

# Special Report on Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse, Lanzarote Committee<sup>1</sup>

Factsheet No. 1: The Special Report and related compliance procedure

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](#). In this context, the Lanzarote Committee mandated its Bureau to decide on the need to make urgent requests for information on the basis of [Rule 28 \(Special reports and urgent situations\)](#) of its Rules of Procedure.

On the 3<sup>rd</sup> of March 2017, the Lanzarote Committee adopted the [Special report Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse](#), as an outcome of an [urgent monitoring round](#) it launched to assess how Parties to the Lanzarote Convention were protecting children affected by the refugee crisis from sexual exploitation and sexual abuse.

To follow-up on the Special report's findings, in 2018, the Committee requested Parties involved in the urgent monitoring round to provide information on the follow-up given to the report's 5 "urge recommendations". The [evaluation of the follow-up given to the 5 urge recommendations](#) was adopted by the Lanzarote Committee on the 6<sup>th</sup> of June 2019.

Subsequently, the Committee asked the Parties involved in the urgent monitoring round to provide information on the follow-up given to the 10 recommendations considering that Parties should act. This information (hereafter Compilation information 2020) allowed for a first preliminary assessment of the Parties' practices and legislation (*See Table 1 on pages 3-4 of this Factsheet*) which was presented to them in June 2020. The Parties were then given a second opportunity to provide further information on the follow-up to the same 10 recommendations (hereafter additional information). International organisations having [participatory](#) or [observatory](#) status with the Lanzarote Committee also had the opportunity to submit information of relevance .

The Lanzarote Committee adopted Compliance Reports concerning the 10 consider recommendations between October 2021 and February 2022. These are all [online](#).

The Compliance Reports cover the situation in the 41 states, which were Parties to the Convention at the time the urgent monitoring round was launched: 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, Netherlands, North Macedonia, Poland, Portugal, Romania, Russian

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<sup>1</sup> The [Lanzarote Committee](#) is the body established to monitor whether Parties effectively implement the Lanzarote Convention. It is composed of both present and potential representatives of the Parties to the Convention.

Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey and Ukraine.

Each Compliance Report identifies a set of requirements against which the 41 Parties have been assessed and a scale for determining the final assessment for each Party, namely:

- Full compliance – the Party is in conformity with all the requirements of the Recommendation, corresponding to fulfilment of obligations under the Lanzarote Convention;
- Partial compliance – the Party is in partial conformity with the requirements of the Recommendation, corresponding to fulfilment of obligations under the Lanzarote Convention;
- Non-compliance – the Party does not address any of the requirements of the Recommendation, corresponding to fulfilment of obligations under the Lanzarote Convention.
- Promising practice country – the Party fulfils one or more requirements of the Recommendation *or* has applied other additional measures, in a manner that is considered a promising practice.

For ease of reference, comparative tables have been included in each report, with colours, summarising the findings the reports. The tables can be found at the end of the Executive Summary of each report. *See Table 3 of this Factsheet for a comparative table concerning the results of the 10 recommendations.*

The core part of the Compliance Reports includes the legislation, measures and services available in each of the 41 Parties assessed, in relation to each of the pre-determined requirements, as per the information submitted by the Parties and, in some cases, international organisations. The concluding remarks include an assessment of the overall findings, examples of promising practices and suggestions of ways to improve the current situation.

As the Lanzarote Committee has not carried out in situ visits, a limitation of the compliance procedure is the fact that the conclusions of full compliance, partial compliance and non-compliance have been drawn without the possibility to verify the extent to which legislation and measures are being applied in practice, whether children affected by the refugee crisis are actually benefitting from existing services or to assess the overall impact of legislation, policies and practices.

Significant efforts have been made concerning the [exchange of information on awareness raising](#). A wide range of activities on [information and advice to children](#) and support services, such as [helplines to child victims](#), can be found in the majority of Member States. Promising practices include providing information and advice to different groups of refugee children, the availability of materials in relevant languages and the adoption of different methodologies, such as peer-to-peer training and *ad hoc* workshops. Concerning helplines and other support services, some Parties have set up

specific services for children affected by the refugee crisis. For example, in Sweden the NGO Save the Children set up a project entitled *Listen to me!* France designed an online platform for the reception and integration of refugees, which is available in seven languages. In Iceland, there is a helpline just for asylum seekers. In Denmark, the NGO 'Danish Refugee Council' offers interpretation in more than 80 languages and dialects. In Italy, the 114 Childhood Emergency Helpline (Telefono Azzurro) has a simultaneous interpretation service in 20 languages. 30 Parties or more provide free services to those calling in.

The issue of [cross-border missing children](#) is also covered by the Committee's findings. The most widely used tool, identified as a promising practice, is the 116 000 hotline for Missing Children, which is used by 29 Parties. Another promising practice in this area is the implementation of identification, documentation, tracing and reunification (IDTR) protocols, as is the case in Austria, Turkey and the Netherlands.

The compliance reports also shed light on some of the gaps that should be addressed to provide effective and quality legislation, programmes and services for prevention and protection of children affected by the refugee crisis against sexual exploitation and sexual abuse. On [mechanisms for data collection](#), Parties need to improve the efficacy of already available data collection mechanisms and establish new ones, where they do not yet exist; to adopt different methods for collecting data, both of a quantitative nature (i.e. statistics) and of a qualitative nature (i.e. focused research studies) and to ensure that there are no related obstacles for data collection. On the [prosecution of offenders](#), Parties need to enhance international cooperation for the purpose of exchange of information; to support relevant investigations and prosecution crimes, which occurred outside of the Party's territory; and to guarantee for the proceedings to be initiated without the victim having to file a complaint and to continue the proceeding even if the child victim has withdrawn his or her complaint and/or statement; among other important measures.

**Table 1. The 5 “urge” recommendations**

<b>Number of Recommendation</b>	<b>Text of the Recommendation</b>
<a href="#">Recommendation 18</a>	The Lanzarote Committee urges all 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.
<a href="#">Recommendation 27</a>	The Lanzarote Committee urges all Parties to take the necessary measures to avoid risks that the child may be abused or exploited in case of family reunification.
<a href="#">Recommendation 29</a>	The Lanzarote Committee urges all Parties 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.
<a href="#">Recommendation 30</a>	The Lanzarote Committee urges all 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.
<a href="#">Recommendation 33</a>	The Lanzarote Committee urges all Parties 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.
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**Table 2. The 10 “consider” recommendations**

<b>Number of Recommendation</b>	<b>Text of the Recommendation</b>
<u>Recommendation 7</u>	The Lanzarote Committee considers that Parties should put in place effective mechanisms for data collection with a specific focus on children affected by the refugee crisis who are victims or presumed victims of sexual exploitation and sexual abuse and review the possible removal of obstacles to the collection of such data, in particular, where they exist, legal restrictions to do so, with due respect for the requirements of personal data protection.
<u>Recommendation 11</u>	The Lanzarote Committee considers that Parties, while providing adequate protection to child victims irrespective of where the exploitation/abuse occurred, should do their utmost to be able to distinguish between sexual exploitation and sexual abuse occurring prior to the entry of the child victim on their territories and after the entry.
<u>Recommendation 12</u>	The Lanzarote Committee considers that Parties should fulfil obligations to prosecute the offenders and to provide international co-operation between the Parties in instances where the offence occurred prior to arrival on the territory for the purpose of investigation and prosecution.
<u>Recommendation 13</u>	The Lanzarote Committee considers that Parties should encourage the co-ordination and collaboration of the different actors who intervene for and with children affected by the refugee crisis to ensure that preventive measures in regards to protection from sexual exploitation and sexual abuse are in place and protective measures are taken as speedily as possible.
<u>Recommendation 15</u>	The Lanzarote Committee considers that information and advice concerning prevention of and protection from sexual exploitation and sexual abuse should be provided to children affected by the refugee crisis in a manner adapted to their age and maturity, in a language they understand and which is sensitive to gender and culture (reiteration of 1st implementation report, Recommendation R23).
<u>Recommendation 17</u>	The Lanzarote Committee considers that Parties should exchange information on awareness raising activities which specifically focus on the risks faced by children affected by the refugee crisis with respect to sexual exploitation and sexual abuse.
<u>Recommendation 31</u>	The Lanzarote Committee considers that Parties should ensure that its specific recommendations on the child-friendly handling of proceedings involving children victims of sexual abuse be implemented also in the context of proceedings involving children affected by the refugee crisis
<u>Recommendation 32</u>	The Lanzarote Committee considers that Parties that have not yet done so should encourage and support the setting up of specific information services such as telephone or Internet helplines to child victims of sexual exploitation and sexual abuse affected by the refugee crisis as well as persons wishing to help them to provide advice in a language which is understandable to them.
<u>Recommendation 35</u>	The Lanzarote Committee considers that Parties should agree on common strategies/procedures to effectively deal with the phenomenon of cross-border missing children.
<u>Recommendation 37</u>	The Lanzarote Committee considers that Parties should reinforce or put in place a coordinated approach between the different agencies in charge in order to facilitate the prevention and protection of children affected by the refugee crisis from sexual exploitation and sexual abuse.

**Table 3. Final assessment of the 10 “consider” recommendations<sup>2</sup>**

Country	R7	R11	R12	R13	R15	R17	R31	R32	R35	R37
Albania	Yellow	Yellow	Green	Yellow	Red	Yellow	Yellow	Yellow	Yellow	Red
Andorra	Green	Green	Yellow	Yellow	Yellow	Red	Yellow	Yellow	Yellow	Green
Austria	Red	Yellow	Green	Yellow	Green	Yellow	Green	Yellow	Green	Yellow
Belgium	Yellow	Yellow	Green	Yellow	Yellow	Green	Yellow	Yellow	Green	Yellow
Bosnia and Herzegovina	Yellow	Red	Green	Yellow	Green	Green	Yellow	Yellow	Yellow	Yellow
Bulgaria	Green	Yellow	Yellow	Yellow	Yellow	Green	Green	Green	Green	Green
Croatia	Green	Green	Green	Green	Green	Green	Green	Yellow	Yellow	Green
Cyprus	Green	Green	Green	Green	Green	Green	Yellow	Yellow	Yellow	Green
Czech Republic	Red	Green	Green	Yellow	Yellow	Green	Green	Yellow	Yellow	Red
Denmark	Yellow	Green	Green	Green	Yellow	Yellow	Green	Yellow	Yellow	Green
Finland	Red	Yellow	Green	Green	Green	Green	Yellow	Yellow	Yellow	Green
France	Yellow	Green	Green	Green	Green	Green	Green	Green	Green	Green
Georgia	Yellow	Yellow	Green	Green	Red	Green	Yellow	Green	Yellow	Yellow
Germany	Green	Green	Green	Green	Yellow	Red	Green	Green	Yellow	Yellow
Greece	Red	Red	Red	Red	Red	Red	Yellow	Green	Yellow	Red
Hungary	Green	Green	Green	Yellow	Yellow	Green	Yellow	Yellow	Yellow	Green
Iceland	Yellow	Green	Green	Green	Green	Green	Green	Yellow	Yellow	Green
Italy	Yellow	Green	Yellow	Green	Green	Green	Green	Green	Green	Green
Latvia	Green	Green	Green	Green	Yellow	Green	Green	Yellow	Yellow	Yellow
Liechtenstein	Yellow	Red	Green	Red	Yellow	Yellow	Green	Yellow	Yellow	Red
Lithuania	Yellow	Green	Yellow	Green	Green	Yellow	Green	Yellow	Yellow	Red
Luxembourg	Yellow	Green	Green	Green	Green	Green	Green	Green	Green	Green
Malta	Yellow	Green	Green	Green	Yellow	Yellow	Green	Yellow	Yellow	Yellow
Republic of Moldova	Green	Yellow	Green	Green	Red	Red	Yellow	Yellow	Yellow	Green
Monaco	Green	Yellow	Green	Green	Red	Yellow	Green	Green	Green	Green
Montenegro	Yellow	Yellow	Yellow	Green	Green	Green	Green	Yellow	Red	Yellow
Netherlands	Green	Green	Yellow	Green	Yellow	Green	Green	Yellow	Yellow	Green
North Macedonia	Red	Red	Green	Red	Red	Green	Yellow	Red	Yellow	Green
Poland	Green	Green	Green	Green	Green	Green	Green	Yellow	Green	Green
Portugal	Red	Yellow	Green	Yellow	Yellow	Green	Yellow	Green	Yellow	Red
Romania	Yellow	Green	Green	Green	Yellow	Green	Green	Yellow	Yellow	Green
Russian Federation	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
San Marino	Red	Red	Red	Red	Red	Red	Yellow	Red	Red	Red
Serbia	Yellow	Red	Green	Green	Yellow	Green	Green	Green	Green	Green
Slovak Republic	Yellow	Green	Green	Green	Yellow	Green	Yellow	Yellow	Yellow	Green

<sup>2</sup> As explained above, the “consider” recommendations were assessed as to whether the Parties fully filled, partially fulfilled or did not fulfil the requirements identified for each recommendation. The table below presents comparative results for the 10 recommendations. “Green” corresponds to full fulfilment; “yellow” to partial fulfillment and “red” to non-compliance with the requirements.

<b>Slovenia</b>										
<b>Spain</b>										
<b>Sweden</b>										
<b>Switzerland</b>										
<b>Turkey</b>										
<b>Ukraine</b>										