirements of the recommendation and those which are not, with a short explanation on the reasons why.

8. As decided during its 23rd meeting (5-7 March 2019), the Lanzarote Committee is supposed to take a final decision on each of these Parties during its 24th meeting (4-6 June 2019) and to make this public.

Table of the follow-up given to the 5 “urge” Recommendations, by Party

Country’s name struck through ~~(xxxx)~~: because in conformity with each of the 5 recommendations

	R18		R27		R29		R30		R33	
	+	-	+	-	+	-	+	-	+	-
Albania	✖		✖		✖		✖		✖	
Andorra	✖		✖		✖		✖		✖	
Austria	✖		✖		✖		✖		✖	
Belgium	✖		✖		✖		✖		✖	
Bosnia and Herzegovina	✖		✖		✖		✖		✖	
Bulgaria	✖		✖		✖		✖		✖	
Croatia	✖		✖		✖		✖		✖	
Cyprus	✖		✖		✖		✖		✖	
Czech Republic	✖		✖		✖		✖		✖	
Denmark	✖		✖		✖		✖		✖	
Finland		X	X		X		X		X	
France	✖		✖		✖		✖		✖	
Georgia	✖		✖		✖		✖		✖	
Germany	✖		✖		✖		✖		✖	
Greece	✖		✖		✖		✖		✖	
Hungary	✖		✖		✖		✖		✖	
Iceland		X	X		X		X		X	
Italy	✖		✖		✖		✖		✖	
Latvia	✖		✖		✖		✖		✖	
Liechtenstein		X	X		X		X		X	
Lithuania	✖		✖		✖		✖		✖	
Luxembourg	✖		✖		✖		✖		✖	
Malta	✖		✖		✖		✖		✖	
Republic of Moldova		X		X	X		X		X	
Monaco	✖		✖		✖		✖		✖	
Montenegro	✖		✖		✖		✖		✖	
Netherlands	✖		✖		✖		✖		✖	
North Macedonia		X		X	X		X		X	
Poland	✖		✖		✖		✖		✖	
Portugal	✖		✖		✖		✖		✖	
Romania	✖		✖		✖		✖		✖	
Russian Federation	✖		✖		✖		✖		✖	

	R18		R27		R29		R30		R33	
San Marino	✖		✖		✖		✖		✖	
Serbia	✖		✖		✖		✖		✖	
Slovak Republic	✖		✖		✖		✖		✖	
Slovenia		X	X		X		X		X	
Spain	✖		✖		✖		✖		✖	
Sweden		X	X		X		X		X	
Switzerland	✖		✖		✖		✖		✖	
Turkey	✖		✖		✖		✖		✖	
Ukraine		X	X		X		X		X	
TOTAL	33	8	39	2	41	0	41	0	41	0

Recommendation R18: Screening of persons in contact with children affected by the refugee crisis

“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.”

Secretariat suggestions as to whether or not Parties are in conformity with the requirements of Recommendation R18

	<u>States</u>	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
1	Albania	X			
2	Andorra	X			
3	Austria	x			
4	Belgium	X			
5	Bosnia and Herzegovina	X			
6	Bulgaria	X			
7	Croatia	X			
8	Cyprus	X			
9	Czech Republic	X			
10	Denmark	X			
11	Finland			X	

	States	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
				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.	
12	France	X			
13	Georgia	X			
14	Germany	X			
15	Greece	X			
16	Hungary	X			
17	Iceland			X Screening of personnel in social services, health, education and child protective services. However, the applicable legislation does not foresee that professionals in the sport sector and personnel in reception centres be screened, since the proposed amendments to the law on sports and to the Act on foreigners have not been adopted yet.	
18	Italy	X			
19	Latvia	X			
20	Liechtenstein			X There is no need to screen the staff of the Asylum Division of the Migration and Passport Office since children affected by the refugee crisis meet them only when accompanied (by their parents or special representative)	
21	Lithuania	X			
22	Luxembourg	X			

	States	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
23	Malta	X			
24	Republic of Moldova		X Screening of 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 was foreseen in Act No. 29 which was abrogated on 14 November 2018. No new mechanism is foreseen before the 4 th quarter of 2020.		
25	Monaco	X			
26	Montenegro	X			
27	Netherlands	X			
28	North Macedonia			X Screening of employees in State institutions. Other persons engaged in the framework of projects for the support of refugees are not screened but the authorities intend to change the legislation to remedy this.	
29	Poland	X			
30	Portugal	X			
31	Romania	X			
32	Russian Federation	X			

	<u>States</u>	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
33	San Marino	X			
34	Serbia	X			
35	Slovak Republic	X			
36	Slovenia			X Screening of employees in state institutions as well as legal guardians. Other workers “only” sign a Code of conduct, are vouched by their organisations and/or are trained.	
37	Spain	X			
38	Sweden			X There is a general rule on the screening of anyone who is offered a position in the state, a municipality, a county council (e.g. social service staff), a company or an organisation, if the work involves direct and regular contact with children (Act on Register Control of Persons who Intend to Work with Children, 2013:852). The notions company and organisation include both profit-driven commercial entities and non-profit entities and organisations. However, there is no obligation for the employer to ask for such screening. There are however screening requirements in specific activities or sectors, as for personnel in “homes”, preschools, youth centres and elementary schools, psychologists, physicians, nurses and police personnel. Screening is done for persons wishing to work within the healthcare system or with children in foster care, as well	

	<u>States</u>	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
				<p>as, in principle, special representative appointed to replace a guardian who is incapacitated. Social workers are not all screened (only those working in foster care). In addition, there is no requirement to screen case officers from the Migration Agency handling the asylum applications of children since these children are always accompanied when they are interviewed by case officers.</p>	
39	Switzerland	X			
40	Turkey	X			
41	Ukraine			<p style="text-align: center;">X</p> <p>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>There is no specific screening required by law for other categories of persons (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). The legislation only gives the opportunity to the employer to ask for additional documents but does not specify which.</p>	

Recommendation R27: Prevention of sexual exploitation and sexual abuse of children in cases of family reunification

“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.”

Secretariat suggestions as to whether or not Parties are in conformity with the requirements of Recommendation R27

	<u>States</u>	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
1	Albania	X			
2	Andorra	X			
3	Austria	X			
4	Belgium	X			
5	Bosnia and Herzegovina	X			
6	Bulgaria	X			
7	Croatia	X			
8	Cyprus	X			
9	Czech Republic	X			
10	Denmark	X			
11	Finland	X			

	<u>States</u>	<u>In conformity with the requirements of the recommendation</u>	<u>Not in conformity with the requirements of the recommendation</u>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
12	France	X			
13	Georgia	X			
14	Germany	X			
15	Greece	X			
16	Hungary	X			
17	Iceland	X			
18	Italy	X			
19	Latvia	X			
20	Liechtenstein	X			
21	Lithuania	X			
22	Luxembourg	X			
23	Malta	X			
24	Republic of Moldova			X Family reunification is dismissed in cases of suspicion of child sexual exploitation and/or sexual abuse when the family already lives in Moldova. However, there is no particular procedure to assess the risks of sexual violence against an unaccompanied child living in Moldova when the family lives in another country-party to the Lanzarote Convention. It is not sufficient to say that the migration authority never had cases of abuse of such children.	
25	Monaco	X			

	<u>States</u>	<u>In conformity with the requirements of the recommendation</u>	<u>Not in conformity with the requirements of the recommendation</u>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
26	Montenegro	X			
27	Netherlands	X			
28	North Macedonia				X More information should be provided on the mentioned procedure for determining the best interest of the child. Unclear how this applies in family reunification for children affected by the refugee crisis.
29	Poland	X			
30	Portugal	X			
31	Romania	X			
32	Russian Federation	X			
33	San Marino	X			
34	Serbia	X			
35	Slovak Republic	X			
36	Slovenia	X			
37	Spain	X			
38	Sweden	X			
39	Switzerland	X			
40	Turkey	X			
41	Ukraine	X			

Recommendation R29: Therapeutic assistance, notably emergency psychological care for child victims of sexual exploitation and sexual abuse affected by the refugee crisis

“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.”

Secretariat suggestions as to whether or not Parties are in conformity with the requirements of Recommendation R29

	<u>States</u>	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
1	Albania	X			
2	Andorra	X			
3	Austria	X			
4	Belgium	X			
5	Bosnia and Herzegovina	X			
6	Bulgaria	X			
7	Croatia	X			
8	Cyprus	X			
9	Czech Republic	X			
10	Denmark	X			
11	Finland	X			
12	France	X			

	<u>States</u>	<i><u>In conformity with the requirements of the recommendation</u></i>	<i><u>Not in conformity with the requirements of the recommendation</u></i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
13	Georgia	X			
14	Germany	X			
15	Greece	X			
16	Hungary	X			
17	Iceland	X			
18	Italy	X			
19	Latvia	X			
20	Liechtenstein	X			
21	Lithuania	X			
22	Luxembourg	X			
23	Malta	X			
24	Republic of Moldova	X			
25	Monaco	X			
26	Montenegro	X			
27	Netherlands	X			
28	North Macedonia	X			
29	Poland	X			
30	Portugal	X			
31	Romania	X			
32	Russian Federation	X			

	<u>States</u>	<i><u>In conformity with the requirements of the recommendation</u></i>	<i><u>Not in conformity with the requirements of the recommendation</u></i>		
			<i><u>Does not address the requirements of the recommendation</u></i>	<i><u>Only partially addresses the requirements of the recommendation (specify which)</u></i>	<i><u>Not in conformity due to lack of information</u></i>
33	San Marino	X			
34	Serbia	X			
35	Slovak Republic	X			
36	Slovenia	X			
37	Spain	X			
38	Sweden	X			
39	Switzerland	X			
40	Turkey	X			
41	Ukraine	X			

Recommendation R30: Cooperation and collaboration of the different actors to ensure immediate support to victims after the disclosure of sexual exploitation and sexual abuse

“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)”

Secretariat suggestions as to whether or not Parties are in conformity with the requirements of Recommendation R30

	States	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
1	Albania	X			
2	Andorra	X			
3	Austria	X			
4	Belgium	X			
5	Bosnia and Herzegovina	X			
6	Bulgaria	X			
7	Croatia	X			
8	Cyprus	X			
9	Czech Republic	X			
10	Denmark	X			
11	Finland	X			
12	France	X			

	<u>States</u>	<i><u>In conformity with the requirements of the recommendation</u></i>	<i><u>Not in conformity with the requirements of the recommendation</u></i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
13	Georgia	X			
14	Germany	X			
15	Greece	X			
16	Hungary	X			
17	Iceland	X			
18	Italy	X			
19	Latvia	X			
20	Liechtenstein	X			
21	Lithuania	X			
22	Luxembourg	X			
23	Malta	X			
24	Republic of Moldova	X			
25	Monaco	X			
26	Montenegro	X			
27	Netherlands	X			
28	North Macedonia	X			
29	Poland	X			
30	Portugal	X			
31	Romania	X			
32	Russian Federation	X			

	<u>States</u>	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
33	San Marino	X			
34	Serbia	X			
35	Slovak Republic	X			
36	Slovenia	X			
37	Spain	X			
38	Sweden	X			
39	Switzerland	X			
40	Turkey	X			
41	Ukraine	X			

Recommendation R33: use of co-operation tools in the context of Europol/Interpol to facilitate identification of victims of sexual exploitation and sexual abuse

“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)”

Secretariat suggestions as to whether or not Parties are in conformity with the requirements of Recommendation R33

	<u>States</u>	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
1	Albania	X			
2	Andorra	X			
3	Austria	X			
4	Belgium	X			
5	Bosnia and Herzegovina	X			
6	Bulgaria	X			
7	Croatia	X			
8	Cyprus	X			
9	Czech Republic	X			
10	Denmark	X			
11	Finland	X			
12	France	X			

	States	<i>In conformity with the requirements of the recommendation</i>	<i>Not in conformity with the requirements of the recommendation</i>		
			<i>Does not address the requirements of the recommendation</i>	<i>Only partially addresses the requirements of the recommendation (specify which)</i>	<i>Not in conformity due to lack of information</i>
13	Georgia	X			
14	Germany	X			
15	Greece	X			
16	Hungary	X			
17	Iceland	X			
18	Italy	X			
19	Latvia	X			
20	Liechtenstein	X			
21	Lithuania	X			
22	Luxembourg	X			
23	Malta	X			
24	Republic of Moldova	X			
25	Monaco	X			
26	Montenegro	X			
27	Netherlands	X			
28	North Macedonia	X			
29	Poland	X			
30	Portugal	X			
31	Romania	X			

32	Russian Federation	X			
33	San Marino	X			
34	Serbia	X			
35	Slovak Republic	X			
36	Slovenia	X			
37	Spain	X			
38	Sweden	X			
39	Switzerland	X			
40	Turkey	X			
41	Ukraine	X			