



T-ES(2018)10\_bil

12/10/2018

## **LANZAROTE COMMITTEE / COMITE DE LANZAROTE**

### **Follow-up to the recommendations of the Special report on “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse”**

Compilation of information provided by the Parties  
and other stakeholders

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

Compilation des informations transmises par les Parties  
et d'autres parties prenantes

## TABLE OF CONTENTS / TABLE DES MATIERES<sup>1</sup>

<b>1. INFORMATION ON THE FOLLOW-UP TO THE 5 RECOMMENDATIONS URGING THE PARTIES TO IMPLEMENT THE CONVENTION / INFORMATIONS SUR LE SUIVI DONNE AUX 5 RECOMMANDATIONS EXHORTANT LES PARTIES A METTRE EN ŒUVRE LA CONVENTION ..</b>	<b>4</b>
RECOMMENDATION R18 / RECOMMANDATION R18 .....	4
RECOMMENDATION R27 / RECOMMANDATION R27 .....	35
RECOMMENDATION R29 / RECOMMANDATION R29 .....	61
RECOMMENDATION R30 / RECOMMANDATION R30 .....	97
RECOMMENDATION R33 / RECOMMANDATION R33 .....	130
<b>2. INFORMATION ON THE FOLLOW-UP TO THE REMAINING RECOMMENDATIONS / INFORMATIONS SUR LE SUIVI DONNÉ AUX AUTRES RECOMMANDATIONS .....</b>	<b>149</b>
RECOMMENDATION R1 / RECOMMANDATION R1 .....	149
RECOMMENDATION R2 / RECOMMANDATION R2 .....	150
RECOMMENDATION R3 / RECOMMANDATION R3 .....	153
RECOMMENDATION R4 / RECOMMANDATION R4 .....	154
RECOMMENDATION R5 / RECOMMANDATION R5 .....	155
RECOMMENDATION R6 / RECOMMANDATION R6 .....	157
RECOMMENDATION R7 / RECOMMANDATION R7 .....	157
RECOMMENDATION R8 / RECOMMANDATION R8 .....	158
RECOMMENDATION R9 / RECOMMANDATION R9 .....	159
RECOMMENDATION R10 / RECOMMANDATION R10 .....	161
RECOMMENDATION R11 / RECOMMANDATION R11 .....	162
RECOMMENDATION R12 / RECOMMANDATION R12 .....	163
RECOMMENDATION R13 / RECOMMANDATION R13 .....	165
RECOMMENDATION R14 / RECOMMANDATION R14 .....	166
RECOMMENDATION R15 / RECOMMANDATION R15 .....	167

---

<sup>1</sup> 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 R16 / RECOMMANDATION R16 .....	169
RECOMMENDATION R17 / RECOMMANDATION R17 .....	169
RECOMMENDATION R19 / RECOMMANDATION R19 .....	170
RECOMMENDATION R20 / RECOMMANDATION R20 .....	171
RECOMMENDATION R21 / RECOMMANDATION R21 .....	173
RECOMMENDATION R22 / RECOMMANDATION R22 .....	174
RECOMMENDATION R23 / RECOMMANDATION R23 .....	174
RECOMMENDATION R24 / RECOMMANDATION R24 .....	176
RECOMMENDATION R25 / RECOMMANDATION R25 .....	180
RECOMMENDATION R26 / RECOMMANDATION R26 .....	180
RECOMMENDATION R28 / RECOMMANDATION R28 .....	181
RECOMMENDATION R31 / RECOMMANDATION R31 .....	182
RECOMMENDATION R32 / RECOMMANDATION R32 .....	183
RECOMMENDATION R34 / RECOMMANDATION R34 .....	185
RECOMMENDATION R35 / RECOMMANDATION R35 .....	186
RECOMMENDATION R36 / RECOMMANDATION R36 .....	187
RECOMMENDATION R37 / RECOMMANDATION R37 .....	188
3. OTHER INFORMATION / AUTRES INFORMATIONS .....	190

# 1. Information on the follow-up to the 5 recommendations urging the Parties to implement the Convention / Informations sur le suivi donné aux 5 recommandations exhortant les Parties à mettre en œuvre la Convention

## 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).

<b>Albania / Albanie</b>	
<b>Andorra / Andorre</b>	<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>

	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.
<b>Austria / Autriche</b>	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 six 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.
<b>Belgium / Belgique</b>	<p>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".</p> <p>As far as <u>guardians</u> 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.</p> <p>As far as persons working for the <u>Commissioner-General for Refugees and Stateless Persons</u> (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.</p> <p>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.</p> <p>In the <u>Wallonia-Brussels Federation</u>, unaccompanied foreign minors are housed in facilities approved by the youth welfare office, such as Espéranto. The</p>

<p><b>Reply by / Réponses par Missing Children Europe / Child Focus /</b></p>	<p>Government Decree of 15 March 1999<sup>2</sup> regulating the approval of these services expressly provides: “Art. 7.1 - <i>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</i>”. 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.</p> <p>In the <u>Flemish Community</u>, 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.<sup>3</sup> 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.</p> <p>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.</p> <p>.....</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><b>Bosnia and Herzegovina / Bosnie-Herzégovine</b></p>	<p>According to applicable regulations<sup>4</sup> 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><b>Bulgaria / Bulgarie</b></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</p>

<sup>2</sup> [http://www.gallilex.cfwb.be/document/pdf/23067\\_007.pdf](http://www.gallilex.cfwb.be/document/pdf/23067_007.pdf)

<sup>3</sup> <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.

<sup>4</sup> BiH Law on Civil Service in BiH Institutions and Labor Law in Institutions of BiH

	<p>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>
Croatia / Croatie	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>

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.



	<p>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).</p> <p>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.</p> <p>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.</p>
<b>Cyprus / Chypre</b>	<p>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).</p> <p>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.</p> <p>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.</p>

	<p>A Clearance Report and the above mentioned certificate are requested for recruitment in the private sector as well.</p> <p>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.</p> <p>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 <b>Action Plan</b> determines the procedures and how to prepare, equip, provide training to professionals, and achieve <b>interagency cooperation</b> (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.</p> <p>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.</p> <p>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.</p> <p>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>
<b>Czech Republic / République tchèque</b>	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).
<b>Denmark / Danemark</b>	<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>
<b>Finland / Finlande</b>	<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</p>

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.

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.

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.

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.

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.

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).

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

	<p>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.</p> <p>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.</p> <p>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.</p>
<b>France</b>	<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>
<b>Georgia / Géorgie</b>	<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. 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. Along above-mentioned, General Inspection of the Ministry of Internal Affairs is responsible to monitor performance of the stuff 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>

<b>Germany / Allemagne</b>	<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 (<a href="http://www.gesetze-im-internet.de/englisch_asylvfng/index.html">http://www.gesetze-im-internet.de/englisch_asylvfng/index.html</a>) highlights:</p> <p><i>Section 44 Asylum Act – Setting up and maintaining reception centres</i></p> <p>(1) ...</p> <p>(2) ....</p> <p>(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) ...</p> <p>(2) ...</p> <p>(3) Section 44 (3) shall apply accordingly.</p>
--------------------------------	---

<p><b>Greece / Grèce</b></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><b>Reply by / Réponses de Missing Children Europe / Smile of the Child</b></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</p>

	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.
<b>Hungary / Hongrie</b>	<p>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.</p> <p>Since 1 December 2017, Due to <b>an amendment to the Act C of 2012 on the Criminal Code</b> (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 the a person under the age of 18.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>To this end, <b>an amendment to the Act 31 of 1997 on the Protection of Children and Guardianship Administration</b> (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</p> <ul style="list-style-type: none"> <li>- 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;</li> <li>- in case of re-appointment or re-assignment, obtain the professional opinion of the child rights representative, child protection guardians, the representative</li> </ul>



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 1<sup>st</sup> 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,

	<p>- is under sanction of prohibition to exercise professional duty that requires university degree in law,</p> <p>- was imposed a conditional sentence, for 2 years after the lapse of the probation period,</p> <p>- 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.</p> <p>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> <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>
<b>Iceland / Islande</b>	<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>
<b>Italy / Italie</b>	<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</p>

<b>Reply by / Réponses de Missing Children Europe / SOS Il Telefono Azzurro Onlus</b>	<p>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"><li>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);</li><li>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).</li></ol> <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> <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"><li>- Address the problem of child sexual abuse starting from a multi-disciplinary perspective that will allow the implementation of multilevel interventions;</li><li>- Design educational and innovative prevention programs for children and their families;</li><li>- Provide specialised training to professionals working in the field of education, childhood and adolescence;</li><li>- Establish minimum quality standards for professionals and operators who are in contact with children and adolescents;</li><li>- 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;</li><li>- Base intervention and treatment pathways for victims and offenders, on scientific evidence by sharing best practices with proven efficacy;</li><li>- Mobilise all stakeholders including children and adolescents, in the fight against abuse;</li><li>- Involve children and adolescents in the design of dedicated programs and always listen to their voice.</li></ul>
<b>Latvia / Lettonie</b>	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.

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:

- 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.

These requirements shall apply to any criminal offence included in the Criminal Law, including criminal offences against morality and gender inviolability.

In turn, the Office of Citizenship and Migration Affairs, when recruiting officials and employees whose direct work responsibilities include communications with children affected by the refugee crisis (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):

- 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.

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

	<p>duties in the institution who comply with the requirements laid down in <b>Section 72</b>, 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 <b>Section 72 of the Law on the Protection of Child Rights</b> 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 <b>Section 72 of the Law on the Protection of the Rights of the Child</b>.</p>
Liechtenstein	<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 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</p>

	<p>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>
<b>Lithuania / Lituanie</b>	<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 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>
<b>Luxembourg</b>	<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 condamnés 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>
<b>Malta / Malte</b>	<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>
<b>Republic of Moldova / République de Moldova</b>	<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>
<b>Monaco</b>	<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 Sûreté 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</p>

	<p>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>
<b>Montenegro / Monténégro</b>	<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>
<b>Netherlands / Pays-Bas</b>	<p>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</p>



	<p>normally around 40 Euros) if the organization works with vulnerable people. 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. 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>
<b>Poland / Pologne</b>	<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 years 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.</p>

	<p>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 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"> <li>1. A declaration confirming their understanding of the Children Protection Policy, acceptance of its provisions, and their obligation of observing them.</li> <li>2. Clean criminal record statement regarding offenses against sexual freedom and decency, and against violent crimes to the detriment of minors.</li> </ol> <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 take 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>
<b>Portugal</b>	<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>

<b>Romania / Roumanie</b>	<p>RO complies with this solicitation.</p> <p>Article 107 of Law 272/2004 on the protection and promotion of the rights of the child<sup>5</sup> 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> <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>
<b>Russian Federation / Fédération de Russie</b>	<p><b>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.</b></p> <p><b>1. The Labor Code of the Russian Federation (30.12.2001 No. 197-FZ, as amended on 08/03/2018)</b></p> <p><b><i>Under Article 351.1.</i></b> 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><b><i>Under Article 331.1.</i></b> 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</p>

<sup>5</sup> 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>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><b>2. When applying for work with children, applicants are subject for the interagency criminal background check</b> regarding conviction, prosecution, cessation of criminal prosecution on rehabilitating grounds.</p> <p><b>Article 65 of the Labor Code of the Russian Federation</b> sets out that it is mandatory for the applicant to submit to the employer</p> <ul style="list-style-type: none"> <li>- 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,</li> <li>- 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;</li> <li>- 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</li> <li>- 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.</li> </ul> <p><b>3. The order of issue of certificates</b> 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>
<b>San Marino / Saint-Marin</b>	
<b>Serbia / Serbie</b>	<p>Each employer is obliged by the law to check its regular or potential employee's criminal record. This is a basic precondition 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 staff and volunteers, local NGO staff and volunteers, craftsmen), and each employer (no matter International or local) is responsible for checking its own staff 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>
<b>Slovenia / Slovénie</b>	<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 <b>Government Office for the Support and Integration of Migrants</b> 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</p>

	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.
<b>Slovak Republic / République slovaque</b>	<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>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 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.</p> <p>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.</p> <p>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</p>

	<p>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.</p> <p>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.</p> <p>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.</p>
Spain / Espagne	<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 <b>negative certification from the Central registry of sex offenders</b>.</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 <b>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</b>.</p> <p>The <b>Central registry of sex offenders (regulated by <u>Law 26/2015</u> and developed by <u>Royal Decree 1110/2015</u>)</b> 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</p>

	<p>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>
<b>Sweden / Suède</b>	<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 a special custodian is appointed. In these cases, the special representative may act both as guardian and custodian of the child. Administrators and special representatives are subject to the supervision of the chief guardian.</p> <p>As a special custodian to be appointed a righteous, experienced and otherwise suitable person. Before someone is ordained to special custodian, his or her suitability should be checked and an active investigation must be made. How extensive such control may be may be decided on a case-by-case basis. Normally, however, the criminal record will be checked and data from reference persons will be retrieved.</p> <p>In the case of a special custodian for unaccompanied children, it is stated in particular that when assessing whether the person appointed is suitable for the assignment, particular attention shall be paid to the vulnerable situation in which the child is located. In these cases, a special requirement is made for who is appointed is suitable to work with children in a vulnerable situation.</p>
<b>Switzerland / Suisse</b>	<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,</p>

[https://www.vbbrb.ch/files/files\\_vbbrb/newsarchiv/Anforderungsprofil\\_BB\\_SVBB\\_fr\\_def\\_V20170914.pdf](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.

### **Occupational ban, contact ban and geographical ban**

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.

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 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)**

...

<sup>2</sup> 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.

<sup>3</sup> 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.

...

<sup>6</sup> 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



	<p>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) <a href="https://www.ch.ch/fr/extrait-casier-judiciaire/">https://www.ch.ch/fr/extrait-casier-judiciaire/</a>. 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), <a href="https://www.e-service.admin.ch/crex/cms/content/strafregister/sonderprivatauszug_en">https://www.e-service.admin.ch/crex/cms/content/strafregister/sonderprivatauszug_en</a>.</p> <p>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.</p> <p><b>Other types of check</b></p> <p>Certain employees of the Confederation are subjected to <b>background security checks</b> (section 4 of the Background Security Checks Order, OCSP, <a href="https://www.admin.ch/opc/fr/classified-compilation/20092321/index.html">https://www.admin.ch/opc/fr/classified-compilation/20092321/index.html</a>). 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>
<p><b>“The former Yugoslav Republic of Macedonia” / “L’ex-République yougoslave de Macédoine”</b></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><b>Turkey / Turquie</b></p>	<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>
<b>Ukraine</b>	<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>

## 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).

<b>Albania / Albanie</b>	
<b>Andorra / Andorre</b>	<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 réglemente 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 ou d'exploitation ou d'abus sexuel, l'activation de le protocole et la intervention du Service spécialisé d'attention a l'enfance pour l'adoption des mesures de protection nécessaires.</p>
<b>Austria / Autriche</b>	<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</p>

	<p>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 separated 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>
<b>Belgium / Belgique</b>	<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>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>

<b>Reply by / Réponses de Missing Children Europe / Child Focus /</b>	<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>
<b>Bosnia and Herzegovina / Bosnie- Herzégovine</b>	<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 Asylum<sup>6</sup>, 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>

<sup>6</sup>Article 12 (BiH Official Gazette, 11/16, 16/16)

	<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>
<b>Bulgaria / Bulgarie</b>	<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"> <li><b>1. Coordination mechanism for referral and care of unaccompanied children and children victims of trafficking returning from abroad;</b></li> <li><b>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);</b></li> </ol> <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> <p>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.</p> <p>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.</p> <p>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.</p>
<b>Croatia / Croatie</b>	<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</p>

	<p>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>
<b>Cyprus / Chypre</b>	<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>
<b>Czech Republic / République tchèque</b>	<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>
<b>Denmark / Danemark</b>	<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> <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.</p> <p>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.</p>

	<p>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.</p> <p>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.</p> <p><i>Children's House</i></p> <p>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 inter-views with the children in a child-friendly environment.</p>
<b>Finland / Finlande</b>	<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</p>



	<p>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>
<b>France</b>	<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><b>Article R226-2-2 CASF</b> 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><b>Article L226-3 CASF</b> 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</p>

	<p>du présent alinéa.</p> <p>Après évaluation, les informations individuelles font, si nécessaire, l'objet d'un signalement à l'autorité judiciaire.</p> <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.</p> <p>Mesure subsidiaire : Le procureur de la République peut également recevoir un signalement qui lui est adressé directement par toute personne ou autorité.</p> <p><b>Article 375 Code civil</b></p> <p>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.</p> <p>Elles peuvent être ordonnées en même temps pour plusieurs enfants relevant de la même autorité parentale.</p> <p>La décision fixe la durée de la mesure sans que celle-ci puisse excéder deux ans. La mesure peut être renouvelée par décision motivée.</p> <p>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.</p> <p>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.</p>
<b>Georgia / Géorgie</b>	<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>According 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>
<b>Germany / Allemagne</b>	<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>

- 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)

*Minimum Standard 4: Prevention of and dealing with situations of violence and suspected violence/risk management*

*Standardized procedures in cases of violence*

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-fluechtlingsunterkuenften/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;”

	<p>“effective prevention and early detection of violence and exploitation;”</p> <p>“adequate intervention when violence is suspected or has already occurred [...] and support opportunities for persons affected by violence and/or exploitation and potential perpetrators;”</p> <p>“dealing with violence among refugee and migrant children and adolescents, <u>as well as in families</u> and long-term relationships;”</p> <p>“designing or planning child-friendly spaces and services;”</p> <p>“supporting and <u>involving parents</u>;”</p> <p>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.</p>
<b>Greece / Grèce</b>	<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 (<a href="http://asylo.gov.gr/en/?page_id=81">http://asylo.gov.gr/en/?page_id=81</a> )</p> <p>Additionally, according to Law 4540/2018, the General Directorate for Social Solidarity of the Ministry of Labour, Social Security &amp; 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>
<b>Hungary / Hongrie</b>	<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</p>

	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.
<b>Iceland / Islande</b>	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.
<b>Italy / Italie</b>	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.
<b>Reply by / Réponses de Missing Children Europe / SOS II Telefono Azzurro Onlus</b>	<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>
<b>Latvia / Lettonie</b>	In accordance with <b>Section 54</b> , Paragraph two of the <b>Asylum Law</b> 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 <b>Clause 12.7 of the Cabinet Regulation No.564 „Regulations Regarding Residence Permits” of 21 June 2010</b> , 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 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.

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.
<b>Liechtenstein</b>	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.
<b>Lithuania / Lituanie</b>	<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. <b>The Migration Department also provides information on the safe return of an unaccompanied minor to a foreign country of origin or other country.</b> 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 <b>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.</b></p> <p>It is emphasized than 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><b>In conclusion it is important that</b> 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>
<b>Luxembourg</b>	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

<b>Malta / Malte</b>	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.
<b>Republic of Moldova / République de Moldova</b>	<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>
<b>Monaco</b>	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.
<b>Montenegro / Monténégro</b>	<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"> <li>1) the minor's well-being and social development and his origin;</li> <li>2) the minor's safety and security, in particular where there is a risk of the minor being a victim of human trafficking;</li> <li>3) the views of the minor, in accordance with his age and maturity, and</li> <li>4) family reunification possibilities.</li> </ol> <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>



	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.
<b>Netherlands / Pays-Bas</b>	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.
<b>Poland / Pologne</b>	<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> <p>Bearing it in mind that a body responsible for medical information exchange is the Boarder 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.</p> <p><b>Family reunification during proceedings on legalization of stay of minor children who are third-country nationals.</b></p> <p>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) - <i>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</i> ).</p> <p>When it comes to the Poland's international obligations related to the protection of children rights, namely the <i>Convention on the Rights of the Child</i> adopted by the UN General Assembly on 20 November 1989 in the Hague, the <i>Convention on Protection of Children and Co-operation in respect of Inter-country Adoption</i>, adopted in Hague on 29 May 1993, the <i>Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse</i>, adopted on 25 October 2007 in <i>Lanzarote</i>, may provide grounds for refusal of the temporary residence permit, justifying it with violation of rights of the child protected with conventions.</p>

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 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.

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.

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

	<p>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 of 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 right 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>
<b>Portugal</b>	<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 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.<sup>7</sup></p> <p>The family unity provisions included in the Dublin Regulation<sup>8</sup> offer another avenue for family reunification that must be taken into account in the context of asylum.<sup>9</sup> 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.”<sup>10</sup></p>
<b>Romania / Roumanie</b>	<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 case<sup>11</sup>.</p>

<sup>7</sup> 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.

<sup>8</sup> **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>.**

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

<sup>10</sup> CPR, AIDA Country Report: Portugal, 2017, March 2018, p. 33.

<sup>11</sup> 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.

**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.

	<p>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.</p> <p>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 jeopardized<sup>12</sup>.</p> <p>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."</p> <p>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."</p> <p>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.</p>
<b>Russian Federation / Fédération de Russie</b>	<p>The <b>Family Code of the Russian Federation</b> 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</p>

- (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.

#### <sup>12</sup> 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>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 <b>Criminal Code of the Russian Federation</b> 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><b>In cases of family reunification, it is necessary to follow the verification procedures specified in the following documents:</b></p> <ul style="list-style-type: none"> <li>-Federal Law of May 31, 2002 N 62-FZ (Edited on July 29, 2017) "On the Citizenship of the Russian Federation"</li> <li>- 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",</li> <li>- Resolution of the Plenum of the Supreme Court of the Russian Federation of May 16, 2017, N 16.</li> </ul>
<b>San Marino / Saint-Marin</b>	
<b>Serbia / Serbie</b>	<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: 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>
<b>Slovenia / Slovénie</b>	<p>In reunification of families with recognized international protection, the <b>Government Office for the Support and Integration of Migrants</b> 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>
<b>Slovak Republic / République slovaque</b>	<p>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. <u>Screening of family situation</u> 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</p>

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.

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

	<p><u>to immediately notify the law enforcement authority and office of labour, social affairs and family</u> 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 <u>suspicion on sexual abuse, or different abuse of minor</u>, rape of minor, sexual violence against minor, <u>sexual exploitation of minor</u>, sexual intercourse between relatives including minor, maltreatment and neglect of minor.</p>
<b>Spain / Espagne</b>	<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>
<b>Sweden / Suède</b>	<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>
<b>Switzerland / Suisse</b>	<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> <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.).</p> <p>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,</p>

<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](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.

<b>“The former Yugoslav Republic of Macedonia” / “L’ex-République yougoslave de Macédoine”</b>	<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>
<b>Turkey / Turquie</b>	<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 suffers.</p>
<b>Ukraine</b>	<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</p>

	<p>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 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.</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).

<b>Albania / Albanie</b>	Albania is listed in the Special report among the Parties which refer to specific psychosocial assistance foreseen within the context of the refugee crisis.
<b>Andorra / Andorre</b>	<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>
<b>Austria / Autriche</b>	Austria is listed in the Special report among the Parties which refer to specific psychosocial assistance foreseen within the context of the refugee crisis.
<b>Belgium / Belgique</b>	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>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 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>
<b>Bosnia and Herzegovina / Bosnie-Herzégovine</b>	<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>
<b>Bulgaria / Bulgarie</b>	<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.

	<p>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> <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>
<b>Croatia / Croatie</b>	<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>
<b>Cyprus / Chypre</b>	<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><b>Unaccompanied minors</b> 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 <b>families and children that might have been detected at risk</b> 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 <b>training</b> 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>
<b>Czech Republic / République tchèque</b>	<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>
<b>Denmark / Danemark</b>	<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>
<b>Finland / Finlande</b>	<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</p>

	<p>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>
<b>France</b>	<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><a href="#">l'article 706-47</a></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>
<p><b>Georgia / Géorgie</b></p>	<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).</p> <p>Services in ensures:</p> <ul style="list-style-type: none"> <li>• Shelters for victims and dependent minors;</li> <li>• Psychological support;</li> <li>• Medical assistance;</li> <li>• Legal Aid;</li> </ul> <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) Providing 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;
- B) Prepare an application or suit when needed;
- C) Representative in court and law enforcement agencies.

Daily (24 hours) accommodation includes:

- A) Providing suitable shelter for a normal existence with a safe place;
- B) Feeding beneficiaries 4 times in a day;
  - ✓ 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.
- D) All basic supplies for personal hygiene;
- E) Depending on a season/ age provisioning with a suitable clothing.

Interpreter service:

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.

Staff:

Employees of the shelter are permanently trained on the issues of Human Rights, Gender Based Violence, Trafficking of Human Beings, Discrimination, Child Rights etc.

Hotline:

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,

	Azerbaijani, Armenian, Arabic and Persian.
<b>Germany / Allemagne</b>	<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>
<b>Greece / Grèce</b>	<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>
<b>Reply by / Réponses de Missing Children Europe / Smile of the Child</b>	<p>.....</p> <p>.....</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"> <li>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).</li> </ol> <p>The Project is expected to contribute to the protection of minors and the improvement of their quality of life through the identification, intervention, treatment</p>

	<p>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.</p> <p>The relevant activity of the project is the following:</p> <p>Prevention and response to violence against refugee/migrant children via:</p> <ul style="list-style-type: none"> <li>- 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 &amp; missing children,</li> <li>- 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 &amp; Adolescents 116 111).</li> </ul> <p>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.</p> <p>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>
<p><b>Hungary / Hongrie</b></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> <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</p>

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



	<p>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>
<b>Iceland / Islande</b>	<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>
<b>Italy / Italie</b>	<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>
<b>Reply by / Réponses de Missing Children Europe / SOS II Telefono Azzurro Onlus</b>	<p>.....</p> <p>.....</p> <p>The current Italian Law (L.47/2017-Zampa) foresees:</p> <ul style="list-style-type: none"> <li>- An organic and specific reception system;</li> <li>- Homogeneous standards for age assessment and identification;</li> <li>- Protection of the interest of the child;</li> <li>- The right to health and education;</li> <li>- 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.</li> </ul> <p>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>
<b>Latvia / Lettonie</b>	<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,</p>

	<p>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 through 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>
<b>Liechtenstein</b>	<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 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>
<b>Lithuania / Lituanie</b>	<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"> <li>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;</li> <li>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;</li> <li>3) to receive free basic medical aid in accordance with the procedure established by the Minister of Health;</li> <li>4) to be provided with free social services in accordance with the procedure established by the Minister of Social Security and Labour;</li> <li>5) to receive state-guaranteed legal aid unless the laws of the Republic of Lithuania provide otherwise;</li> <li>6) to contact the representatives of non-governmental or international organisations of the Republic of Lithuania.</li> </ol> <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>
<b>Luxembourg</b>	<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>
<b>Malta / Malte</b>	<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>
<b>Republic of Moldova / République de Moldova</b>	<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,</p>

	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.
<b>Monaco</b>	<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> <p>Parmi les mesures législatives, on pourra citer notamment :</p> <ul style="list-style-type: none"> <li>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 ;</li> <li>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.</li> </ul> <p>Concernant les soins :</p> <ul style="list-style-type: none"> <li>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 ;</li> <li>les maltraitances sexuelles sont également une des problématiques prises en charge par le Centre médico-psychologique ;</li> <li>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.</li> </ul> <p>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.</p>

	<p>Concernant le placement et la tutelle :</p> <p>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.</p> <p>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.</p> <p>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> <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>
<b>Montenegro / Monténégro</b>	<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>

	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.
<b>Netherlands / Pays-Bas</b>	All children in the Netherlands have the right to medical care. The access to health care is 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.
<b>Poland / Pologne</b>	<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> <ol style="list-style-type: none"> <li>1) minor,</li> <li>2) disabled,</li> <li>3) elderly,</li> <li>4) a pregnant woman,</li> <li>5) a single parent,</li> <li>6) a human trafficking victim,</li> <li>7) a bedridden person,</li> <li>8) a person with mental disorders,</li> <li>9) a person subjected to torture,</li> <li>10) victims of physical, mental and sexual abuse, of other sexual orientation and core identity</li> </ol> <p>The Head of the Office evaluates whether the applicant qualifies as a vulnerable person in terms of international protection or social assistance proceedings.</p> <p>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.</p> <p>Each applicant (including the accompanying minor) is regarded as a vulnerable person in the scope of social assistance, if:</p>

**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 guarder 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 suggest 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.*



	<p><i>- Procedure of handling the threats to security.</i></p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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”.</p> <p>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.</p> <p>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.</p>
<b>Portugal</b>	<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>

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».

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.

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](http://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.

Applicants for international protection and beneficiaries of refugee or subsidiary protection and their family members are exempt from the payment of basic health fees.

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.

#### Psychosocial assistance

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».<sup>13</sup> 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.<sup>14</sup>

<sup>13</sup> CPR, AIDA Country Report: Portugal, 2017, March 2018, pp. 80-82.

<sup>14</sup> 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>
<b>Romania / Roumanie</b>	<p><b>Also, Law No. 211/2004 concerning some measures for ensuring the protection of victims of crime</b> 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> <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.</p> <p>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.</p> <p>To this end non-governmental organizations can benefit, according with the applicable legislation, from subventions from the state budget.</p> <p><b>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 assistance<sup>15</sup>.</b></p>

<sup>15</sup> 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.

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:

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.

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. 678/2001<sup>16</sup> concerning the prevention and fight of trafficking in human beings, among which are

- 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.

#### <sup>16</sup> 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.

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;
- ✓ 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;

---

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.

(...)

✓ 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 centers<sup>17</sup> 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 violence<sup>18</sup> 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.

---

<sup>17</sup> 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.

<sup>18</sup> 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.
<b>Russian Federation / Fédération de Russie</b>	<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. 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"> <li>- 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)</li> <li>- Federal Law of December 28, 2013 N 442-FZ "On the Basics of Social Services for Citizens in the Russian Federation"</li> </ul> <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"> <li>- Federal Law No. 120-FZ of June 24, 1999 as amended on July 2, 2013 (N 185-FZ)</li> </ul> <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"> <li>- All-Russian anonymous and free child helpline. (<a href="http://telefon-doveria.ru/">http://telefon-doveria.ru/</a>). 8-800-2000-122. Currently, 229 organizations are connected to it in 83 constituent entities of the Russian Federation.</li> </ul> <p>There are also telephone hotlines of charity foundations and social rehabilitation centers.</p>
<b>San Marino / Saint-Marin</b>	
<b>Serbia / Serbie</b>	<i>Ministry of Education, Science and Technological Development.</i> To face the above challenges, the following actions were referred to:

(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>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);</p> <p>children affected by the refugee crisis are expeditiously informed about the education system (Serbia, UNICEF and Ministry of Education);</p> <p>95% of children affected by the refugee crisis were involved in primary education and about 10% in secondary education (Secondary education is not compulsory)</p> <p>Appointed guardian is, at the same time, an employee of center for social work. In his/hers 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/hers 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).</p> <p>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 psycho-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/migrants children daily life. According to international organization (UNHCR; UNICEF; IOM; Save the Children) opinion, Serbia is fully following these priorities.</p>
<b>Slovenia / Slované</b>	<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> <p>The procedures involving migrant children who are potential child victims of sexual exploitation and sexual abuse are based on the following legal framework: <i>International Protection Act</i>, the <i>Decree on the Means and Conditions for Providing Rights to Applicants for International Protection</i> and more detailed guidelines and instructions for action titled <i>Standard Operating Procedures for Prevention and Response to Violence and Gender Violence</i>.</p> <p>2. <b>The first identification of victims of sexual abuse</b> 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 <i>Standard Operating Procedures for Prevention in cases of Sexual Violence and Gender Violence</i>.</p>

**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.**

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.

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

<p><b>Slovak Republic / République slovaque</b></p>	<p>the hearing also provide for the protection of child's rights ex offio.</p> <p><b>On 12<sup>th</sup> 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 1<sup>st</sup> of January 2018.</b> 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> <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, <u>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</u>. According to the Act, the specialised professional help to especially vulnerable victim is providing with the <u>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</u>. 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.</p> <p>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 (<u>Child home for unaccompanied minors</u>), so called <i>case conference</i> 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. <u>The case conference is taken place with participation of the child, the guardian, translator, psychologist, social worker, educator and nurse</u>. 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</p>
---	--

	<p>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 <u>psychological evaluation</u>, the subsequent work with the child follows his/her recommendations- it could mean <u>cooperation with clinical psychologist and therapist (health care provider) and ensuring the psychological care or therapeutic assistance</u>. 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, 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>The education for theoretical knowledge (focused on the rights of child and his/her protection) and practical skills are performed continuously by the <u>accredited educational institutions according to the minimal standards for specialised studying programmes</u> for medical profession “<u>doctor</u>” in specialised section such as paediatrics, child chirurgic, gynaecology and obstetrics and medical profession “<u>nurse</u>” and “<u>obstetrics assistant</u>” 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 17<sup>th</sup> 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. <u>Minimal standards</u> 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, <u>identification of violence against child in all its forms including sexual abuse and sexual exploitation of child</u> as well as cooperation with relevant state authorities within the context.</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><b>Spain / Espagne</b></p>	<ul style="list-style-type: none"> <li>• 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.</li> </ul> <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"> <li>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.</li> <li>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.</li> <li>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:  The public entity of child protection shall provide assistance, protection and foster care measures according to the unaccompanied foreign minors needs.  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.</li> </ul>
<b>Sweden / Suède</b>	<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>
<b>Switzerland / Suisse</b>	<p>The Asylum Act (LAsi, <a href="https://www.admin.ch/opc/en/classified-compilation/19995092/index.html">https://www.admin.ch/opc/en/classified-compilation/19995092/index.html</a>) 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), <a href="https://www.admin.ch/opc/fr/classified-compilation/19940073/index.html">https://www.admin.ch/opc/fr/classified-compilation/19940073/index.html</a>). 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</p>

	<p>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><a href="http://www.sodk.ch/fileadmin/user_upload/Aktuell/Empfehlungen/2016.05.20_MNA-Empf_farbig_f.pdf">http://www.sodk.ch/fileadmin/user_upload/Aktuell/Empfehlungen/2016.05.20_MNA-Empf_farbig_f.pdf</a>.</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”,  <a href="https://www.bag.admin.ch/bag/fr/home/themen/mensch-gesundheit/uebertragbare-krankheiten/infektionskontrolle/gesundheitsversorgung-asylsuchende.html">https://www.bag.admin.ch/bag/fr/home/themen/mensch-gesundheit/uebertragbare-krankheiten/infektionskontrolle/gesundheitsversorgung-asylsuchende.html</a>.</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:  <a href="https://intranet.bfm.admin.ch/intrabfm-publ/content/dam/data/bfm/kerntaetigkeiten/zentr_asylverfahren/themen/menschenhandel/leitfaden_arbeitsinstrumente/information_fuer_potenzielle_opfer-f.doc">https://intranet.bfm.admin.ch/intrabfm-publ/content/dam/data/bfm/kerntaetigkeiten/zentr_asylverfahren/themen/menschenhandel/leitfaden_arbeitsinstrumente/information_fuer_potenzielle_opfer-f.doc</a></p> <p>A flyer is also handed to the individual concerned:  <a href="https://intranet.bfm.admin.ch/intrabfm-publ/content/dam/data/bfm/kerntaetigkeiten/zentr_asylverfahren/themen/menschenhandel/leitfaden_arbeitsinstrumente/flyer-f.pdf">https://intranet.bfm.admin.ch/intrabfm-publ/content/dam/data/bfm/kerntaetigkeiten/zentr_asylverfahren/themen/menschenhandel/leitfaden_arbeitsinstrumente/flyer-f.pdf</a></p>
<b>“The former Yugoslav Republic of Macedonia” / “L’ex-République yougoslave de Macédoine”</b>	<p>Psychological assistance, as well as specialized therapeutic support are fully available to all refugees, but these services are currently available only 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. In the following period, the Ministry of Labor and Social Policy will need to ensure this service to be available through the centers for social work.</p>
<b>Turkey / Turquie</b>	<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 10 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>

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.

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.

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.

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.

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.

Victims of online sexual abuse of children are also considered in the judicial processes. For instance;

- 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.

Ministry of Justice drafted a law project “Victim Rights Code”. The code regulates establishment of Judicial Support and Victim Services Directorates in every cities. 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.

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.

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.

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.
<b>Ukraine</b>	<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>



### 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).

<b>Albania / Albanie</b>	
<b>Andorra / Andorre</b>	<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>
<b>Austria / Autriche</b>	<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</p>

	regular basis. Furthermore there is the opportunity to discuss special cases anonymously.
<b>Belgium / Belgique</b>	<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"> <li>• The right to participation, to information and to a fair hearing;</li> <li>• The right to adequate age-appropriate care;</li> <li>• The right to healthcare and education.</li> </ul> <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: <a href="http://www.aidealaieunesse.cfwb.be/index.php?id=7637">http://www.aidealaieunesse.cfwb.be/index.php?id=7637</a>.</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, 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>
<b>Bosnia and Herzegovina /</b>	All institutions responsible for the rights of foreigners are obliged to cooperate and this cooperation is put in place.

<b>Bosnie-Herzégovine</b>	<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>
<b>Bulgaria / Bulgarie</b>	<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 116111 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</p>

	<p>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>
<b>Croatia / Croatie</b>	<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><b>Cyprus / Chypre</b></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><b>Czech Republic / République tchèque</b></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 <b>individual plan of protection of a particular child</b>. 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><b>Denmark / Danemark</b></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, multi-agency 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>
<b>Finland / Finlande</b>	<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 traumatising of persons with a refugee background, phenomena related to refugeeism (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 <a href="http://www.julkari.fi/handle/10024/136193">http://www.julkari.fi/handle/10024/136193</a>.</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 found 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 refugee status and to 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>
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"> <li>• 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 <b>convention sur la mise en place d'un dispositif expérimental visant à protéger les mineurs victimes de traite des êtres humains</b> a été signée le 1<sup>er</sup> 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'OFPPA. <u>Au regard de l'effectivité de ce dispositif expérimental, une circulaire prévoyant sa généralisation est actuellement en cours d'élaboration.</u></li> <li>• 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.</li> </ul>

	<ul style="list-style-type: none"> <li>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 lorsque 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.</li> </ul> <p><b><u>Article 706-49 Code de procédure pénale</u></b>  <u>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.</u></p> <p><b><u>Article D 47-10 Code de procédure pénale</u></b>  <u>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.</u></p> <p><u>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.</u></p> <p><u>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.</u></p>
<p><b>Georgia / Géorgie</b></p>	<p>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.</p> <p>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.</p> <p>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, 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 172<sup>6</sup> 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><b>Germany / Allemagne</b></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 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><b>Greece / Grèce</b></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 <b>called National Referral Mechanism (NRM)</b>. The Office of the National Rapporteur supervises the National Referral Mechanism which operates</p>

<p><b>Reply by / Réponses de Missing Children Europe / Smile of the Child</b></p>	<p>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"> <li>➤ A Joined 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.</li> <li>➤ 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.</li> <li>➤ 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.</li> <li>➤ In cooperation with the above organizations, SOPs were finalized as well as an assessment form to be used by CP professionals (November 2017).</li> <li>➤ EKKA also organizes training and support for professionals working in shelters for Unaccompanied Minors, also addressing the issues of abuse and neglect.</li> </ul> <p>.....</p> <p>.....</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 &amp; Assistance etc).</p>
<p><b>Hungary / Hongrie</b></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> <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</p>

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 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

	<p>specialist care and psychotherapy.</p> <p>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.</p> <p>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> <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>
<b>Iceland / Islande</b>	<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>
<b>Italy / Italie</b>	<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</p>

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.

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:

- 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;

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><b>Reply by / Réponses de Missing Children Europe / SOS Il Telefono Azzurro Onlus</b></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"> <li>- the construction of a human trafficking and legal framework;</li> <li>- the mechanisms of human trafficking and the art of recruiting/seducing children and adolescents;</li> <li>- the risks of disappearance;</li> <li>- modern slavery forms;</li> <li>- criteria for the identification of trafficked victims.</li> </ul> <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> <p>A number of <b>media campaigns</b> are also relevant in this context:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2) the establishment of the Italian National Day against Pedophilia and Pedopornographia, every 5th May.</li> <li>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 2016</li> <li>4) 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 Protecion 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.</li> </ol>
<p><b>Latvia / Lettonie</b></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>

The State Border Guard and the Office of Citizenship and Migration Affairs, in situations where children affected by the refugee crisis are exposed, shall cooperate first and act in accordance with the Orphan's Court, 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.

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.

#### **Initial interview**

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.

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 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):

- 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.

Likewise special rules are complied with also during investigation, namely, Section 151<sup>1</sup> 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

	<p>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>
<b>Liechtenstein</b>	<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>
<b>Lithuania / Lituanie</b>	<p><b>Currently</b> 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>

	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.
<b>Luxembourg</b>	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.
<b>Malta / Malte</b>	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.
<b>Republic of Moldova / République de Moldova</b>	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.
<b>Monaco</b>	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.
<b>Montenegro / Monténégro</b>	<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>
<b>Netherlands / Pays-Bas</b>	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

	<p>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>
<b>Poland / Pologne</b>	<p>Employees of the Department for Social Assistance of the Office for Foreigners together with the personnel of the Dajemy Dzieciom Siłę 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"> <li>- establishing and implementing the Children Protection Policy;</li> <li>- monitoring of employees and co-workers for possible abuse of children;</li> <li>- educating the employees in the field of child protection and assistance in crisis situations;</li> <li>- educating the parents in the field of non-violent upbringing of children and protection of children against violence and abuse;</li> <li>- educating the children on the rights of the child and protection against violence and abuse;</li> <li>- monitoring and periodical verification of compliance of the activities with the adopted rules of the Children Protection Policy.</li> </ul> <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 importance 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"> <li>- raise awareness of the importance of protecting children from all forms of harm,</li> </ul>

	<ul style="list-style-type: none"> <li>- instruct and define procedures and responsibilities for all actions relating to child safety,</li> <li>- ensure safety of children through preventive measures.</li> </ul> <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"> <li>1. A declaration confirming their understanding of the Children Protection Policy, acceptance of its provisions, and their obligation of observing them;</li> <li>2. Clean criminal record statement regarding offenses against sexual freedom and decency, and against violent crimes to the detriment of minors.</li> </ol> <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>
<b>Portugal</b>	<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>At the same time, in case children need medical care, the Portuguese National Republican Guard (GNR) takes them to the nearest Hospital for proper assistance.</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>If justified, the situation may be reported within the national network to support and protect the victims of trafficking, through the national referral system. In fact, children benefit from specific national measures as soon they are identified as possible victims, such as the right of legal representation and access to education.</p> <p>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.</p> <p>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.</p> <p>In February 2017, 98 GNR officers received training on «Cultural and Religious Diversity in Portuguese Society».</p> <p>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)».<sup>19</sup></p> <p>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.</p>
--	--

<sup>19</sup> <https://www.acm.gov.pt/-/acm-e-psp-juntos-por-todos->

	<p>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.</p> <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>
<b>Romania / Roumanie</b>	<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 <b>Law no 272/2004 on the protection and promotion of the rights of the child</b>, 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>
<b>Russian Federation / Fédération de Russie</b>	<p><b>Strengthening and development of interdepartmental coordination of assistance to children is carried out on the basis of the following normative documents</b></p> <p>- Federal Law of December 28, 2013 N 442-FZ "On the Basics of Social Services for Citizens in the Russian Federation"</p> <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><b>Examples of coordinating structures:</b></p> <ul style="list-style-type: none"> <li>- Governmental Commission for Minors Affairs <a href="http://government.ru/department/159/about/">http://government.ru/department/159/about/</a> 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</li> <li>- Coordinating Council under the Government of the Russian Federation <a href="http://government.ru/docs/33272/">http://government.ru/docs/33272/</a> 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)</li> </ul> <p><b>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:</b></p> <ul style="list-style-type: none"> <li>- "Social and Rehabilitation Center for Minors No. 1" of the Tula Region <a href="http://www.srcn1-tula.ru/socsoprov.htm">http://www.srcn1-tula.ru/socsoprov.htm</a></li> <li>- "Urai Social and Rehabilitation Center for Minors" <a href="http://scuray.ru/socialnoe-soprovozhdenie/">http://scuray.ru/socialnoe-soprovozhdenie/</a></li> <li>- 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, <a href="http://cpspd-gostinica.wixsite.com/centr-gostinica-omsk/contact">http://cpspd-gostinica.wixsite.com/centr-gostinica-omsk/contact</a></li> <li>- State autonomous institution of further education of Perm Krai "Center for psychological and pedagogical and medico-social support" <a href="http://soscentrpk.ru">http://soscentrpk.ru</a></li> <li>- Smolensk Social and Rehabilitation Center for Minors "Phoenix" <a href="http://www.smolfeniks.ru/">http://www.smolfeniks.ru/</a> Specialists of the service take part in investigative actions and rehabilitation activities.</li> </ul> <p>The center specialists take part in investigative actions and rehabilitation activities</p>
<b>San Marino / Saint-Marin</b>	
<b>Serbia / Serbie</b>	<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>
<b>Slovenia / Slovénie</b>	<p><b>Government Office for the Support and Integration of Migrants</b> 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>
<b>Slovak Republic / République slovaque</b>	<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 1<sup>st</sup> 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 11<sup>th</sup> 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</p>

children on local level”, the National Project Support on the Protection of Children against Violence was adopted on 23<sup>st</sup> 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.).

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 1<sup>st</sup> 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 1967 as well as relevant European directives and regulations related to the international protection of foreigners.

	<p><u>The Police Force</u> 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., (<a href="http://www.zodpovedne.sk">www.zodpovedne.sk</a>, <a href="http://www.pomoc.sk">www.pomoc.sk</a>, <a href="http://www.stopline.sk">www.stopline.sk</a>, <a href="http://www.ovce.sk">www.ovce.sk</a>) 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 <a href="http://www.stopline.sk">www.stopline.sk</a> run by the National centre for reporting the illegal content or activities on the internet (Stopline.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).</p>
Spain / Espagne	<p>The aim of the <b>FRAMEWORK PROTOCOL FOR UNACCOMPANIED FOREIGN MINORS</b> - 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 <b>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.</b></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><b>The Framework protocol for unaccompanied foreign minors</b>, 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>

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.

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.

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.

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.

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.

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.

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.

The **Protocol of the Subdirectorate 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.

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

	<p>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"> <li>- 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.</li> <li>- 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.</li> <li>- 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 preferable 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.</li> <li>- 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.</li> </ul>
<p><b>Sweden / Suède</b></p>	<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> <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.</p> <p>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</p>

	<p>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.</p> <p>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.</p>
<p><b>Switzerland / Suisse</b></p>	<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): <a href="http://www.sodk.ch/fileadmin/user_upload/Aktuell/Empfehlungen/2016.05.20_MNA-Empf_farbig_f.pdf">http://www.sodk.ch/fileadmin/user_upload/Aktuell/Empfehlungen/2016.05.20_MNA-Empf_farbig_f.pdf</a></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><b><i>The CDAS recommends in particular that the cantons:</i></b></p>

	<ul style="list-style-type: none"> <li>• 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;</li> <li>• take steps and set up facilities that enable human trafficking or other forms of exploitation, or the disappearance of unaccompanied minors, to be prevented.</li> </ul> <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><a href="http://www.ssiss.ch/sites/default/files/2017-07/MANUEL_FR_WEB.pdf">http://www.ssiss.ch/sites/default/files/2017-07/MANUEL_FR_WEB.pdf</a></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, <a href="https://www.admin.ch/opc/fr/classified-compilation/20041159/index.html">https://www.admin.ch/opc/fr/classified-compilation/20041159/index.html</a>), 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: <a href="http://www.fr.ch/sej/fr/pub/aide_victime/prestation.htm">http://www.fr.ch/sej/fr/pub/aide_victime/prestation.htm</a></p> <p>Valais: <a href="https://www.vs.ch/web/sas/lavi-beneficiaires">https://www.vs.ch/web/sas/lavi-beneficiaires</a></p> <p>Geneva: <a href="http://www.centrelavi-ge.ch/">http://www.centrelavi-ge.ch/</a></p>
<p><b>“The former Yugoslav Republic of Macedonia” / “L’ex-République yougoslave de</b></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>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</p>

<b>Macédoine</b>	<p>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>
<b>Turkey / Turquie</b>	<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"> <li>- The Ministry of Justice is planning a project for “Improving the capacity of Interpretation Services for Access of Refugee Children to Justice”. The projects 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.</li> <li>- 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”.</li> <li>- Academy of Justice concluded a memorandum of understanding with UNHCR and carried out certain activities such as: <ul style="list-style-type: none"> <li>- 3 workshops on needs assessment outputs for access of refugees and migrants to justice</li> <li>- A vocational training seminar for 60 judges and prosecutors on the subject matter.</li> <li>- 7 seminars on “Access of Refugees and Migrants to Justice”</li> </ul> </li> <li>- 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.</li> <li>- 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.</li> <li>- DG Migration works with International Organization of Migration (IOM) and International Centre for Migration Policy Development (ICDMP) in order-</li> </ul>



	<p>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> <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>
<b>Ukraine</b>	<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"><li>1) protection of the rights and interests of the child;</li><li>2) prevention of discrimination against children;</li><li>3) taking into account the opinion of the child in solving issues relating to her life;</li><li>4) ensuring the confidentiality of information about the child.</li></ol> <p>A clear algorithm for action is foreseen:</p> <ul style="list-style-type: none"><li>- identification of children separated from the family;</li><li>- temporary placement of a child separated from a family;</li></ul> <p>Determined powers of legal representatives and authorized bodies for the social protection of a child separated from the family.</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).

<b>Albania / Albanie</b>	
<b>Andorra / Andorre</b>	<p>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.</p> <p>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.</p>
<b>Austria / Autriche</b>	<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>
<b>Belgium / Belgique</b>	<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>

<b>Bosnia and Herzegovina / Bosnie-Herzégovine</b>	<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>
<b>Bulgaria / Bulgarie</b>	<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 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.</p> <p>The most frequently used international tools in combating human trafficking, sexual exploitation of children and irregular migration are through Interpol and Europol.</p>

**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"> <li>- AP Phoenix - trafficking in human beings for the purposes of sexual and labour exploitation, forced criminality, child trafficking and human organ trafficking;</li> <li>- AP Twins – prevention and combating of all forms of criminality associated with the sexual exploitation and abuse of children;</li> <li>- AP Migrant Smuggling – combating of organised criminal networks for migrant smuggling.</li> </ul> <p>Bulgaria also participates in the European Multidisciplinary Platform against Criminal Threats (EMPACT).</p>
<b>Croatia / Croatie</b>	<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,</p>

	<p>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>
<b>Cyprus / Chypre</b>	<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>
<b>Czech Republic / République tchèque</b>	<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>
<b>Denmark / Danemark</b>	<p>As included in the Committee's Special Report from March 3rd 2017, Denmark focus on successful police cooperation within the context of In-terpol and Europol.</p> <p>The participation of Danish police in international cooperation is still pri-marily 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 IN-TERPOL 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 pro-jects.</p>
<b>Finland / Finlande</b>	<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>
<b>France</b>	<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</p>

	<p>et de proxénétisme sont prégnantes et nécessitent le renforcement des liens entre les magistrats spécialisés dans cette thématique.</p> <p>Interpol a mis en place plusieurs opérations qui apportent leur soutien aux polices locales des lieux de départs 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.</p>
<b>Georgia / Géorgie</b>	<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>
<b>Germany / Allemagne</b>	<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</p>



	<p>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 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>
<b>Greece / Grèce</b>	<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</p>

<p><b>Hungary / Hongrie</b></p>	<p>procedural steps to be taken to prevent and protect victims of sexual abuse and sexual exploitation.</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 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</p>
-------------------------------------	---

	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.
<b>Iceland / Islande</b>	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.
<b>Italy / Italie</b>	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.
<b>Latvia / Lettonie</b>	<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>
<b>Liechtenstein</b>	<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>
<b>Lithuania / Lituanie</b>	<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>
<b>Luxembourg</b>	<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>
<b>Malta / Malte</b>	<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>
<b>Republic of Moldova / République de Moldova</b>	<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>
<b>Monaco</b>	<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</p>

<p><b>Montenegro / Monténégro</b></p>	<p>(Europol).</p> <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"> <li>- Training content development</li> <li>- Case study development – scenarios</li> <li>- Identification of border risk indicators</li> <li>- Common assessment of course issues</li> </ul>
---	--

	<p>- CIRAM development (system of reliable analysis and incident report) of basic measurement system (e-tool)</p> <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>
<b>Netherlands / Pays-Bas</b>	<p>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 also co-finance 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.</p>
<b>Poland / Pologne</b>	<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 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>
<b>Portugal</b>	<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>
<b>Romania / Roumanie</b>	<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</p>

Eurojust level and joint procedural activities are carried out on the territory of the signatory States.

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.

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.

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.

Regarding the working tools related to this issue, provided by INTERPOL, they are used by the Romanian Police at maximum capacity, namely:

- 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").

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.

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.

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).

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.

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.

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.

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.

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.



<b>Russian Federation / Fédération de Russie</b>	<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. Curenly there is a more systematic agreement between the Russian Federation and the European Police Organization on strategic and operational cooperation under consideration.</p>
<b>San Marino / Saint-Marin</b>	
<b>Serbia / Serbie</b>	<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>
<b>Slovenia / Slovénie</b>	<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</p>

	<p>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 refugee 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>
<b>Slovak Republic / République slovaque</b>	<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>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>
<b>Spain / Espagne</b>	<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, <b>Spain</b>, 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"> <li>• <b>AP TWINS -Analysis Project dedicated to the sexual exploitation of children in the digital world.</b></li> <li>• <b>AP Phoenix -Analysis Project dedicated to the sexual exploitation of children.</b></li> </ul>

	<p>The <b>operational actions are focused on victim's identification</b>; 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>
<b>Sweden / Suède</b>	<p>The Swedish Police Authority actively cooperates within the channels provided by Europol and Interpol, for example Interpol's database ICSE.</p>
<b>Switzerland / Suisse</b>	<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 co-operates 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</p>

	<p>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>
<b>"The former Yugoslav Republic of Macedonia" / "L'ex-République yougoslave de Macédoine"</b>	<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>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 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.</p>
<b>Turkey / Turquie</b>	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.
<b>Ukraine</b>	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.

## 2. Information on the follow-up to the remaining recommendations / Informations sur le suivi donné aux autres recommandations

### Recommendation R1 / Recommandation R1

The Lanzarote Committee:

urges **Hungary** to take the necessary legislative or other measures to ensure that the principle of the benefit of the doubt is adequately applied and adequate protection and assistance measures are provided in line with the Lanzarote Convention to individuals pending verification of their age when there are reasons to believe that they are children (R1).

Le Comité de Lanzarote :

exhorte la **Hongrie** à prendre les mesures législatives ou autres nécessaires pour veiller à ce que le principe du bénéfice du doute soit dûment appliqué et à ce que les mesures de protection et d'assistance appropriées soient accordées, conformément à la Convention de Lanzarote, aux personnes dont il existe des raisons de croire qu'elles sont des enfants, dans l'attente que leur âge soit vérifié et établi (R1).

**Hungary /  
Hongrie**

It can be stated that the authority responsible for determining the age of the concerned person always bears in mind the probable age of the applicant while carrying out the procedure. Based on section 44 (1) of the Act on Asylum, age assessment is carried out by an authorized expert with special expertise. Depending on the result of age assessment, the Immigration and Asylum Office carries out the procedure either according to the general provisions or according to the provisions regarding applicants falling under the category of persons requiring special treatment.

According to section 29 (1) of the Act on the Prosecutors, the prosecutor shall review the legality of every individual, final and effective or enforceable decision taken by administrative authorities and other judicial bodies besides courts, as well as of other measures taken by authorities that has not yet been reviewed by the court.

In case the foreigners declare themselves to be unaccompanied minors, but cannot justify their age by an original public document and the immigration authority has doubts about the foreigner's age, then the authority shall initiate an age assessment procedure, which must be conducted by a forensic doctor within a few hours of the time the measure was taken. If according to the result of the age assessment procedure, the age of the applicant remains doubtful, the asylum authority shall decide in favour of the person in question, and assume them to be minors, thus apply the more favourable rules pertaining to

unaccompanied minors. If the foreigner seeking refugee status or asylum is declared to be more than 18 years old as a result of the initial age assessment, they shall be treated as an adult until it is proven that they are under the age of 18 years. If the result of the age assessment is doubtful, the foreigners can request another examination the cost of which must be borne by them. During the examination x-ray should be also used in order to establish the proper age, the cost of the x-ray should be borne by the immigration authority.

If the person in question is declared to be a minor as a result of the age assessment ordered during the asylum procedure, but doubt arises afterwards, age assessment of the unaccompanied minor is ordered during the immigration procedure as well in order to determine the exact age.

If third-country nationals declare that they are minors after the decision on custody had been announced, the immigration authority ordering the custody shall contact the competent health care provider in order to conduct the age assessment out of turn. If third-country nationals declare that they are minors during custody, the head of the institution holding such person in custody shall contact the immigration authority ordering the custody in order to initiate age assessment at the competent health care provider. If it is established that the third-country national is a minor, custody must be terminated immediately.

It is of primary importance that the age of minors between 14 and 18 are properly and accurately established. In several cases, it has been proven that foreigners declared a false age in order to receive more favourable treatment. If persons, who declare themselves to be minors, but haven't gone under an age assessment procedure, were to be placed in an institution for minors, then we would achieve exactly the opposite what the aim is, thus, exposing children placed in such institutions to undesirable consequences.

Otherwise, the scope of Act XXXI of 1997 extends to unaccompanied minors falling under the scope of Act LXXX of 2007, provided that the asylum authority has established that the minor in question is a minor (minors seeking refugee status and minors having recognised or protected refugee status enjoy the same rights as Hungarian children), and the scope extends also to non-Hungarian children residing in Hungary, provided that omission of temporary placement, educational supervision or appointment of a guardian would result in the child's endangerment or unavoidable damage. If the statutory conditions are met, unaccompanied children not seeking refugee status or asylum can fall under this category.

There have been no immigration or asylum related case conducted by the prosecutors' office that concerned this issue.

## **Recommendation R2 / Recommandation R2**

The Lanzarote Committee:

invites Parties to actively participate in the work undertaken within the Council of Europe for the development of standards on age verification and to ensure that those are built, where appropriate, taking into account the requirements of Article 11§2 of the Lanzarote Convention and the findings of this monitoring cycle in order to protect children exposed to sexual exploitation and sexual abuse (R2).

Le Comité de Lanzarote :

invite les Parties à prendre une part active aux travaux menés au sein du Conseil de l'Europe en vue d'élaborer des normes en matière de détermination de l'âge, en veillant, le cas échéant, à ce que de telles normes tiennent dûment compte des exigences de l'article 11§2 de la Convention de Lanzarote et des conclusions du présent cycle de suivi, afin de protéger les enfants victimes d'exploitation et d'abus sexuels (R2).

<b>France</b>	<p>En France, le mécanisme de détermination de l'âge est régi par l'article 388 du code civil « Le mineur est l'individu de l'un ou l'autre sexe qui n'a point encore l'âge de dix-huit ans accomplis.</p> <p>Les examens radiologiques osseux aux fins de détermination de l'âge, en l'absence de documents d'identité valables et lorsque l'âge allégué n'est pas vraisemblable, ne peuvent être réalisés que sur décision de l'autorité judiciaire et après recueil de l'accord de l'intéressé.</p> <p>Les conclusions de ces examens, qui doivent préciser la marge d'erreur, ne peuvent à elles seules permettre de déterminer si l'intéressé est mineur. Le doute profite à l'intéressé.</p> <p>En cas de doute sur la minorité de l'intéressé, il ne peut être procédé à une évaluation de son âge à partir d'un examen du développement pubertaire des caractères sexuels primaires et secondaire ».</p> <p>Le mécanisme d'évaluation de la situation des mineurs privés temporairement ou définitivement de la protection de leur famille régi par l'article R221-11 du code de l'action sociale et des familles (CASF), reprend et précise ce dispositif pour les mineurs qui peuvent être des réfugiés</p> <p><b>En vertu de l'article R221-11 du casf :</b></p> <p>« I.- Le président du conseil départemental du lieu où se trouve une personne se déclarant mineure et privée temporairement ou définitivement de la protection de sa famille met en place un accueil provisoire d'urgence d'une durée de cinq jours, à compter du premier jour de sa prise en charge, selon les conditions prévues aux deuxième et quatrième alinéas de l'article <u>L. 223-2</u>.</p> <p>II.-Au cours de la période d'accueil provisoire d'urgence, le président du conseil départemental procède aux <u>investigations nécessaires en vue d'évaluer la situation</u> de cette personne au regard notamment de ses déclarations sur son identité, son âge, sa famille d'origine, sa nationalité et son état d'isolement.</p> <p><u>Cette évaluation s'appuie essentiellement sur :</u></p> <p>1° <u>Des entretiens conduits par des professionnels justifiant d'une formation ou d'une expérience définies par un arrêté des ministres mentionnés au III dans le cadre d'une approche pluridisciplinaire et se déroulant dans une langue comprise par l'intéressé ;</u></p>
---------------	---

	<p><u>2° Le concours du préfet de département sur demande du président du conseil départemental pour vérifier l'authenticité des documents d'identification détenus par la personne ;</u></p> <p><u>3° Le concours de l'autorité judiciaire, s'il y a lieu, dans le cadre du second alinéa de l'article 388 du code civil. (...) »</u></p>
<b>Russian Federation / Fédération de Russie</b>	<ol style="list-style-type: none"> <li>1. The Russian Federation has approved a number of documents for measures on age verification of minors:</li> <li>2. The procedure for forensic medical examinations in state forensic expert institutions of the Russian Federation "Order of the Ministry of Health and Social Development of the Russian Federation of 12.05.2010 N 346n</li> <li>3. Statistical tools for statistical supervision by the Ministry of Labor and Social Protection of the Russian Federation of the activities of federal state institutions of medical and social expertise (Order of the Federal Service of State Statistics dated October 6, 2015 No. 460).</li> <li>4. Standards of information on medical and social expertise of children under the age of 18 (All-Russian Classification of Management Documents OK 011-93 (Decree of the Russian State Standard of December 30, 1993 No. 299).</li> <li>5. Federal Law "On the main guarantees of the rights of the child in the Russian Federation" (with amendments and additions), July 24, 1998 N 124-FZ</li> <li>6. Article 421 of the Code of Criminal Procedure of the Russian Federation reads: "An expert examination is mandatory ... to establish the age of the accused, suspect or victim in cases where this is relevant to the case and there are no age documents", this is mandatory for juveniles in cases specified in Article 11.2 of the Convention.</li> <li>8. The method of digital radiography / computed tomography, Ultrasonic examination of carotid artery and tonometry is used.</li> <li>9. However, according to the law on refugees, recognition as a refugee of a person who has not reached the age of 18 and who has arrived in the Russian Federation without accompanying parents or guardians, or the determination of his/her other legal status in the territory of the Russian Federation shall be carried out taking into account the interests of the minor in accordance with this Federal law, other federal laws and other normative legal acts of the Russian Federation after obtaining information about the parents or guardians of the person (clause 5 of the Federal Law "On refugees", of 19.02.1993 N 4528-1, amendments as of December 31, 2017)</li> </ol>



### Recommendation R3 / Recommandation R3

The Lanzarote Committee:

invites Parties to inform all children, in a child friendly manner, of their rights as children, including the types of alternative care offered to them, in order to prevent children from being declared as adults and to protect them from the inherent risks of being considered as adults (R3).

Le Comité de Lanzarote :

invite les Parties à informer tous les enfants, sous une forme adaptée, de leurs droits en leur qualité d'enfants, notamment des types de protection alternatifs dont ils peuvent bénéficier, afin d'éviter qu'ils soient déclarés comme adultes et de les protéger contre les risques inhérents liés à ce statut (R3).

**Russian  
Federation /  
Fédération de  
Russie**

The information is provided on the basis of the following regulatory documents:

- The Convention on the Rights of the Child and the Optional Protocol,
- Federal Law of July 24, 1998 N 124-FZ "On the main guarantees of the rights of the child in the Russian Federation" (with amendments and addendum)
- Family Code of the Russian Federation, Chapter 11 "Rights of Minor Children"

The practice of legal information provision for minors is implemented by the Ministry of Internal Affairs of the Russian Federation in all regions of the Russian Federation, see the link to the data on the website of the Ministry of the Interior of the Russian Federation [https://xn--b1aew.xn--p1ai/kids\\_legal/2017/gipersilki2017](https://xn--b1aew.xn--p1ai/kids_legal/2017/gipersilki2017)

Information is also provided by:

- Police representatives, see examples of activities by reference <http://www.kchetverg.ru/2017/09/06/v-den-znanij-pravooxraniteli-proveli-pravovoe-informirovanie-detej/>
- Public organizations, see, for example, the Committee on "Civil Assistance" <https://refugee.ru/>
- Staff of the Office of the United Nations High Commissioner for Refugees in the Russian Federation (in English) <http://www.unhcr.org/russian-federation.html>
- Employees of local centers for social rehabilitation, if necessary - with the support of volunteers who speak different foreign languages.

## Recommendation R4 / Recommandation R4

The Lanzarote Committee:

invites Parties to systematically verify family links of the children affected by the refugee crisis with the adults who accompany them, and particularly to verify who these adults are, in order to protect these children against possible sexual abuse or sexual exploitation and in order to determine whether they are accompanied or not and in the latter case to provide them with the necessary protection from sexual exploitation and sexual abuse (R4).

Le Comité de Lanzarote :

invite les Parties à vérifier systématiquement les liens familiaux unissant les enfants touchés par la crise des réfugiés aux adultes qui les accompagnent et en particulier l'identité de ces adultes, afin de protéger les enfants contre d'éventuels actes d'exploitation ou d'abus sexuels, de déterminer s'ils sont accompagnés ou non et, dans le cas où ils ne le sont pas, de leur apporter la protection nécessaire contre l'exploitation et les abus sexuels (R4).

**Russian  
Federation /  
Fédération de  
Russie**

### Verification and supervision are implemented

*under the provisions of international regulatory documents, for example*

- Protocol against the Smuggling of Migrants by Land, Sea and Air (2000)
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, (2000)
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, (2007)

*under the agreements of the Russian Federation with partner countries, for example:*

- Bilateral intergovernmental agreements in the field of combating crime (more than 10)
- Agreements on cooperation between the Ministry of Internal Affairs of the Russian Federation and the competent authority of a foreign state (more than 40).

*under the federal law of the Russian Federation "On Refugees", (No. 4528-I, 1993)*

**The procedure for refugee identity and documents check up** is set out in the following regulatory documents of the Russian Federation:

- Administrative regulations of the Ministry of Internal Affairs of the Russian Federation on a public service provision to examine applications for refugee status in the territory of the Russian Federation and applications for temporary asylum in the territory of the Russian Federation (Order of the Ministry of Internal Affairs on 07.11.2017, N 838)
- Federal Law "On Refugees", (No. 4528-I, 1993)

## Recommendation R5 / Recommandation R5

The Lanzarote Committee, in order to develop an efficient mechanism for helping and supporting the child victims of sexual exploitation and sexual abuse:

Invites Parties to:

- Collect data on the following three categories of children: asylum-seeking children ; unaccompanied children ; overall estimated number of children affected by the refugee crisis in transit;
- Share the practices of how to effectively collect data concerning children affected by the refugee crisis who are not seeking asylum in their country (R5).

Le Comité de Lanzarote, dans le but d'établir un mécanisme efficace d'aide et de soutien aux enfants victimes d'exploitation et d'abus sexuels :

invite les Parties :

- à collecter des données sur les trois catégories d'enfants suivantes : les enfants demandeurs d'asile, les enfants non accompagnés et les enfants touchés par la crise des réfugiés qui sont en transit ;
- à s'informer mutuellement de leurs pratiques sur la manière de collecter efficacement des données relatives aux enfants touchés par la crise des réfugiés qui ne demandent pas l'asile sur leur territoire (R5).

<b>France</b>	<p>La France indique que 15 454 enfants ont demandé l'asile en 2015 (14 612 en 2016 au titre de données provisoires).</p> <p>8054 mineurs non accompagnés (MNA) ont intégré le dispositif de protection de l'enfance en 2016. Cependant, ces MNA sont rarement des demandeurs d'asile. Au total, en 2015, 321 demandes d'asile ont été déposées par des mineurs non accompagnés, soit une hausse de 17,6 % par rapport à 2014. La demande est à 70 % masculine. Les mineurs proviennent majoritairement d'Afghanistan (14,6 %), de République du Congo (12,5 %) et de Syrie (11,2 %).</p> <p>Pour 2016, on note une hausse de cette demande, avec 471 demandes (chiffre provisoire) pour des mineurs non accompagnés.</p> <p>Par ailleurs, en 2015, on comptait 15 133 mineurs accompagnants demandeurs d'asile (c'est-à-dire accompagnant des individus adultes demandeurs d'asile, que ces individus aient ou non déposé une demande au nom de leurs enfants) et en 2016, le chiffre provisoire est de 14141.</p>
<b>Poland / Pologne</b>	<p>As of 1 January 2018, the Polish Border Guard modified its IT systems which collect data of foreigners who apply for international protection, adopting some innovative methods of reporting statistical data.</p> <p>Solutions introduced by the Boarder Guard allow among other things to collect data of foreigners who apply for international protection within the territory of</p>

	<p>the Republic of Poland, divided according to their country of origin, sex and indication of the number of children (no breakdown by sex of those children). In addition, the system employs a report on a profile of the foreigner who applies for international protection in Poland. This solution allows precise understanding of the category of foreigners who apply for international protection which consists in indicating: the citizenship, sex and number of children, number of unaccompanied minors (breakdown by sex), age of the adults, their marital status, information on travel documents and on who the application covers.</p> <p>As regards the minor foreigners in transit and affected by the refugee crisis, the Boarder Guard defines this category of foreigners as persons transferred to Poland from another member state or from Poland to another member state pursuant to readmission agreements made with those states and transferred pursuant to the <i>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 and application for international protection lodged in one of the Member States by a third-country national or a stateless person</i> (Dublin III). In these cases, the Boarder Guard has information on the number of adults and children who are recorded in adequate IT system owned by the Boarder Guard.</p> <p>When it comes to sharing the practices effective collection of data on children affected by the refugee crisis who do not apply for international protection in a given country, the Boarder Guard records the foreigners' data in the IT systems, categorized according to the country of origin and age in the scope of persons identified to stay on the territory of the Republic of Poland without the necessary permits (illegal stay), and who has been issued with a return decision.</p>
<b>Russian Federation / Fédération de Russie</b>	<p>In Russia, the agencies and institutions involved keep records, within their competence, of refugee children who have entered the country together with family members, of unaccompanied refugee children, and of the total number of refugee children.</p> <p>Normative regulations include:</p> <ul style="list-style-type: none"> <li>• Federal Law No. 62-FZ, June 5, 2013 "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 to Protect Children"</li> <li>• Order of the President of the Russian Federation of December 22, 1999 No. 502-rp "On the social protection provision for children from families of refugees and internally displaced persons.</li> <li>• Order of the Federal Migration Service No. 352 of August 19, 2013 "On Approval of the Administrative Regulations of the Federal Migration Service for public service provision to examine applications for refugee status in the territory of the Russian Federation and applications for temporary asylum in the territory of the Russian Federation</li> <li>• The Federal Law "On the Procedure for Departure from the Russian Federation and Entry into the Russian Federation", August 15, 1996 N 114-FZ</li> <li>• Resolution of the Government of the Russian Federation No. 799 of September 27, 2011 "On Amendments to the Regulations on the Activities of Authorities and Organizations of Foreign Countries on the Adoption of Children in the Territory of the Russian Federation and Control of its Implementation"</li> <li>• Recommendations of the Ministry of Education of the Russian Federation of May 7, 1999, No. 682 / 11-12 "On the Organization of the Education of Children from Families of Refugees and Forced Migrants in the General Educational Institutions of the Russian Federation"</li> <li>• Order No. 735 of the General Prosecutor's Office of the Russian Federation of November 16, 2016 "On Amendments to the Order of the Prosecutor General of the Russian Federation of 02.07.2012 N 250 On Approval of the Forms of Federal Statistical Observation N 1-EGS, N 2-EGS, N 3-EGS, N 4-EGC"</li> </ul>

## Recommendation R6 / Recommandation R6

The Lanzarote Committee:

invites Parties to address the phenomenon of missing children affected by the refugee crisis in order to gain a better understanding of the situation which in turn would enable Parties to better tackle this issue and thus reduce the risks faced by these children of becoming victims of sexual exploitation and sexual abuse (R6).

Le Comité de Lanzarote :

invite les Parties à se pencher sur le phénomène de la disparition des enfants touchés par la crise des réfugiés pour mieux comprendre la situation, de manière à être mieux armées pour s'attaquer à ce problème et, ainsi, réduire les risques d'exploitation et d'abus sexuels encourus par ces enfants (R6).

**Russian  
Federation /  
Fédération de  
Russie**

**These issues are considered in accordance with the following normative documents:**

*-at the level of federal legislation*

Federal Law of November 23, 2015 No. 313-FZ "On Amendments to the Federal Law" On the Basics of the System for the Prevention of Neglect and Juvenile Delinquency "

*- within law enforcement practice*

in the framework of the activities of the Commissions for minors, the Ministry of Internal Affairs, the Investigative Committee (Decree of the Government of the Russian Federation of November 6, 2013 No. 995 "On Approving the Model Regulation on Commissions on Minors and Protection of Their Rights"

## Recommendation R7 / Recommandation R7

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 (R7).

Le Comité de Lanzarote :

considère que les Parties devraient mettre en place des mécanismes efficaces de collecte de données ciblée sur les enfants touchés par la crise des réfugiés qui sont (présumés) victimes d'exploitation et d'abus sexuels et qu'elles devraient envisager de lever, le cas échéant, les obstacles à une telle collecte, en particulier les restrictions juridiques imposées dans ce domaine, en tenant dûment compte des exigences relatives à la protection des données à caractère personnel (R7).

**Russian  
Federation /  
Fédération de  
Russie**

Russian legislation and law enforcement practice treats in the same way victims of sexual violence who are either Russian citizens or refugee children

### Recommendation R8 / Recommandation R8

The Lanzarote Committee:

invites Parties to make sure that safe and child sensitive reporting and counselling mechanisms are available to and known by children affected by the refugee crisis in order to enable those of them who are victims of sexual exploitation or sexual abuse to break the pre-conceived perceptions they may have on the consequences of their disclosure and to report (R8).

Le Comité de Lanzarote :

invite les Parties à faire en sorte que des mécanismes de signalement et d'assistance psychologique sûrs et adaptés aux enfants soient en place et connus des enfants touchés par la crise des réfugiés, de manière à ce que les victimes d'exploitation ou d'abus sexuels puissent se débarrasser des appréhensions qu'ils peuvent avoir quant aux conséquences de leurs révélations et signaler les actes qu'ils ont subis (R8).

**Russian  
Federation /  
Fédération de  
Russie**

To inform and advise children, the following mechanisms have been created and are under way: helplines, hotlines, work within the centers for rehabilitation and social support, etc.

See examples below:

- The Russian children's toll-free helpline: 8 (800) 2000-122 (currently more than 230 organizations are connected to it in all constituent entities of the Russian Federation), with the possibility of engaging specialists who speak different languages.

	<p>There is also the possibility of addressing online through the websites of organizations: For example:</p> <ul style="list-style-type: none"> <li>- Committee "Civil Assistance" (Center for Adaptation and Education of Refugee Children) <a href="http://www.refugee.ru">www.refugee.ru</a> (versions in English and in French, automatic translation of information on the website into Arabic and other languages)</li> <li>- Multifunctional help center for migrants "TutZhdut", the service can be used not only online, but also offline, in Russian, Tajik, Uzbek, Kirghiz, English. <a href="http://xn--d1ad9aaccd.xn--p1ai/">http://xn--d1ad9aaccd.xn--p1ai/</a></li> </ul> <p>In addition, information and counseling are provided at rehabilitation and social support centers, some specifically aim at working with foreign refugee children and can attract volunteer specialists with knowledge of different languages (see UNHCR information on refugees <a href="http://unhcr.ru/arkhiv-novostei/podrobnee/article/socialno-reabilitacionnyi-centr-altufeyev-pomogae.html">http://unhcr.ru/arkhiv-novostei/podrobnee/article/socialno-reabilitacionnyi-centr-altufeyev-pomogae.html</a>)</p>
--	--

## Recommendation R9 / Recommandation R9

<p>The Lanzarote Committee:</p> <p>invites Parties to ensure that the persons in contact with children affected by the refugee crisis are properly screened before working in contact with these children (R9).</p>
---

<p>Le Comité de Lanzarote :</p> <p>invite les Parties à veiller à ce que les personnes qui interviennent auprès des enfants touchés par la crise des réfugiés soient dûment sélectionnées avant tout contact avec les enfants (R9).</p>
---

<p><b>Russian Federation / Fédération de Russie</b></p>	<p><b>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.</b></p> <p><b>1. The Labor Code of the Russian Federation (30.12.2001 No. 197-FZ, as amended on 08/03/2018)</b></p> <p><b><i>Under Article 351.1.</i></b> 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 is prohibited for persons 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</p>
---	---

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;

**Under Article 331.1.** the employer shall remove the employee from work 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 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.

**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.

**Article 65 of the Labor Code of the Russian Federation** sets out that it is mandatory for the applicant to submit to the employer

- 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

- 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.

**3. The procedure 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 November 7 2011.



## Recommendation R10 / Recommandation R10

The Lanzarote Committee:

Invites Parties to train and raise awareness of those in contact with children affected by the refugee crisis on the detection, reporting and referral of signs of sexual abuse and sexual exploitation of children. Such training should include modules addressing the contextual specificities of these children's experiences (R10).

Le Comité de Lanzarote :

invite les Parties à former et à sensibiliser les personnes qui interviennent auprès des enfants touchés par la crise des réfugiés à la manière de détecter les signes d'exploitation et d'abus sexuels à l'encontre d'enfants, de signaler les faits et d'orienter les enfants concernés ; cette formation devrait comprendre des modules qui abordent les contextes particuliers dans lesquels ces enfants vivent de telles expériences (R10).

**Russian Federation / Fédération de Russie**

In Russia, there are normative documents in which special standards of training are established, special tasks are set to raise the awareness of employees working with various categories of children, including refugee children.

Examples include:

- State Standard Social services for the population. Social services for children (Group T50). The document identifies the children of refugees and internally displaced persons, children who are victims of armed and international conflicts, environmental and man-made disasters, natural disasters, children without parental care, lists of social services, including medical, psychological, legal, economical, etc., as the target audience
- The activities of employees working with children, including refugee children, are regulated by the State Standard Social services for the population. Quality of social services. General provision
- State Standard "Specialist on rehabilitation work in the social sphere", defines the competence of a specialist to work with various categories of children, including children with mental disorders, those who suffered from participation in military conflicts, terrorist acts, minors who are victims of domestic, sexual and physical violence; as well as orphans, children who do not have a permanent place of residence, refugee children, those in need of comprehensive support
- Professional standard "Specialist of the guardianship agency for minors" also defines the competence of the specialist to work with different categories of children, including children with mental disorders, minors who suffered from participation in military conflicts, terrorist acts, those who have become victims of domestic, sexual and physical violence
- CPD program for employees of guardianship and trusteeship agencies has been approved (Order of the Ministry of Education and Science of Russia, February 24, 2015 number 121)
- Requirements for the content of the training program for persons wishing to take care of a child left without parental care and the form of a certificate of such training in the territory of the Russian Federation has been approved (Order of the Ministry of Education and Science of the Russian Federation, August 20, 2012 No. 623)

	Recommendations of the Ministry of Education and Science The Russian Federation to the state authorities of the Russian Federation entities have been approved to improve the activities of the centers of psychological, pedagogical, medical and social assistance, Letter No. VK-268/07 of the Ministry of Education and Science of the Russian Federation, February 10, 2015, "On the improvement of the activity of the centers for psychological, pedagogical, medical and social assistance"
<b>Serbia / Serbie</b>	<i>Ministry of Education, Science and Technological Development and UNICEF</i> , prepare specific professional development program for teachers for raising up level of their competences for work with children affected by the refugee crisis as well as with other children to accept new multicultural challenges. Specific programs, activities and actions should contribute empowering teachers to work adequately with children affected by the refugee crisis and also to provide to prevent further exploitation.

### Recommendation R11 / Recommandation R11

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 (R11).	

Le Comité de Lanzarote :	
considère que les Parties, tout en apportant la protection nécessaire aux enfants victimes d'exploitation ou d'abus sexuels, quel que soit le lieu où de tels actes se sont produits, devraient tout mettre en œuvre pour pouvoir faire la distinction entre l'exploitation et les abus sexuels subis par l'enfant avant son entrée sur le territoire et les actes subis après son arrivée (R11).	

<b>Poland / Pologne</b>	Polish legislature on sexual crimes against children does not differentiate between the Polish or foreign minors (including the migrant or refugee children), thus the minor victims of sexual exploitation should be entitled to full protection, regardless of where the crime was committed (for example before the child arrived in Poland). When it comes to prosecuting the perpetrators - foreigners, regardless of where the sexual crime towards a child was committed, attention must be paid to provisions of Chapter XIII of the Penal Code related to liability for crimes committed abroad. This is in particular the case with Article 110 of the Act on the application of Polish criminal law to foreigners who committed a prohibited act abroad - section 2 of the Act stipulates that Polish law applies to foreign nationals who commit the aforementioned act if in the Polish Penal Act it carries a penalty exceeding 2 years of imprisonment (which is the case with the crimes of sexual exploitation of minors described in the Polish Penal Code). Although Article 111 of the Polish Penal Code introduces an obligatory condition for such liability for an act committed abroad, which is recognition of the committed act as crime also by the law applicable at the place where it was committed, in the case of sexual exploitation of children a great majority of countries around the world penalizes such behaviors as highly harmful in social terms and affecting
-------------------------	---

	persons, who deserve special treatment and protection, such as children.
<b>Russian Federation / Fédération de Russie</b>	The Russian Federation keeps records of victims on its territory and, on the basis of cooperation agreements, exchanges data with partner countries, see, for example, information on cross-border cooperation (submitted in response to R28).

### Recommendation R12 / Recommandation R12

<b>The Lanzarote Committee:</b>
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 (R12).

<b>Le Comité de Lanzarote :</b>
considère que les Parties devraient remplir leurs obligations visant à poursuivre les auteurs de tels actes et à instaurer une coopération internationale entre elles lorsque l'infraction a été commise avant l'arrivée sur leur territoire, à des fins d'enquête et de poursuites (R12).

<b>France</b>	<p>La France indique, comme plus de la moitié des Parties à la Convention, que, même si elle n'est pas expressément définie, l'exploitation sexuelle des enfants touchés par la crise des réfugiés peut être combattue dans le cadre des plans d'action (et autres cadres équivalents) visant à lutter contre la traite des êtres humains.</p> <p>Un guide à l'attention des travailleurs sociaux vient d'être diffusé par la Mission interministérielle de protection des femmes contre les violences et de lutte contre la traite des êtres humains (MIPROF).</p>
<b>Poland / Pologne</b>	Polish legislature on sexual crimes against children does not differentiate between the Polish or foreign minors (including the migrant or refugee children), thus the minor victims of sexual exploitation should be entitled to full protection, regardless of where the crime was committed (for example before the child arrived in Poland). When it comes to prosecuting the perpetrators - foreigners, regardless of where the sexual crime towards a child was committed, attention must be paid to provisions of Chapter XIII of the Penal Code related to liability for crimes committed abroad. This is in particular the case with Article 110 of the Act on the application of Polish criminal law to foreigners who committed a prohibited act abroad - section 2 of the Act stipulates that Polish law applies to foreign nationals who commit the aforementioned act if in the Polish Penal Act it carries a penalty exceeding 2 years of imprisonment (which is the case with the crimes of sexual exploitation of minors described in the Polish Penal Code). Although Article 111 of the Polish Penal Code introduces an obligatory condition for such liability for an act committed abroad, which is recognition of the committed act as crime also by the law applicable at the place where it was committed, in the

	case of sexual exploitation of children a great majority of countries around the world penalizes such behaviors as highly harmful in social terms and affecting persons, who deserve special treatment and protection, such as children.
<b>Russian Federation / Fédération de Russie</b>	<p>The activities are held on the basis of a number of international and bilateral treaties.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>- Federal Law No. 26-FZ (dated April 26, 2004) on the Ratification of the United Nations Convention against Transnational Organized Crime and its Additional Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and children, and punishment for it "</li> <li>- Agreements on cross-border cooperation (i.e.with Estonia, Latvia, Finland, countries of the Caspian region, see links in response section R 28)</li> </ul>
<b>Serbia / Serbie</b>	<p><i>Public prosecutor.</i> Regarding the report on protection of unaccompanied migrant children containing the recommendations for elimination of deficiencies in the application of and departure from the Lanzarote Convention, we point out that the recommendation concerning the Republic Public Prosecutor's Office is given under item 1.6 <i>Distinction made between victims prior to the entry on territory and after entry</i>, referring to the Contracting Party's obligation to prosecute offenders against sexual freedom committed to the detriment of minors.</p> <p>Thus, please note that in compliance with the applicable national legislation, the concerned criminal offences are the criminal offences prosecuted <i>ex officio</i>. Consequently, the prosecution is mandatory under law by a public prosecutor whenever there is a reasonable doubt that the criminal offence has been committed or that the offence committed falls within the offences that are prosecuted <i>ex officio</i> (the principle of lawfulness of prosecution – Article 6, para. 1 of the Criminal Procedure Code. Further please note that in the Amended Criminal Procedure Code (Official Gazette of RS, 94/2016) Article 186 under which it used to be foreseen that certain criminal acts against sexual freedom may be prosecuted only after a victim has filed proposal for prosecution has been deleted. Exceptionally, a public prosecutor may decide to postpone prosecution or not to prosecute under the provisions of the Code (Art. 283 of the Criminal Procedure Code). The public prosecutor and police are bound to impartially clarify the doubt on the basis of which the procedure is set in motion <i>ex officio</i>, and to examine with equal diligence both aggravating and mitigating evidence.</p> <p>The referred to provision is applicable regardless of a victim's special personal characteristics i.e. whether the victim is a migrant. It should be observed here that commission of criminal acts against sexual freedom to the detriment of minors, and in particular children, is qualified form of such criminal acts that are more sanctioned more rigorously.</p> <p>In addition, with regard to the recommendation on establishment of international cooperation aimed at investigation and prosecution in case a criminal act has been committed before a minor victim enters the national territory, please be advised that public prosecutor's offices liaise with competent authorities of other countries in cases that have international character when proofs or procedural action are required from the territory of another country. Also, international cooperation is established based on the ratified bilateral and multilateral agreements and MoUs signed between the Republic Public Prosecutor's Office and public prosecutions of other countries and International Legal Assistance in Criminal Matters Act (Official Gazette of RS, 20/2009).</p>

## Recommendation R13 / Recommandation R13

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 (R13).

Le Comité de Lanzarote :

considère que les Parties devraient encourager la coordination et la collaboration des divers acteurs intervenant en faveur et auprès des enfants touchés par la crise des réfugiés afin de s'assurer que des mesures de prévention de l'exploitation et des abus sexuels soient effectivement en place et que des mesures de protection soient prises dans les plus brefs délais (R13).

<b>France</b>	La France indique, comme plus de la moitié des Parties à la Convention, que, même si elle n'est pas expressément définie, l'exploitation sexuelle des enfants touchés par la crise des réfugiés peut être combattue dans le cadre des plans d'action (et autres cadres équivalents) visant à lutter contre la traite des êtres humains.
<b>Russian Federation / Fédération de Russie</b>	<p><b>Coordination and interagency collaboration are implemented through a number of interagency bodies:</b></p> <ul style="list-style-type: none"> <li>- The Governmental Commission for Minors and Their Rights Protection is the coordinating body to ensure a unified state approach to issues on protecting minors' rights and legitimate interests, coordinates the activities of federal executive bodies and executive authorities of the constituent entities of the Russian Federation related to the enforcement of legislation in the field of prevention of neglect and juvenile delinquency, the protection of minors' rights</li> <li>- Coordination Council under the Government of the Russian Federation for the implementation of activities under the "Decade of Childhood" program to ensure the interaction of federal authorities, government authorities of the Russian Federation, local government, scientific, public and other organizations (Decree of the Government of the Russian Federation No. 823, July 14, 2013) .</li> <li>- The plan of the first stage of this program until 2020 is approved by the RF Government's order No. 1375 of July 6, 2018.</li> </ul> <p><b>Coordination and collaboration examples regarding particular institutions:</b></p> <p>1) The Fund for Support of Children in a difficult life situation (<a href="http://fond-detyam.ru/dobrovoltsy-detyam/2018/">http://fond-detyam.ru/dobrovoltsy-detyam/2018/</a>). The Fund was established by the Decree of the President of the Russian Federation, March 26, 2008 No. 404. The founder of the fund on behalf of the Russian Federation is the Ministry of Labor and Social Protection; the Board of 11 Trustees of the Foundation includes representatives of the Federation Council of the Federal Assembly of the Russian Federation, the State Duma of the Federal Assembly of the Russian Federation, the President of the Russian Federation, the Government of the Russian Federation, the Public Chamber of the Russian Federation, religious and commercial organizations, and the media. The composition of the Foundation's Board of Trustees is approved by the Government of the Russian Federation.</p>

	2) Social rehabilitation center for minors "Altufevo", ( <a href="http://srcaltufevo.ru/">http://srcaltufevo.ru/</a> ), established by the Department of Labor and Social Protection of Population of Moscow, in partnership with UMHCR, Russian Red Cross, Charity Foundation "Kind Heart", Moscow University of the Ministry of Internal Affairs, Russian Peoples' Friendship University of Russia, etc.
<b>Serbia / Serbie</b>	<i>Ministry of justice.</i> The enormous significance of the Law on Prevention of Domestic Violence lies both in the enhancement of the multi-sector cooperation between all the authorities obliged to provide help and assistance to minor victim – a child and in its preventive character, which is <b>in line with the main goal and the provision of the Article 4 of the Lanzarote Convention, which introduces an obligation for the countries to introduce preventive measures for all the forms of violence against children.</b> The above-mentioned criminal acts in terms of the Law on Prevention of Domestic Violence imply that, as a first step, liaison officers shall be appointed (Article 24 of the Law on Prevention of Domestic Violence) in every basic and higher public prosecutor's office, at police administration, basic and higher court and the centre for social work.

### Recommendation R14 / Recommandation R14

The Lanzarote Committee:	
invites Parties to ensure that the different agencies involved in the coordination and collaboration concerning the protection of children affected by the refugee crisis who are victims of sexual abuse or sexual exploitation be allowed to share personal information as appropriate in accordance with national law (R14)	

Le Comité de Lanzarote :	
invite les Parties à veiller à ce que les différents organismes qui assurent, en coordination et en collaboration, la protection des enfants touchés par la crise des réfugiés victimes d'exploitation ou d'abus sexuels soient autorisés à échanger, le cas échéant, des informations à caractère personnel, conformément à la législation nationale (R14).	

<b>Russian Federation / Fédération de Russie</b>	<p>According to the recommendation wording, the issue of transferring personal data may concern both employees working with children and children themselves.</p> <p>In Russia, the exchange of confidential data between entities and bodies is carried out in accordance with legally established procedures.</p> <p>Data exchange between a concrete entity/institution/organization and the Ministry of Internal Affairs on the employee's admission to work with children is carried out on the basis of the Labor Code of the Russian Federation (Articles 331, 351, 65) and the Administrative Regulations of the Ministry of Internal Affairs of the Russian Federation, approved by the Ministry of Internal Affairs in order N. 1121 of November 7, 2011.</p> <p>Refugee children registration is carried out by the Ministry of Internal Affairs on the basis of the Federal Law, July 18, 2006 N 109-FZ "On Migration Registration</p>
--	--

	of Foreign Citizens and Stateless Persons in the Russian Federation" (with amendments and addendum), data are provided to organizations upon request regarding concrete issues and individuals, educational and healthcare institutions collect and provide the data, as well.
<b>Serbia / Serbie</b>	<i>Ministry of Justice.</i> Liaison officers shall, on a daily basis, exchange information and the data relevant for detection, prosecution and trial for the mentioned criminal acts, as well as for provision of protection and support to child victims. The Group for coordination and cooperation is always composed of deputy of the basis or higher public prosecutor (if the subject is a criminal act falling under the remit of the Higher Court before which the Higher Public Prosecutor's office acts) as a chairperson, a police officer and a representative from the centre for social work. Apart from these three permanent members of the Group for coordination and cooperation (representatives of prosecutor's office, centre for social work and police), pursuant to the <b>Article 25, Paragraph 4</b> of the Law on Prevention of Domestic Violence, the Group can involve representatives of the education, health workers, National Employment Service, <b>representatives of non-government organisations providing help to children</b> , sexual abuse victims as well as representatives of other associations and individuals providing protection and support to minor victims. The meetings of the Group for coordination and cooperation are regularly held, at least once in 15 days, or as and when required bearing in mind the number of criminal charges submitted for the mentioned criminal acts. By foreseeing that the meetings of the Group for coordination and cooperation can be attended by civil sector representatives and representatives of other associations and individuals providing support to children victims, the provision of the Article 10 of the Lanzarote Convention has been practically implemented <b>prescribing that cooperation shall be encouraged between the competent state authorities, civil society and private sector in order to better prevent and combat sexual exploitation and sexual abuse of children</b> , and the multi-sector cooperation is envisaged by the Law on Prevention of Domestic Violence.

### Recommendation R15 / Recommandation R15

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) (R15).

Le Comité de Lanzarote :

considère que les informations et les conseils en matière de prévention et de protection contre l'exploitation et les abus sexuels devraient être communiqués aux enfants touchés par la crise des réfugiés d'une manière adaptée à leur âge et à leur maturité et dans un langage qu'ils puissent comprendre et qui tienne compte des différences culturelles et de sexe (reprise de la recommandation R23 du 1<sup>er</sup> rapport de mise en œuvre) (R15).

<b>Russian Federation / Fédération de Russie</b>	<p>The tasks of designing information for refugee children in their native languages are under consideration and in the course of implementation.</p> <p>A significant role in the decision belongs to the centers of social rehabilitation and public organizations, taking into account a specific region-dependant body of refugee.</p> <p>Volunteers are actively involved in the process on pro-bono conditions (participation of specialists in volunteer activities).</p> <p>See examples of information work with refugee children on the links: Civic Assistance Committee (Moscow) <a href="https://refugee.ru/en/help/become-a-volunteer/">https://refugee.ru/en/help/become-a-volunteer/</a> Charity Foundation "Mosaic of Happiness" (Moscow) <a href="http://mozaikaschastya.ru/">http://mozaikaschastya.ru/</a></p> <p>Examples of works performed by volunteers who are professionals in language service provision:</p> <ul style="list-style-type: none"> <li>• Lessons of Russian as a foreign language for refugee children (remote districts of Moscow and the Moscow region);</li> <li>• English lessons</li> <li>• Activities on socio-cultural adaptation</li> <li>• Written translations of brochures, leaflets and news for refugees into Tajik, Uzbek, Kyrgyz, Arabic</li> <li>• Written translations of analytical reports, studies and news about the situation of refugees in Russia in English, French, German</li> </ul> <p>Oral cross language and culture mediation</p>
<b>Serbia / Serbie</b>	<p><i>Ministry of Education, Science and Technological Development.</i> Children affected by the refugee crisis who came in Serbia were involved in elementary education. They are treated like other children with additional adequate support according their needs and specific situation with full respect of the different cultural context in the countries are coming from. In case of doubt or established discriminatory behavior, any kind of violence or sexual exploitation school acts immediately according the:</p> <ul style="list-style-type: none"> <li>- The Rulebook for recognition types of discrimination in education (2016) and</li> <li>- The Rulebook for treatment in case of doubt or established discriminatory behaviour (2018). (<i>Ministry of Education, Science and Technological Development</i> in cooperation with <i>Ministry of Labour, Employment, Veteran and Social Affairs</i> and <i>Office government of Serbia for human and minority rights</i>)</li> <li>- The Rulebook on prevention and protection of the violence (2010)</li> </ul>



## Recommendation R16 / Recommandation R16

The Lanzarote Committee:

invites Parties to share one another's awareness raising material on the situation of children affected by the refugee crisis, with a view to adapting this material to their own specific situation (R16).

Le Comité de Lanzarote :

invite les Parties à s'échanger leurs matériels de sensibilisation sur la situation des enfants touchés par la crise des réfugiés en vue d'adapter ces matériels à leur cas particulier (R16).

### **Russian Federation / Fédération de Russie**

In the Russian Federation, an official website has been created and registered to provide information on the current developments under the Lanzarote Convention. The site, among other topics, provides links to materials from the Council of Europe on the protection of refugee children from sexual violence.

Examples of structures providing information on the situation of refugee children in the Russian Federation:

The Civic Assistance Committee, which works with refugees and migrants, has a French (<https://refugee.ru/fr/>) and English (<https://refugee.ru/en/>) versions

## Recommendation R17 / Recommandation R17

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 (R17).

Le Comité de Lanzarote :

considère que les Parties devraient échanger des informations sur leurs activités de sensibilisation axées tout particulièrement sur les risques d'exploitation et d'abus sexuels encourus par les enfants touchés par la crise des réfugiés (R17).

<b>Russian Federation / Fédération de Russie</b>	The Russian delegation to the Committee of the Parties participates in the exchange of information within the framework of the work of the Committee and places links on the website on the Lanzarote Convention on data provided by Committee members on tools to raise awareness of the sexual abuse and exploitation risks for children affected by the refugee crisis.
<b>Serbia / Serbie</b>	<p><i>Ministry of Trade, Tourism and Telecommunication.</i> In January 2018 Government Coordination Body was established and its goal is to achieve co-operation between the authorities (Ministry of Trade, Tourism and Telecommunication, Ministry of Interior, Ministry of Education, Science and Technological Development, Ministry of Health, Ministry of Culture and Information, Ministry of Justice) and coordinate the work in the function of improving the safety and protection of children in the use of information and communication technologies, initiating and monitoring preventive and other activities in the field of security and child protection on the Internet, proposing measures for improving security and protecting children on the Internet.</p> <p><i>Ministry of justice.</i> In this regard, aiming to raise the awareness of the public and with media support, the Ministry of Justice launched a campaign and formed the site “Turn off the violence” to help the victims, among whom there are minor victims as well, to recognise and report the violence, as well as to raise the awareness of the citizens on any unacceptable behaviour aimed at sexual exploitation and abuse of children. Creation of this site and addressing the public in this way is <b>a form of partial implementation of the Article 8 and 9 of the Lanzarote Convention</b>, which foresee provision of help to the children victims of sexual exploitation by providing the information, which is one of the main objectives of the Lanzarote Convention that obliges the countries to inform the public and especially the children on the rights they are entitled to.</p>

### Recommendation R19 / Recommandation R19

<p>The Lanzarote Committee:</p> <p>invites Parties to also effectively screen volunteers working in regular contact with children affected by the refugee crisis and to have vetting practices in place (R19).</p>	
<p>Le Comité de Lanzarote :</p> <p>invite les Parties à contrôler également les antécédents des bénévoles qui travaillent au contact régulier d'enfants touchés par la crise des réfugiés et à mettre en place des procédures de vérification (R19).</p>	
<b>Poland / Pologne</b>	In the case of persons who are willing to cooperate with a guarded family-profiled center for foreigner as regards upbringing, education, relax, treatment or care over minors, which is of a voluntary activity, the Border Guard undertakes the similar actions as towards individuals who are employed in those centers. These persons are subject to verification activities including among others checking their data in the Sex Offenders Register (RSTPS). Also in this case, it is unacceptable for a volunteer to be allowed to work with children staying in a family-profiled guarded center for foreigners without prior information from the above-

	mentioned register.
<b>Russian Federation / Fédération de Russie</b>	The regulatory framework for this recommendation implementation includes Federal Law No. 135-FZ, August 11, 1995 (as amended on 05.02.2018) "On Charity and Volunteering (Volunteering). In the Russian Federation, volunteer opportunities for working with children are associated with the pro bono format (volunteering activities of university students and adult specialists). Volunteers participate in the project on the basis of a civil law contract with the organization. Art. 17.1 of the mentioned Law indicates the need for the volunteer to comply with the mandatory requirements provided for by the internal regulations of the recruiting organization. Therefore, in case the organization deals with education, development of minors, the organization of their recreation and health, healthcare service provision, social protection and social services provision, children's and youth sports, culture and art the volunteer shall meet the requirements specified in the Labor Code of the Russian Federation for the verification of persons, working with children (Article 65, 331,351) and their medical examinations (see the recommendations of the Association of Volunteer Centers of the Russian Federation in particular for volunteering in health care facilities and educational institutions ( <a href="http://xn--80ae4d.xn--p1ai/materials">http://xn--80ae4d.xn--p1ai/materials</a> )).

## Recommendation R20 / Recommandation R20

<p>The Lanzarote Committee:</p> <p>invites Parties to ensure that all persons dealing with children affected by the refugee crisis have undertaken suitable qualifying continued training enabling them to interview children and help detect when a child has been a victim of sexual exploitation and sexual abuse (R20).</p>	
<p>Le Comité de Lanzarote :</p> <p>invite les Parties à veiller à ce que toutes les personnes qui s'occupent d'enfants touchés par la crise des réfugiés aient suivi la formation continue qualifiante nécessaire pour leur permettre d'interroger les enfants et les aider à déterminer s'ils ont été victimes d'exploitation et d'abus sexuels (R20).</p>	
<b>Poland / Pologne</b>	<p>Regarding special care towards the children, including the unaccompanied children but also those under the care of their parents, in September 2017, the Border Guard in Poland, together with the "Dajemy dzieciom siłę" (We Give Strength To Children) Foundation took up some actions intended to introduce the police for preventing and counteracting harm to foreign children who stay in guarded centers for foreigners.</p> <p>The first stage of the project was to diagnose the phenomenon of abusing children in guarded centers. This phenomenon could have concerned both the abuse from the side of parents, third-parties, peers and employees of the center. The diagnosis reports served as the starting point for development of a so-called policy of protecting children from harm, including the algorithm of conduct in case a child abuse phenomenon is identified in a guarded center. This document is currently under consultation.</p> <p>The next stage will be trainings for representatives of educational, administrative and security sections in guarded centers for foreigners. The trainings will be</p>

	<p>intended to present the methods for identification of children abuse symptoms and ways to respond in such cases, adopting the developed algorithm of conduct.</p> <p>The described special algorithm for identification of a minor human trafficking victim, with special consideration given to the potential sexual exploitation, is an element of a specialized training for police officers from the criminal department, organized cyclically (depending on the demand from field units). Furthermore, during various kinds of trainings organized for the law enforcement officers and representatives of the judicial bodies in terms of combating the human trafficking and pedophile crimes, the problems of identification of minor victims of sexual exploitation and execution of actions with their part are emphasized.</p>
<b>Portugal</b>	<p>Research conducted by CPR in the framework of the project «Time for Needs»<sup>20</sup> listed the lack of training of service providers among the gaps in the provision of special procedural guarantees to survivors of torture and/or serious violence.<sup>21</sup></p> <p>In 2017, CPR conducted training sessions and an awareness raising meeting in the framework of the project “Time for Needs: Listening, Healing, Protecting”. The main aim of these sessions was to disseminate a tool for the identification of special procedural and reception needs of survivors of torture and/or serious violence.</p> <p>The Technical Operative Group, created within the framework of a partnership agreement established in 2012 among relevant stakeholders to promote cooperation, coordination and better communication with the aim to improve the reception and integration of asylum seekers and refugees in Portugal, organised training regarding relevant issues of trauma, religion and culture related to asylum seekers and beneficiaries of international protection.<sup>22</sup></p>
<b>Russian Federation / Fédération de Russie</b>	<p><b>Professional training is carried out</b></p> <ul style="list-style-type: none"> <li>- Under the Letter of Ministry of Education dated February 10, 2015 N VK-268/07 "On the improvement of the activity of the centers of psychological, pedagogical, medical and social assistance" (together with the "Recommendations of the Ministry of Education and Science of the Russian Federation to the authorities of the subjects of the Russian Federation in the field of education for improvement of the activity of the centers of psychological, pedagogical, medical and social assistance "</li> <li>- on the basis of the state standards "Specialist for rehabilitation work in the social sphere", "Teacher" (pedagogical activity in the field of preschool, primary general, basic general, secondary general education) (educator, teacher)", "Specialist of the guardianship authority and guardianship of minors "</li> </ul> <p><b>Example of the course of professional refresher training</b></p> <p>- "Specialist in rehabilitation work in the social sphere" <a href="http://idopobr.ru/index.php/perechen-programm-k2/item/1227-spetsialist-po-reabilitatsionnoj-rabote-v-sotsialnoj-sfere">http://idopobr.ru/index.php/perechen-programm-k2/item/1227-spetsialist-po-reabilitatsionnoj-rabote-v-sotsialnoj-sfere</a></p> <p><b>Example of Training and Interagency Coordination:</b></p> <p>Interagency training on the interaction of investigators and psychologists of psychological and medical rehabilitation centers for minor victims of violence</p>

<sup>20</sup> For more information on the project, its activities and results, see <http://www.refugiados.net/time-for-needs/index.php>.

<sup>21</sup> Italian Council for Refugees *et al.*, *Time for Needs: Listening, Healing, Protecting*, October 2017.

<sup>22</sup> Italian Council for Refugees *et al.*, *Time for Needs: Listening, Healing, Protecting*, October 2017, pp.134-137.

	<ul style="list-style-type: none"> <li>- June 5 and 6, 2018, the General Criminal Investigation Department of the Investigative Committee of the Russian Federation conducted a scientific and practical seminar on the topic "Psychologist's participation in investigative actions with minors". <a href="http://soscentrpk.ru/novosti/sledstvennyi-komit-et-rf-znakomitsja-s-opytom-permskogo-kraja-.html">http://soscentrpk.ru/novosti/sledstvennyi-komit-et-rf-znakomitsja-s-opytom-permskogo-kraja-.html</a></li> </ul> <p><b>Methodical recommendations on the diagnosis and interviews of minors who have been sexually abused are being developed</b></p> <ul style="list-style-type: none"> <li>- <a href="http://150-school-8.edusite.ru/DswMedia/8gosr.pdf">http://150-school-8.edusite.ru/DswMedia/8gosr.pdf</a></li> <li>- <a href="http://www.family2children.ru/upload/file/NN_metod_zhestokoe_obrashenie.pdf">http://www.family2children.ru/upload/file/NN_metod_zhestokoe_obrashenie.pdf</a></li> </ul>
--	---

### Recommendation R21 / Recommandation R21

<p>The Lanzarote Committee:</p> <p>invites Parties to exchange their practices on existing training tools with a view to elaborating further such tools (R21).</p>
--

<p>Le Comité de Lanzarote :</p> <p>invite les Parties à échanger leurs pratiques en matière d'outils de formation afin d'élaborer de nouveaux outils de même type (R21).</p>
--

<b>Poland / Pologne</b>	The described special algorithm for identification of a minor human trafficking victim, with special consideration given to the potential sexual exploitation, is an element of a specialized training for police officers from the criminal department, organized cyclically (depending on the demand from field units). Furthermore, during various kinds of trainings organized for the law enforcement officers and representatives of the judicial bodies in terms of combating the human trafficking and pedophile crimes, the problems of identification of minor victims of sexual exploitation and execution of actions with their part are emphasized.
<b>Russian Federation / Fédération de Russie</b>	The Russian Federation participates in this process within the framework of the Committee of the Parties to the Lanzarote Convention

## Recommendation R22 / Recommandation R22

The Lanzarote Committee:

invites Parties to share information on existing protocols, special projects and action plans set up to face the situation of children affected by the refugee crisis, with a view to further elaborating such tool (R22).

Le Comité de Lanzarote :

invite les Parties à échanger des informations sur les protocoles en place, les projets spéciaux et les plans d'action établis pour faire face à la situation des enfants touchés par la crise des réfugiés, afin d'élaborer de nouveaux outils de même type (R22).

**Russian  
Federation /  
Fédération de  
Russie**

The Russian Federation participates in this process within the framework of the Committee of the Parties to the Lanzarote Convention.

Activities with refugee children are conducted on the basis of international protocols (UN Committee on the Rights of the Child)

## Recommendation R23 / Recommandation R23

The Lanzarote Committee:

invites Parties to overcome challenges in ensuring safe reception facilities and longer term placement solutions by implementing a coherent set of quality standards on the basis of good practices to prevent sexual exploitation and abuse. These standards should be of the same quality for children affected by the refugee crisis as for any other child deprived of parental care as the former may be more vulnerable to sexual exploitation and sexual abuse (R23).

Le Comité de Lanzarote :

invite les Parties à surmonter les difficultés liées à la nécessité de garantir la sécurité dans les structures d'accueil et les établissements de placement de longue durée par l'instauration d'un ensemble cohérent de normes de qualité fondées sur les bonnes pratiques afin de prévenir l'exploitation et les abus sexuels ; ces normes devraient être aussi élevées pour les enfants touchés par la crise des réfugiés que pour tout autre enfant privé de soins parentaux, car ils peuvent être plus vulnérables à l'exploitation et aux abus sexuels (R23).

<p><b>Portugal</b></p>	<p>In the current reception system, the only existing reception centres for spontaneous asylum-seekers on the territory are run by CPR.</p> <p>Adults and families with children are accommodated at CPR's Centro de Acolhimento para Refugiados (CAR) or in private accommodation provided by CPR (rooms in private apartments or hostels) during admissibility (including Dublin) and accelerated procedures in the territory.</p> <p>CAR is an open reception centre located in Bobadela, Municipality of Loures, and operates in the framework of MoUs with the Ministry of Home Affairs and the Ministry of Labour, Solidarity and Social Security. Its official capacity stands at 52 places. In the first semester of 2018, CPR provided reception assistance to 578 asylum seekers of which 40% were accommodated at CAR, 55% in alternative private accommodation, and the remaining 5% with friends/family.</p> <p>CPR's Casa de Acolhimento para Crianças Refugiadas (CACR) offers age-appropriate housing and reception conditions for unaccompanied children applicants/beneficiaries of international protection. Unaccompanied children above the age of 16 are sometimes provided separate accommodation at CPR's CAR under the supervision of the Family and Juvenile Court due to capacity constraints of the CACR; or placed in supervised private housing by decision of the Family and Juvenile Court in line with the protective measures enshrined in the Youths at Risk Protection Act.</p> <p>Since it was inaugurated in 2012 with the support of Swatch, the Ministry of Home Affairs (Ministério da Administração Interna – MAI) and the Municipality of Lisbon (Município de Lisboa – ML), CACR offers unaccompanied children age-appropriate housing and reception conditions. Its official capacity stands at 13 places and, in 2017, CPR provided housing at CACR to 56 unaccompanied children with an average stay period close to 8 months. During the first semester of 2018, CACR provided housing to 45 unaccompanied children.</p> <p>The recent increase in the number of asylum-seekers and operational bottlenecks have affected the national asylum system and strained reception capacity. Overcrowding is an ongoing concern at both reception centres.</p> <p>CPR has received a grant from the Migrant and Refugee Fund (MRF) of the Council of Europe Development Bank to build a new reception Centre in Loures for adults, families with children and UASCs with an official capacity of 90 places. The new reception Centre, built with the support of MAI and Loures Municipality, that provided the land plot, will contribute to improve the reception conditions of the CACR. The new facilities are expected to become operational by the end of 2018.<sup>23</sup></p> <p>The law establishes that the placement of unaccompanied and separated children in detention facilities at the border must abide by applicable international recommendations such as those of UNHCR, UNICEF and the International Committee of the Red Cross (ICRC), amongst others.</p> <p>While in previous years, certain categories of persons with specific needs, such as unaccompanied children, families with children, pregnant women and seriously ill persons were generally released without conditions, this practice has recently changed. In 2017, increased waiting periods continued between the filing of asylum applications by UASC and other vulnerable persons at border points and their entry into national territory. The resulting detention of children at</p>
------------------------	--

<sup>23</sup> For more information on reception conditions, see CPR, AIDA Country Report: Portugal, 2017, March 2018, pp. 63-86.

	<p>the airport is particularly concerning.</p> <p>In 2017, according to the information available to CPR, 17 unaccompanied children were detained at the border for periods ranging from 4 to 50 days, with an average detention period of 14 days. In addition, 40 families with children were detained at the border for periods ranging from 3 to 60 days, with an average detention period of 28 days.<sup>24</sup></p> <p>Provisional information for the first semester of 2018 shows that 6 out of 17 UASCs who applied for asylum did so at the border. Among these 3 were detained for periods that ranged from 10 to 18 days (average detention period of 13 days) while the remaining 3 were released within 1-2 days after the registration of their application.</p> <p>Concern about the detention of families with children at the border has also been echoed by the Portuguese Ombudsman (the National Preventive Mechanism) in a recent report.<sup>25</sup></p>
<b>Russian Federation / Fédération de Russie</b>	<p>In Russia, the National Standard "Social Services for the Population: Monitoring the Quality of Social Services for Children" (Order No. 956-cr of August 22, 2014) is in force for all categories of children.</p> <p>In Russia, there is the Federal Law of April 24, 2008, No. 48-FZ "On Guardianship and Custody", which establishes uniform rules of procedure and conditions for custody for all categories of children.</p>

## Recommendation R24 / Recommandation R24

The Lanzarote Committee:

in this context, invites Parties to apply the following prioritization, where appropriate: (i) family reunification, (ii) foster care, supervised independent accommodation for older children or other forms of non-institutional care; (iii) institution placement in small scale units, in order to provide a safe placement for minimizing the danger of victimization of sexual abuse (R24).

<sup>24</sup> For more information on detention of asylum-seekers, see CPR, AIDA Country Report: Portugal, 2017, March 2018, pp. 87-98.

<sup>25</sup> Ombudsman, Tratamento dos cidadãos estrangeiros em situação irregular ou requerentes de asilo nos centros de instalação temporária ou espaços equiparados, September 2017, available at [http://www.asylumineurope.org/sites/default/files/resources/cidadaos\\_estrangeiros\\_e\\_o\\_direito\\_a\\_um\\_tratamento\\_digno.pdf](http://www.asylumineurope.org/sites/default/files/resources/cidadaos_estrangeiros_e_o_direito_a_um_tratamento_digno.pdf).



**Le Comité de Lanzarote :**

invite dans ce contexte les Parties à respecter l'ordre de priorité suivant, le cas échéant : i) regroupement familial, ii) placement en famille d'accueil, hébergement indépendant sous surveillance pour les enfants plus âgés ou d'autres formes de prise en charge hors institution, iii) placement en institution dans des unités de petite taille, afin de placer les enfants en lieu sûr et, ainsi, de réduire au minimum le risque d'être victime d'abus sexuels (R24).

**Portugal**

In the current reception system, the only existing reception centres for spontaneous asylum-seekers on the territory are run by CPR.

Adults and families with children are accommodated at CPR's Centro de Acolhimento para Refugiados (CAR) or in private accommodation provided by CPR (rooms in private apartments or hostels) during admissibility (including Dublin) and accelerated procedures in the territory.

CAR is an open reception centre located in Bobadela, Municipality of Loures, and operates in the framework of MoUs with the Ministry of Home Affairs and the Ministry of Labour, Solidarity and Social Security. Its official capacity stands at 52 places. In the first semester of 2018, CPR provided reception assistance to 578 asylum seekers of which 40% were accommodated at CAR, 55% in alternative private accommodation, and the remaining 5% with friends/family.

CPR's Casa de Acolhimento para Crianças Refugiadas (CACR) offers age-appropriate housing and reception conditions for unaccompanied children applicants/beneficiaries of international protection. Unaccompanied children above the age of 16 are sometimes provided separate accommodation at CPR's CAR under the supervision of the Family and Juvenile Court due to capacity constraints of the CACR; or placed in supervised private housing by decision of the Family and Juvenile Court in line with the protective measures enshrined in the Youths at Risk Protection Act.

Since it was inaugurated in 2012 with the support of Swatch, the Ministry of Home Affairs (Ministério da Administração Interna – MAI) and the Municipality of Lisbon (Município de Lisboa – ML), CACR offers unaccompanied children age-appropriate housing and reception conditions. Its official capacity stands at 13 places and, in 2017, CPR provided housing at CACR to 56 unaccompanied children with an average stay period close to 8 months. During the first semester of 2018, CACR provided housing to 45 unaccompanied children.

The recent increase in the number of asylum-seekers and operational bottlenecks have affected the national asylum system and strained reception capacity. Overcrowding is an ongoing concern at both reception centres.

CPR has received a grant from the Migrant and Refugee Fund (MRF) of the Council of Europe Development Bank to build a new reception Centre in Loures for adults, families with children and UASCs with an official capacity of 90 places. The new reception Centre, built with the support of MAI and Loures Municipality, that provided the land plot, will contribute to improve the reception conditions of the CACR. The new facilities are expected to become operational by the end of 2018.<sup>26</sup>

<sup>26</sup> For more information on reception conditions, see CPR, AIDA Country Report: Portugal, 2017, March 2018, pp. 63-86.

	<p>The law establishes that the placement of unaccompanied and separated children in detention facilities at the border must abide by applicable international recommendations such as those of UNHCR, UNICEF and the International Committee of the Red Cross (ICRC), amongst others.</p> <p>While in previous years, certain categories of persons with specific needs, such as unaccompanied children, families with children, pregnant women and seriously ill persons were generally released without conditions, this practice has recently changed. In 2017, increased waiting periods continued between the filing of asylum applications by UASC and other vulnerable persons at border points and their entry into national territory. The resulting detention of children at the airport is particularly concerning.</p> <p>In 2017, according to the information available to CPR, 17 unaccompanied children were detained at the border for periods ranging from 4 to 50 days, with an average detention period of 14 days. In addition, 40 families with children were detained at the border for periods ranging from 3 to 60 days, with an average detention period of 28 days.<sup>27</sup></p> <p>Provisional information for the first semester of 2018 shows that 6 out of 17 UASCs who applied for asylum did so at the border. Among these 3 were detained for periods that ranged from 10 to 18 days (average detention period of 13 days) while the remaining 3 were released within 1-2 days after the registration of their application.</p> <p>Concern about the detention of families with children at the border has also been echoed by the Portuguese Ombudsman (the National Preventive Mechanism) in a recent report.<sup>28</sup></p>
<b>Russian Federation / Fédération de Russie</b>	<p>This scheme operates in accordance with the following documents:</p> <ul style="list-style-type: none"> <li>- Federal Law of May 31, 2002 N 62-FZ amended on July 29, 2017, "On the Citizenship of the Russian Federation"</li> <li>- Federal Law of June 24, 1999 N 120-FZ as amended on July 2, 2013, "On the Basics of the System for the Prevention of Minors' Neglect and Delinquency"</li> </ul>
<b>Serbia / Serbie</b>	<p><i>Serbian Commissariat for Refugees.</i> The Commissariat, that is, its competent field teams in Subotica are in charge of monitoring the situation, and making of internal-use lists on persons who: a) expressed the wish to be accepted to transit zones in Hungary, b) crossed the border following regular procedure, c) were returned to the Republic of Serbia. One of the roles of Commissariat staff in reception centres is to inform migrants on their status on the waiting list (if the Hungarian authorities update the list regularly, and if not, to keep records on the date of reception and registration of migrants in the centres). Their task is also to inform migrant community leaders on the persons who wish to be received in Hungary. On multiple occasions the migrants expressed their readiness to follow the schedule determined by the waiting list, but that, if certain persons are not on the list, the schedule for them should be determined based on the date they were registered in the reception centres. For persons crossing to Hungary at the border crossing Kelebija (Tompá), there is a single list with families, single persons and unaccompanied minors all in one document, while at the border crossing Horgoš (Röszke), there have been three separate lists for these categories since the beginning. The existence of waiting lists, wait periods and dynamic of entry in Hungary, are not connected to the Republic of Serbia, nor the</p>

<sup>27</sup> For more information on detention of asylum-seekers, see CPR, AIDA Country Report: Portugal, 2017, March 2018, pp. 87-98.

<sup>28</sup> Ombudsman, Tratamento dos cidadãos estrangeiros em situação irregular ou requerentes de asilo nos centros de instalação temporária ou espaços equiparados, September 2017, available at [http://www.asylumineurope.org/sites/default/files/resources/cidadaos\\_estrangeiros\\_e\\_o\\_direito\\_a\\_um\\_tratamento\\_digno.pdf](http://www.asylumineurope.org/sites/default/files/resources/cidadaos_estrangeiros_e_o_direito_a_um_tratamento_digno.pdf).

Commissariat, since the whole reception process, including wait lists and reception dynamic, was formed in the Republic of Hungary and it is under their control. As far as the Republic of Serbia is concerned, all migrants on its territory have legal options for regulating their status and residence (national asylum system, return to the country of origin). All Commissariat staff have, in accordance with their duties and the law, reacted in cases when they perceived or received report on human rights violations, misdemeanours or criminal offences against migrants. The Commissariat reacts in a timely manner, especially in connection to vulnerable groups, which include unaccompanied minors. We coordinate our work with all competent bodies in the Republic of Serbia, especially with the Ministry of Interior, centres for social work, institutions for combating human trafficking and support for trafficking victims, state healthcare institutions, and relevant international and non-governmental organisations.

This system does not in any way encourage corruption, since it gives the opportunity to each person to enter into asylum procedure, to volunteer to return to the country of origin, or to wait for their chance to be received in the Republic of Hungary. We emphasise that, regardless of their legal status, the Republic of Serbia provides accommodation and material conditions for reception to all persons in asylum and reception centres, providing for their full protection and respect for their basic human rights.

The claims that a certain number of minors voluntarily state that they would like to be returned to Serbia are correct. From conversations with such persons, in the majority of cases, we found out that the main reasons for this decisions were bad living conditions in transit zones (limited movement, difficulties to access medical doctors, international and non-governmental organisations), long waiting periods in such conditions, as well as the fear of potential comparison of fingerprints given to the Hungarian authorities with those potentially given to authorities of other states (mainly Greece and Bulgaria), and potential deportations to those countries or country of origin. According to our data, it is correct that minors over 14 were the one who were returned to Serbia.

We do not have the data on the number of unaccompanied minors returned from Hungary, since a certain number of returned persons do not appear in our reception centres and it is not interviewed. We think, however, that the data in the report can be trusted, since it is a significantly lower percentage compared to the total number of persons received in Hungary.

All who are returned from transit zones (including unaccompanied minors), if that is their wish, are accommodated by the Commissariat and directed towards the mentioned legal procedures. All persons have access to international and non-governmental organisations, legal representatives, Ministry of Interior, social and healthcare institutions. After receiving information from the Commissariat or the police, unaccompanied minors are given legal guardians by the relevant centre for social work.

All concrete cases of sexual harassment or abuse of minors, or of money extortion in exchange for alleged services of help to cross to Hungary more easily and quickly, which were reported to the Commissariat by the migrants, we then reported to competent authorities and aided them in further investigation.

## Recommendation R25 / Recommandation R25

<p>The Lanzarote Committee:</p> <p>invites Parties who do not yet foresee so, to ensure that unaccompanied children affected by the refugee crisis, regardless of their age, are provided with a guardian in order to build trust and enable disclosure of possible sexual exploitation and sexual abuse (R25).</p>	
<p>Le Comité de Lanzarote :</p> <p>invite les Parties qui ne l'ont pas encore prévu à veiller à ce que les enfants non accompagnés touchés par la crise des réfugiés, quel que soit leur âge, se voient attribuer un tuteur afin d'instaurer une relation de confiance et de les inciter à révéler d'éventuels faits d'exploitation et d'abus sexuels (R25).</p>	
<p><b>Russian Federation / Fédération de Russie</b></p>	<p>The procedure of assigning a guardian to an unaccompanied refugee child is implemeted under the following normative documents:</p> <p>Federal Law of April 24, 2008 N 48-FZ "On Guardianship and Custody",</p> <p>The national standard of the Russian Federation GOST R 53061-2014 "Social services for the population: Quality control of social services for children" (approved by the order of the Federal Agency for Technical Regulation and Metrology, August 22, 2014 N 956-st)</p> <p>Federal Law "On Citizenship of the Russian Federation" of 31.05.2002 N 62-FZ</p> <p>Regulations on the Directorate General for the Supervision of the Federal Legislation of the General Prosecutor's Office of the Russian Federation (approved on October 11, 2017) to supervise and monitor the compliance of the minors' rights' protection with with the legislation</p> <p>Order of the Prosecutor Genera Office of the Russian Federation, November 26, 2007 No. 188 "On the organization of prosecutor's supervision over the implementation of laws on minors and youth"</p>
<p><b>Serbia / Serbie</b></p>	<p><i>Serbian Commissariat for Refugees.</i> Unaccompanied minors are given legal guardians by the relevant centre for social work.</p>

## Recommendation R26 / Recommandation R26

<p>The Lanzarote Committee:</p> <p>invites Parties to seek family reunification of unaccompanied children affected by the refugee crisis paying particular attention in the routine procedures to potential risks of sexual exploitation and sexual exploitation (R26).</p>	
---	--

Le Comité de Lanzarote :

invite les Parties à s'efforcer de réunir les enfants non accompagnés touchés par la crise des réfugiés à leur famille, en prêtant une attention particulière, dans le cadre des procédures ordinaires, aux risques potentiels d'exploitation et d'abus sexuels (R26).

<b>Russian Federation / Fédération de Russie</b>	<p>The regulatory framework to exclude the mentioned risks includes the following documents:</p> <p>Federal Law No. 62-FZ, May 31, 2002, as amended on July 29, 2017, "On the Citizenship of the Russian Federation"</p> <p>Federal Law, 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", June 5, 2012.</p> <p>See also legislative and law enforcement information in R27</p>
--	---

## Recommendation R28 / Recommandation R28

The Lanzarote Committee:

invites Parties to reinforce cross-border cooperation to achieve the above aims in a timely manner (R28).

Le Comité de Lanzarote :

invite les Parties à renforcer la coopération transfrontalière afin d'atteindre les buts susmentionnés en temps opportun (R28).

<b>Russian Federation / Fédération de Russie</b>	<p><b>Examples of cross-border cooperation</b></p> <p><b>1. The programs of cross-border cooperation within the framework of the European Neighborhood Instrument:</b> <a href="https://www.euneighbours.eu/en/east/eu-in-action/projects/transgranicnoe-sotrudnicestvo-tgs">https://www.euneighbours.eu/en/east/eu-in-action/projects/transgranicnoe-sotrudnicestvo-tgs</a></p> <p>1.1. The Poland-Russia cross-border cooperation program 2014-2020 identified four priorities reflecting the selected thematic goals of the Program, including Goal of "Promoting Border Management and Border Security, Mobility and Migration Management" (TC10). <a href="https://www.plru.eu/en/pages/11">https://www.plru.eu/en/pages/11</a></p> <p><a href="https://www.euneighbours.eu/en/east/stay-informed/projects/cross-border-cooperation-cbc">https://www.euneighbours.eu/en/east/stay-informed/projects/cross-border-cooperation-cbc</a></p> <p>1.2. Cross-border cooperation program with Finland, The South-East Finland - Russia CBC 2014-2020 program <a href="http://www.sefrcbc.fi/cbc-2014-2020/">http://www.sefrcbc.fi/cbc-2014-2020/</a></p> <p><a href="https://www.raja.fi/download/75718_30778162_IBM_taittotyo_Rajavartioloitos_v1_netiti.pdf?7608c60672cfd588">https://www.raja.fi/download/75718_30778162_IBM_taittotyo_Rajavartioloitos_v1_netiti.pdf?7608c60672cfd588</a></p> <p>1.3. The program of cross-border cooperation with Latvia</p> <p><a href="http://latruscbc.eu/about-the-programme/objective-priorities/">http://latruscbc.eu/about-the-programme/objective-priorities/</a></p>
--	--

	<p>1.4. The cross-border cooperation program with Latvia and Estonia Cooperation aims at improving quality education for children of the group social risk <a href="http://www.estlatrus.eu/uploaded_files/Album%20Annex_2016/fotoalbums_rus_web.pdf">http://www.estlatrus.eu/uploaded_files/Album%20Annex_2016/fotoalbums_rus_web.pdf</a>, p. 109, 120, 127</p> <p><b>2. Agreements on cooperation between the Ministry of Internal Affairs of the Russian Federation and the competent authority of a foreign state (more than 40).</b> An example of strengthening cross-border cooperation in 2018: Protocol on cooperation in the field of combating organized crime in the Caspian Sea (signed on August 12, 2018), to the Agreement on Cooperation in the Field of Security in the Caspian Sea (2010)</p> <p><b>3. Intergovernmental projects</b> The project with the representation of the Swiss Terre des hommes Foundation (Tdh) in the Republic of Moldova, within the framework of the project, a toolkit for specialists working with Moldovan children who found themselves in social shelters in the territory of Moscow and the Moscow region was developed and tested, <a href="http://www.siroststvo.ru/fond/projects/tdh/index.shtml">http://www.siroststvo.ru/fond/projects/tdh/index.shtml</a></p>
<b>Serbia / Serbie</b>	<p><i>Serbian Commissariat for Refugees.</i> The Commissariat for Refugees and Migration (hereafter: Commissariat), have copies of the lists with names of migrants and their numbers, issued and stamped by the Immigration and Asylum Office of Hungary, the institution which controls the method, schedule and dynamics of reception to Hungary. Migrant community leaders are included in this process.</p>

### Recommendation R31 / Recommandation R31

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 (R31).

Le Comité de Lanzarote :

considère que les Parties devraient veiller à ce que ses recommandations spécifiques sur la gestion adaptée aux enfants des procédures relatives aux enfants victimes d'abus sexuels soient également appliquées aux procédures relatives aux enfants touchés par la crise des réfugiés (R31).

<b>Russian Federation / Fédération de Russie</b>	<p>In Russia, children affected by the migration crisis are considered to be among other categories of children who find themselves in difficult life situations. The refugee minors are subject to all legal rights and duties of federal bodies of state power, state authorities of the Russian Federation entities, local governments, public associations and other non-profit organizations, within the framework of their competence; the above bodies take measures to provide the necessary pedagogical, psychological, medical and legal assistance to minor victims of human trafficking and (or) exploitation of children, and their parents (or persons who replace them), as well.</p> <p><i>Examples of norms that support assistance to refugee children:</i></p> <ul style="list-style-type: none"> <li>• Art. 14 of the Federal Law of July 24, 1998 N 124-FZ "On the main guarantees of the rights of the child in the Russian Federation"</li> <li>• Art. 21 of the Federal Law of December 28, 2013 N 442-FZ</li> <li>• "On the Basics of Social Services for Citizens in the Russian Federation"</li> </ul>
<b>Serbia / Serbie</b>	<p><i>Ministry of Justice</i> recognised that sexual abuse as a form of violence against children is the worst form of human rights violation and for this reason and for protection of the best interest of a child, the following criminal acts have been included in the Law on Prevention of Domestic Violence: Rape - Article 178 of the Criminal Code, Sexual Intercourse with a Helpless Person – 179 of the Criminal Code, Sexual Intercourse with a Child - Article 180 of the Criminal Code, Prohibited Sexual Acts – Article 182 of the Criminal Code, Sexual Harassment – Article 182a of the Criminal Code, Pimping and Procuring – Article 183 of the Criminal Code, Mediation in Prostitution – Article 184 of the Criminal Code, criminal act of Showing, Procuring and Possessing Pornographic Material and Juvenile Pornography – Article 185 of the Criminal Code, criminal act Inducing a Minor to Attend Sexual Acts – Article 185a of the Criminal Code, criminal act Neglecting and Abusing a Minor - Article 193 of the Criminal Code, criminal act Domestic Violence - Article 194 of the Criminal Code, criminal act Violation of Family Duty - Article 196 of the Criminal Code and criminal act Human Trafficking – Article 388 of the Criminal Code. All these criminal acts, depending on the way how an action performed by an offender is qualified and the consequence for the child victims, are a form of providing protection to children - victims. Children affected by refugee crises if experiencing any sort of sexual exploitation will be treated accordingly.</p>

### Recommendation R32 / Recommandation R32

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 (R32).

Le Comité de Lanzarote :

considère que les Parties qui ne l'ont pas encore fait devraient encourager et appuyer la mise en place de services d'information dédiés (lignes d'assistance téléphonique ou en ligne, etc.) pour aider les enfants touchés par la crise des réfugiés qui sont victimes d'exploitation et d'abus sexuels, ainsi que les personnes désireuses de les aider, à obtenir des conseils dans une langue qu'ils comprennent (R32).

<b>France</b>	116 000, la ligne d'assistance téléphonique européenne pour les disparitions d'enfants, active dans 29 pays européens, peut aussi être utilisée dans le contexte de la crise des réfugiés.
<b>Poland / Pologne</b>	<p>The quick forms of aid include first of all the Telephone Helpline for Children and Youth 116111 and web contact <a href="http://www.116111.pl">www.116111.pl</a> kept by the Dajemy Dzieciom Siłę Foundation - this is free-of-charge and anonymous telephone and on-line support for children and youth, providing the callers with a possibility of obtaining help and support in difficult life situations, and intervene in case of threat to health and life. The Foundation also operates another hotline, namely Helpline for Parents and Teachers for the Safety of Children 800 100 100 and web contact through <a href="http://www.800100100.pl">www.800100100.pl</a>. Furthermore, there is also the Children Helpline of the Ombudsman for Children, 800121212, which is a free-of-charge hotline for children and youth, where the psychologists, pedagogues and lawyers provide the necessary support to all children who call them, and what is more, even the adults may call the intervention number to report any issues regarding children.</p> <p>In each case, when the crime of sexual abuse of a minor or a suspicion of such a crime occurs or other circumstances that require clarification emerge, there is a possibility to report the matter to the 997 and 112 Police emergency phone numbers. In such a case, the Police officers undertake adequate actions if the premises suggest that they have become a victim of sexual crime.</p>
<b>Russian Federation / Fédération de Russie</b>	<p><b>Information services, tools, and foundations that provide information</b></p> <ul style="list-style-type: none"> <li>- The Fund for Support of Children in Difficult Life Situation was created in accordance with the Decree of the President of the Russian Federation of March 26, 2008 No. 404 <a href="http://fond-detyam.ru/about/">http://fond-detyam.ru/about/</a></li> <li>- All-Russian children's toll-free helpline: 8 (800) 2000-122 (currently more than 230 organizations are connected to it in all constituent entities of the Russian Federation), the possibility of bringing specialists who speak different languages.</li> <li>- The children's and teenage helpline "Gavrosh". Number: 8 (499) 134-81-81</li> <li>- A helpline for children and adolescents at the State Inspectorate for the Protection of Children's Rights (here you can get psychological and practical help in difficult and crisis situations). 8 (800) 60-08</li> </ul> <p><b>Examples of sites of organizations that provide assistance to children affected by the migration crisis, including information in different languages</b></p> <ul style="list-style-type: none"> <li>- Committee "Civil Assistance" (Center for Adaptation and Education of Refugee Children) <a href="http://www.refugee.ru">www.refugee.ru</a>, (versions in English and French, an automatic translation of information on the site into Arabic and other languages)</li> <li>- Charitable Foundation - Children of the Earth (<a href="https://www.childrenofearth.org/">https://www.childrenofearth.org/</a>) help sick refugee children, there are versions in Russian and English languages.</li> <li>- Multifunctional help center for migrants "TutZhdut", the service can be used not only online, but also offline, in Russian, Tajik, Uzbek, Kirghiz, English. <a href="http://xn--d1ad9aaccd.xn--p1ai/">http://xn--d1ad9aaccd.xn--p1ai/</a></li> </ul>



	<p>Information is provided on accommodation, work, employment, documents filing, etc.</p> <p><b>The centers of assistance to citizens who find themselves in a crisis situation</b> identify persons, families and children in need of social services, provides social, legal and psychological assistance, including through a children's helpline included; attracts various state bodies and public associations to address issues of social assistance to families and children, provides accommodation in social hotels.</p>
<b>Serbia / Serbie</b>	<p><i>Ministry of Trade, Tourism and Telecommunication.</i> In July 2016 the Government of Serbia adopted the Regulation on the safety and protection of children in the use of information and communication technologies, which determined preventive measures for the safety and protection of children in the use of information and communication technology, actions in the event of disruption or endangering the safety of children on the Internet and sending reports to the competent authorities (the competent public prosecutor's office, social work centers, health centers and the ministry responsible for internal affairs). Regulation has created the basis for the establishment of a National Contact Center for child safety on the Internet, which began operating in February 2017, and where illicit, illegal and harmful online content can be reported by telephone or web site (<a href="http://pametnoibezbedno.gov.rs/rs-lat/prijava-nelegalnog-sadržaja">http://pametnoibezbedno.gov.rs/rs-lat/prijava-nelegalnog-sadržaja</a>).</p>

### Recommendation R34 / Recommandation R34

The Lanzarote Committee:

invites all Parties particularly affected by the refugee crisis to join efforts to elaborate specific toolkits in the form of checklists with standards to be respected and procedural steps to be taken to ensure that all persons working with the assessment of refugee and migrant children take into account the same elements and do not overlook certain questions that may be of relevance to prevent and protect them from sexual abuse and sexual exploitation (R34).

Le Comité de Lanzarote :

invite toutes les Parties particulièrement touchées par la crise des réfugiés à unir leurs efforts pour élaborer des « boîtes à outils » spécifiques qui, sous forme de listes de contrôle, feraient l'inventaire des normes à respecter et des procédures à suivre, afin de garantir que toutes les personnes chargées de l'évaluation des besoins des enfants réfugiés et migrants prennent en compte les mêmes éléments et ne négligent pas certaines questions pouvant être pertinentes pour la prévention et la protection des enfants contre l'exploitation et les abus sexuels (R34).

<b>Russian Federation / Fédération de Russie</b>	<p><b>Procedural norms and measures in the Russian Federation are implemented under the following international standards:</b></p> <ul style="list-style-type: none"> <li>- Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum (1997)</li> <li>- General comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin</li> </ul> <p>Publisher: UN Committee on the Rights of the Child (CRC)</p> <p><a href="http://www.unhcr.org/refworld/docid/42dd174b4.html">http://www.unhcr.org/refworld/docid/42dd174b4.html</a></p> <ul style="list-style-type: none"> <li>- Refugee Children: Guidelines on Protection and Care</li> </ul> <p><a href="http://www.unhcr.org/refworld/docid/3ae6b3470.html">http://www.unhcr.org/refworld/docid/3ae6b3470.html</a>, c. 97–103</p>
--	---

### Recommendation R35 / Recommandation R35

<p>The Lanzarote Committee:</p> <p>considers that Parties should agree on common strategies/procedures to effectively deal with the phenomenon of cross-border missing children (R35).</p>
--

<p>Le Comité de Lanzarote :</p> <p>considère que les Parties devraient convenir de stratégies/procédures communes pour lutter efficacement contre le phénomène des disparitions transfrontalières d'enfants (R35).</p>
--

<b>Russian Federation / Fédération de Russie</b>	<p><b>Implementation of the recommendation on the application of common strategies and procedures is carried out on the basis of the following documents:</b></p> <ul style="list-style-type: none"> <li>- <i>International Agreements and Conventions</i> <ul style="list-style-type: none"> <li>• Protocol against the Smuggling of Migrants by Land, Sea and Air (November 15, 2000)</li> <li>• Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, November 15, 2000.</li> <li>• Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation with respect to Parental Responsibility and Measures to Protect Children</li> </ul> </li> <li>- <i>Bilateral intergovernmental agreements in the field of combating crime (more than 10).</i></li> </ul> <p>For example:</p> <ul style="list-style-type: none"> <li>• Resolution of the Government of the Russian Federation, January 9, 2001, No. 17 "On Agreement between the Government of the Russian Federation and the Government of the Kingdom of Belgium on Cooperation in Combating Crime."</li> <li>• Resolution of the Government of the Russian Federation, February 7, 2003 N 78 "On agreement between the Government of the Russian Federation and the Government of the French Republic on cooperation in combating crime and in the field of internal security"</li> <li>• Order of the Government of the Russian Federation, February 17, 2016 No. 237-r "On the Agreement between the Government of the Russian Federation</li> </ul>
--	--

and the Government of the Republic of Cyprus on cooperation in combating crime, especially in its organized forms;  
- *Agreements on cooperation between the Ministry of Internal Affairs of the Russian Federation and the competent authority of foreign states (more than 40).*

**Examples of cross-border cooperation**

- The Poland-Russia Cross-Border Cooperation Program 2014-2020 has identified four priorities reflecting the selected thematic goals of the Program, including "Promoting Border Management and Border Security, Mobility and Migration Management" (TC10).

<https://www.plru.eu/en/pages/11>

<https://www.euneighbours.eu/en/east/stay-informed/projects/cross-border-cooperation-cbc>

- The South-East Finland - Russia CBC 2014-2020 program <http://www.sefrcbc.fi/cbc-2014-2020/>

[https://www.raja.fi/download/75718\\_30778162\\_IBM\\_taittotyo\\_Rajavartiolaitos\\_v1\\_netti.pdf?7608c60672cfd588](https://www.raja.fi/download/75718_30778162_IBM_taittotyo_Rajavartiolaitos_v1_netti.pdf?7608c60672cfd588)

Activities of 2018:

- Protocol on cooperation in the field of combating organized crime in the Caspian Sea (signed on August 12, 2018), to the Agreement on Cooperation in the Field of Security in the Caspian Sea (2010)

- Interdepartmental coordination headquarters for the return of refugees to Syria to their places of residence, negotiations and events of the working groups of the Foreign Ministry and the Foreign Ministry of Lebanon, Jordan, Turkey on the implementation of detailed plans for the movement of refugees.

<https://tvzvezda.ru/news/forces/content/3adb7235a5acab73c0d3c9aa40925f4728f03d64d92b9e312a369a71a5703606>

### **Recommendation R36 / Recommandation R36**

The Lanzarote Committee:

invites Parties to pay particular attention to the work of the Council of Europe in relation to the identification of good and promising practices aimed at combating and preventing female genital mutilation and child and forced marriage (R36).

Le Comité de Lanzarote :

invite les Parties à prêter une attention particulière aux travaux du Conseil de l'Europe relatifs à l'identification de bonnes pratiques et de pratiques prometteuses visant à combattre et à prévenir les mutilations génitales féminines, les mariages d'enfants et les mariages forcés (R36).

<b>Russian Federation / Fédération de Russie</b>	<p>The implementation of this recommendation is based on the following regulatory documents.</p> <ul style="list-style-type: none"> <li>- Convention on the Rights of the Child, article 24 (3)</li> <li>- The International Covenant on Civil and Political Rights</li> <li>- International Pact on Economic, Social and Cultural Rights,</li> <li>- Convention on the Elimination of All Forms of Discrimination Against Women,</li> <li>- UN Security Council Resolution No. 2199, 2253 (2015) on the condemnation of the abduction of women and children, their exploitation, including rape, sexual abuse, forced marriages</li> <li>- The Family Code of the Russian Federation, art. 12 stipulates that a mutual voluntary consent of a man and a woman entering into marriage is mandatory for marriage registration.</li> </ul>
<b>Slovenia / Slovénie</b>	<p>Government Office for the Support and Integration of Migrants constantly monitors reports and examples of good practices from various fields and implements them. By humanitarian work with women and girls, the Office devotes a lot of attention to raise awareness of their rights and to their empowerment. The Office did not detect any example of mutilation. One case of forced marriage was detected, the victim was immediately protected by the Office.</p>

### Recommendation R37 / Recommandation R37

<p>The Lanzarote Committee:</p> <p>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 (R37).</p>
---

<p>Le Comité de Lanzarote :</p> <p>considère que les Parties devraient instaurer une coordination entre les diverses instances responsables, ou la renforcer le cas échéant, afin de faciliter la prévention et la protection des enfants touchés par la crise des réfugiés contre l'exploitation et les abus sexuels (R37).</p>
--

<b>Russian Federation / Fédération de Russie</b>	<p>Coordination activities are conducted, the issues related to refugee children are considered and handled within the framework of various bodies, activities and projects</p> <ul style="list-style-type: none"> <li>- The key coordinating body is the Government Commission for Minors Affairs, it is formed to ensure a unified state approach to solving problems of protecting the rights and legitimate interests of minors. The Commission coordinates the activities of federal executive bodies and executive authorities of the constituent entities of the Russian Federation related to enforcement of legislation in the field of prevention of neglect of minors' and minors' delinquency, the protection of their rights;</li> <li>- The Coordination Council under the Government of the Russian Federation has been established to implement activities under the "Decade of Childhood"</li> </ul>
--	---

	<p>program to ensure interaction between federal government bodies, state authorities of RF entities, local governments, scientific, public and other organizations (Decree of the Government of the Russian Federation No. 823 )</p> <p>- The Order of the General Prosecutor's Office of the Russian Federation No. 83, February 20, 2015 "On Approval and Enactment of Federal Statistical Observation N1-E" Information on Investigation and Inquiry" and N 1-EM "Information on the key indicators of investigative work and inquiries", as well as Instructions on drafting reports in compliance with forms of federal statistical observation N 1-E, 1-EM"</p>
--	--

### 3. Other information / Autres informations

<b>Bosnia and Herzegovina / Bosnie-Herzégovine</b>	<p>Since the beginning of 2018, Bosnia and Herzegovina has been facing an influx of a large numbers of migrants. A large number of migrants have been crossing illegally borders of Bosnia and Herzegovina mostly coming through Serbia and most of them are staying in Una-Sana Canton where they position in order to try to reach the European Union by crossing borders of Croatia. Most migrants are adults who want to continue to the countries of Western Europe.</p> <p>In accordance with Article 12 of the Law on Ministries and Other Bodies of the Administration of BiH<sup>29</sup> the Ministry for Human Rights and Refugees is responsible for taking care of the rights of refugees coming to BiH. In accordance with this law, the Rulebook on the manner of operation, functioning and house rules of the Salakovac Refugee and Reception Centre (RRC) in Mostar was adopted according to which "Salakovac RRC beneficiaries are persons under international protection in Bosnia and Herzegovina - refugees with recognized status and persons under subsidiary protection in BiH". The Rulebook defines the prohibition of discrimination, the unity of the family, the mandatory use of the principle of the best interests of the child, mandatory health care and immunization of children, psycho-social assistance, mandatory primary education and the possibility of further education, transportation to school and the provision of school supplies. Salakovac RRC is under authority and under supervision of the BiH Ministry of Human Rights and Refugees.</p> <p>Matters relating to the status of foreigners in Bosnia and Herzegovina are defined by the Law on Foreigners<sup>30</sup>, which clearly gives a definition of the scope of the Law in Article 1. paragraph 1: „(1) This Law shall regulate: conditions and procedures for entry of foreigners in Bosnia and Herzegovina (hereinafter: BiH), including: the visa and non-visa regime; travel documents for foreigners; stay of foreigners in BiH; removal of foreigners from BiH; admission of foreigners and placement of foreigners under surveillance; competency of authorities relevant for the implementation of this Law; and the other issues related to the stay of foreigners in BiH.“</p> <p>The institutions in charge of enforcing the Law on Foreigners are: the Council of Ministers of BiH, the Ministry of Security of BiH, the Ministry of Foreign Affairs of BiH, the Ministry of Civil Affairs of BiH, the Service for Foreigners' Affairs, the Border Police of BiH, the other police authorities in BiH and other competent authorities.</p> <p>Further, this Law determines the structure of institutions responsible for the reception of foreigners: Immigration centres (specialized institutions for the reception and accommodation of foreigners against whom surveillance measures have been imposed), centres for accommodation of victims of trafficking in human beings and other institutions specialized for the reception of foreigners. Supervision of the work of specialized institutions for the reception of foreigners is carried out by the Ministry of Security of BiH. All these institutions must meet the requirements arising from the Constitution of Bosnia and Herzegovina and international standards for the treatment of beneficiaries of institutions. 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>
--	---

<sup>29</sup> BiH Official Gazette, 5/2003

<sup>30</sup> BiH Official Gazette, 88/15

	<p>In accordance with the Law on Foreigners, the Ministry of Security of BiH is in charge of providing special protection and assistance to foreigners benefiting from international protection, asylum seekers and foreign victims of trafficking. Further, the Rulebook on the Protection of Foreign Victims of Trafficking regulates matters related to the reception, recovery and return of children victims of trafficking.</p>
<b>Bulgaria / Bulgarie</b>	<p>Implementation of the recommendations contained in the special report of the Lanzarote Committee “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse” for the Parties to the Lanzarote Convention</p> <p>The State Agency for Child Protection has information on the implementation of the recommendations on the basis of a written request to the following state institutions: the Ministry of Justice, the State Agency for Refugees with the Council of Ministers and the Agency for Social Assistance, and our own information.</p>
<b>Missing Children Europe / Centre for missing and exploited children (Croatia / Croatie)</b>	<p><i>„I had contacted one of our employees who is directly involved in work with unaccompanied minors and she said that regarding this subject we don't have any information and we are not informed if anything had been done by relevant institutions.</i></p> <p><i>Unfortunately, as you may already know we have problems with Ministry of Interior regarding collaboration and this is general situation in our country. Since 2017. we don't have mobile team for unaccompanied minors who was doing a great things on the field but our Government doesn't find it neccessary. Furthermore, in Croatia migrant children are ussually in social welfare homes (for children with behavioural problems), so you can see that situation is not good.</i></p> <p><i>The only good thing that I can say is that relevant Ministries are finishing Protocol on proceeding when it comes to unaccompanied minors and our employee is member of this working group.“</i></p>
<b>Denmark / Danemark</b>	<p>In order to follow-up on the recommendations the Ministry of Justice has collected information from the Danish Ministry of Immigration and Integration, the Danish Ministry for Children and Social Affairs and the Danish National Police.</p> <p>Lastly, the Danish Ministry for Children and Social Affairs would like to make a clarification of section IV.2 in the report:</p> <p>All persons staying lawfully in Denmark are entitled to assistance pursuant to the Danish Act on Social Services. This includes refugees and asylum seekers. Persons, who are not staying lawfully in Denmark, are not directly covered by the Act, but assistance may in special circumstances be provided according to the principles of the Act when Denmark’s obligations under the UN Convention on the Rights of the Child or other international conventions so warrant.</p> <p>If the municipal council has reason to assume that a child or young person is in need of special support, the municipal council must conduct a child protection examination in order to clarify the needs of the child or young person. In case of violence or sexual abuse towards a child or young person, the examination must, as a rule, be carried out in a special Children's House. In the Children's Houses, a co-ordinated effort between social services, police, therapeutic services and health services are offered with the purpose of providing the abused child with co-ordinated and professional help in a child friendly environment.</p> <p>The Ministry of Justice has not received comments to any of the other 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 3 March 2017.</p>

<p><b>Germany / Allemagne</b></p>	<p>As follow-up to the 5 “urge” recommendations of the report I can send you the guideline „MINIMUM STANDARDS for the Protection of Refugees and Migrants in Refugee Accommodation Centres“. In order to ensure that the protection of all asylum seekers becomes an integral part of the wide-ranging support in refugee accommodation centres in Germany, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (Bundesministerium für Familie, Senioren, Frauen und Jugend), in cooperation with UNICEF, launched a joint initiative in spring 2016 with several partners of the civil society.</p> <p>As a result of their work, in July 2016 the members of the initiative published the first nationwide „Minimum Standards for the Protection of Children, Adolescents and Women in Refugee Accommodation Centres“. It was agreed to review these Minimum Standards on a regular basis, so as to include lessons learned from the implementation of the Standards. In early 2017, the focus of the initiative was broadened as a result of the inclusion of a number of new partners and further consultations on these Minimum Standards. The Minimum Standards underwent a general review, which resulted in the inclusion of the experiences of the members, protection coordinators in refugee centres and the residents of refugee accommodation centres.</p> <p>Regarding the review, all partners involved made every effort to enhance the focus on groups requiring special protection, such as children, adolescents and women.</p> <p>The guidelines (also available in English) can be found here:</p> <p><a href="https://www.bmfsfj.de/bmfsfj/service/publikationen/mindeststandards-zum-schutz-von-gefluechteten-menschen-in-fluechtlingsunterkuenften/117474">https://www.bmfsfj.de/bmfsfj/service/publikationen/mindeststandards-zum-schutz-von-gefluechteten-menschen-in-fluechtlingsunterkuenften/117474</a></p>
<p><b>Latvia / Lettonie</b></p>	<p><b>INFORMATION REGARDING IMPLEMENTATION IN LATVIA OF THE RECOMMENDATIONS R18, R27, R29, R30, R33 OF SPECIAL REPORT "PROTECTING CHILDREN AFFECTED BY THE REFUGEE CRISIS FROM SEXUAL EXPLOITATION AND SEXUAL ABUSE" OF THE LANZAROTE COMMITTEE</b></p> <p>It is important to note that unaccompanied minors are rarely arriving to Latvia, namely 48 such cases have been registered between 1998 and April 2018. In addition, there have been no cases found where an unaccompanied minor has suffered sexual abuse or sexual violence. Accordingly, the information collected in this letter is based on the interpretation of binding legislation rather than practical experience in such cases.</p> <p><b>LEGAL STATUS OF AN UNACCOMPANIED MINOR</b></p> <p>In accordance with <b>Section 1, Clause 7 of the Asylum Law</b> unaccompanied minor shall mean a third-country national or a stateless person who is less than 18 years of age and has arrived or resided in Latvia without being accompanied by such person who is responsible for him or her in accordance with the laws and regulations of Latvia in the field of family law (father, mother, guardian) until the moment when the responsible person resumes the fulfilment of the obligations in relation to him or her.</p> <p>Section 1, Clause 10 of the same law prescribes that an asylum seeker with special procedural or reception needs shall mean a <u>minor</u>, a disabled person, a person in the age, upon attainment of which an old-age pension is granted in Latvia, a pregnant woman, a parent with a minor child, a <u>victim of human trafficking</u>, a person who needs special care due to the health condition, a person with mental disorders, a <u>person who has suffered from torture, rape or other serious psychological, physical or sexual violence</u>, or other person to be especially protected whose ability to benefit from the rights and to comply with the obligations</p>



	during the asylum procedure is limited.
<b>Liechtenstein</b>	<p>Liechtenstein likes to draw attention to its answers to the focused questionnaire “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse” in which it reported that only 34 children had applied for asylum between 1 July 2015 and 30 June 2016. In 2017, 48 children applied for asylum and in 2018 there have been 16 applications up to the date of the present report. There are no indications that any of the asylum-seeking children were victims or presumed victims of sexual exploitation or abuse. In light of these facts, the Liechtenstein government currently sees no necessity for institutional or legal reforms. The situation, however, is constantly monitored and measures to address sexual exploitation and abuse of children affected by the refugee crisis will be issued and implemented as appropriate.</p>
<b>Monaco</b>	<p>La Principauté a ratifié, le 7 octobre 2014, la Convention de Lanzarote. Celle-ci est entrée en vigueur à l’égard de Monaco le 1<sup>er</sup> février 2015. La Principauté a ratifié, le 30 novembre 2015, la Convention du Conseil de l’Europe sur la lutte contre la traite des êtres humains. Celle-ci est entrée en vigueur à l’égard de Monaco le 1<sup>er</sup> mars 2016.</p> <p>Ainsi, la Principauté se mobilise depuis toujours au service du droit international humanitaire et des droits de l’homme et a ratifié les instruments principaux en la matière : la Convention relative au statut des réfugiés de 1951 et le Protocole de 1967 y relatif ; les Protocoles additionnels de 1977 aux Conventions de Genève du 12 août 1949, dont celle relative à la protection des personnes civiles en temps de guerre (convention IV).</p> <p>Un axe fondamental de sa politique vise l’autonomisation des femmes et des jeunes filles (éducation, alphabétisation, formation professionnelle) et la protection des droits des enfants, particulièrement fragilisés lors des crises migratoires.</p> <p>Il convient d’indiquer ici que l'étranger remplissant les conditions prévues par les textes monégasque régissant le séjour des étrangers (cf. l’Ordonnance Souveraine n° 3.153 du 19 mars 1964 relative aux conditions d'entrée et de séjour des étrangers dans la Principauté) peut avoir une carte de séjour de résident <i>temporaire</i> dont la validité ne peut excéder <i>un an</i>. Lorsque l'étranger réside dans la Principauté depuis plus de trois ans, il peut être attribué une carte de séjour de résident <i>ordinaire</i> (non plus seulement <i>temporaire</i>), valable trois ans.</p> <p>Par dérogation aux dispositions des textes régissant le séjour des étrangers, ces réfugiés bénéficient d’un titre de séjour de 10 ans, ce qui attestant de la volonté gouvernementale de les accueillir dans la durée afin de leur accorder la protection juridique et administrative qui incombe à Monaco, notamment en application de la Convention de Genève du 28 juillet 1951 sur les réfugiés.</p> <p>Il est à noter que toute demande d’asile ou de réinstallation fait l’objet, par le Gouvernement Princier, d’une saisine de l’OFPRA pour instruction et avis.</p> <p>Enfin, la Direction de la Sûreté Publique de Monaco signale toutes personnes pouvant répondre à la qualification de migrants de passage en Principauté, les mineurs faisant l’objet d’une prise en charge spécifique.</p> <p>Aucun cas de maltraitance manifeste n’a été détecté et aucun enfant ne s’est déclaré victime de tels faits. Il convient de rappeler que l'observation et l'évaluation des phénomènes l'exploitation et d'abus sexuels sont facilitées par le faible nombre d'affaires en Principauté et le dialogue permanent entre chaque autorité.</p>

<b>Netherlands / Pays-Bas</b>	<p>It is recalled that the Lanzarote Committee addressed the following 5 “urge” recommendations to all its Parties in its special report:</p> <p>When children receive a status, they have the same rights as other (Dutch) children according to the Jeugdwet (Youth Law). According to this law municipalities are responsible for arranging youth care for the minors within their municipality.</p> <p>During the asylum procedure children are not prioritized in the Netherlands, but special attention is paid to their needs, with regards to their accommodation, the staff working with them and access to education. UAMs are appointed a guardian upon arrival in the central reception center.</p>
<b>Poland / Pologne</b>	<p>When it comes to sexual offense towards minors/children, the Polish legislation does not differentiate or divide minors into the Polish and foreign ones, including the migrating children or those affected by the refugee crisis. All minors in Poland, and especially those who are victims of sexual offenses, are protected regardless of their race, sex, nationality, religion or place of origin, and they are entitled to support and state protection, also from law enforcement authorities - especially in terms of preventing, identifying and prosecuting pedophile offenses, and providing comprehensive protection and aid, often in cooperation with other state and local government institutions as well as non-governmental organizations.</p> <p style="text-align: center;"><b><u>Foster care</u></b></p> <p>The foster care is regulated in the Act of 9 June 2011 on support to the family and the system of foster care (Dz.U. of 2017, item 697, as amended).</p> <p>Pursuant to Article 5 of the Act, the foster care is exercised with regard to all foreign children, regardless of their origin. Appropriate care over those children is possible thanks to cooperation between the Ministry of Family Labor and Social Policy, the Ministry of Justice and the Ministry of Internal Affairs.</p> <p>All children under foster care have access to therapeutic aid.</p> <p style="text-align: center;"><b><u>Tackling threats of sexual crimes</u></b></p> <p>Special security measures are:</p> <ol style="list-style-type: none"> <li>1) Sex Offenders Register (its operation is stipulated in the <i>Act of 13 May 2016 on counteracting threats of sexual crime (Dz.U. of 2016, item 862; the Regulation of the Minister of Justice of 2 February 2017 on determining the mode and manner of data transfer to the Sex Offenders Register (Dz.U. of 2017, item 238); the Regulation of the Minister of Justice of 13 March 2017 on processing and transferring personal data collected in the Sex Offenders Register for statistical purposes and scientific research (Dz.U. 2017, item 656).</i></li> <li>2) duties of employers and other organizers of activities related to upbringing, education, relax, treatment and care over minors;</li> <li>3) determination of places especially exposed to sexual crime. It should be noted that the convicts whose data are entered in the Register are obliged to inform the Police of their actual address of residence and of any change thereof. If they fail to do that they might be subjected to detention, restriction of liberty or fine. The Police stations are equipped with an application allowing the information about the perpetrator's place of residence to be entered in the Register immediately. Based on all available information, the Police keeps an updated sex crime map. The map, available for everyone on the website of the Public Information Bulletin of the National Police Headquarters, shows places which are</li> </ol>

especially exposed to such a type of crimes.

The Register is composed of two separate databases:

- 1) Restricted access register;
- 2) Public register.

The Register is kept by the Minister for Justice.

The restricted access Register includes data on the following individuals, unless the court decides otherwise in particularly justified cases:

- 1) lawfully convicted for offenses against sexual liberty and decency;
- 2) against whom criminal proceedings have been conditionally discontinued in cases concerning crimes against sexual liberty and decency;
- 3) towards whom certain protective measures were ordered in cases regarding offenses against sexual liberty and decency;
- 4) minors, against whom certain educational, corrective or therapeutic measures were lawfully ordered, or who were penalized according to Article 94 of the Act of 26 October 1982 *on juvenile delinquency proceedings* (Dz.U. of 2016, item 1654, as amended), hereinafter referred to as the "Act on the juvenile delinquency proceedings", in cases concerning punishable acts stipulated in Article 2, excluding Article 200(1) of the Polish Penal Code - sexual exploitation of a minor.

The right to obtain information about a person entered in the Register, whom data are collected in its restricted-access part, is attributable to:

- 1) courts exercising their judicial duties in the Republic of Poland - in relation to the ongoing proceedings;
- 2) prosecutors and other authorities entitled to conduct the preparatory proceedings in criminal cases and verification activities concerning cases of delinquency as regards the ongoing proceedings;
- 3) Police, Internal Security Agency, Military Counterintelligence Service, Military Intelligence Service, Customs Service and the Central Anti-Corruption Bureau - in the scope necessary to perform their tasks stipulated in the Act;
- 4) authorities enforcing decisions in criminal proceedings, in cases concerning petty offenses and in juvenile cases - in relation to the ongoing law enforcement proceedings, in the scope necessary to exercise the judgment;
- 5) government administration bodies, local government bodies and other bodies which exercise public tasks - when justified with the need to perform the tasks stipulated in the Act;
- 6) employers - before establishing an employment relationships regarding upbringing, education, relax, treatment and care over minors, in the scope of obtaining information on whether the Register includes data of the person in question;
- 7) other organizers - before permitting a person to engage in activities related to upbringing, education, relax, treatment or care of minors, in the scope of obtaining information on whether the Register includes data of the person in question;
- 8) each person - to obtain information whether the Register includes their data.

Furthermore, the above-mentioned Act stipulates special duties of employers and other organizers of activities related to upbringing, education, relax, treatment and care over minors. 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, in its restricted-access part.

Performance of the above-mentioned duty is not required if the person who is about to be allowed to execute the aforementioned activities is a member of the

minor's family or a person known personally by the minor's parents, and these activities will be executed towards their own minor children or the minor children of their acquaintances. A family should be understood as including related or unrelated individuals who are in actual relationship and who reside together in the same household.

**Assistance to victims - Justice Fund (Fundusz Sprawiedliwości)**

The Act *amending the Act - Penal Code, the Act - Executive Penal Code and the Act - Environmental Law*<sup>31</sup> established the *The Victim and Post-Penitentiary Assistance Fund* as of 1 January 2012. On 12 August 2017, the amendment of the *Executive Penal Code* entered into force, stipulating the change in functioning principles of the above-mentioned Fund and providing it with a name of the *Justice Fund (Fundusz Sprawiedliwości)*. *The Justice Fund* is a state special purpose fund administered by the Minister of Justice. The *Fund's* revenues include surpluses ruled by the court as well as benefits in cash.

The resources from the *Fund* are allocated to:

- 1) assistance for victims of criminal offenses and their relatives, especially to medical, psychological, rehabilitation, legal and material aid provided by units not included in the sector of public finances and not operating for profit, including associations, foundations, organizations and institutions, and the assistance provided from entities from the sector of public finances;
- 2) implementation of statutory tasks of the entities from the sector of public finances, related to protection of the interests of the victims of criminal offenses as well as identification and prevention of crime and liquidation of consequences of a crime;
- 3) financing the alternative methods for conflict resolution, especially mediation in family, juvenile and criminal cases;
- 4) education in preventing violence and crime, in particular for Police officers and educational and health-care personnel;
- 5) psychological aid to witnesses and their relatives.

In the scope of providing assistance to victims and their relatives and postpenitentiary aid, the following numbers of entities received grants from *The Victim and Post-Penitentiary Assistance Fund*:

- in 2012 - 31 entities in the scope of assistance to victims,
- in 2013 - 34 entities in the scope of assistance to victims,
- in 2014 - 31 entities in the scope of assistance to victims,
- in 2015 - 26 entities in the scope of assistance to victims,
- in 2016 - 26 entities in the scope of assistance to victims,
- in 2017 - 31 entities in the scope of assistance to victims,
- in 2018 - 34 entities in the scope of assistance to victims.

As a result of the contest carried out in 2018, there were 88 centers for victims assistance established - as part of the entities created several facilities. They offer help to victims of crime regardless of their place of residence, citizenship and entitlement to reside in the territory of Poland. Free assistance is provided without any formal barriers as the only condition to be covered by protection is a premise suggesting that the person reporting to the center or its closes relative might have been a victim of a crime.

<sup>31</sup> The Act of 12 February 2010 *amending the Act - Penal Code, the Act - Executive Penal Code and the Act - Environmental Law* Dz.U. No. 40, item 227, as amended).

**Solutions facilitating control and monitoring of persons who have committed sexual offenses and remain at large.**

- a) In case of releasing a convict with sexual preference disorder from prison, who have served the sentence of imprisonment for crimes stipulated in Articles 197-203 of the *Polish Penal Code (offenses against sexual liberty and decency)* and convicted in relation to those disorders, and in the case of such a convict's escaping the prison or when a decision is made on temporary release or release on temporary license without supervision or without being accompanied by a prison officer or another trustworthy person, a prison leave or parole, the penitentiary judge or the head of the prison, respectively, informs thereof the Police Unit with jurisdiction over the domicile of the convict immediately (Article 168a section 3 of the Executive Penal Code, Article 166 section 2 of the Executive Penal Code).
- b) In case of the parole, the persons convicted for a crime stipulated in Articles 19-203 of the Polish Penal Code (offenses against sexual freedom and decency), committed in relation to their sexual preferences disorders, must be handed under supervision (of a probation officer or a trustworthy person, a social association, institution or organization which operated in the field of educating the convicts, preventing their demoralization and assisting them).
- c) In case of conditional suspension of enforcement of a sentence of deprivation of liberty towards a perpetrator of an offense committed in relation to their sexual preferences disorder, the supervision is also obligatory (Article 73(2) of the *Polish Penal Code*).
- d) The persons convicted for offenses against sexual liberty or decency to the detriment of a minor, and for offenses against sexual liberty committed in relation to mental disorders of sexual nature other than a mental illness, and who remain under supervision, are always classified in the group exposed to recidivism ("C" group) what results in the obligation to undertake some intensive resocialization and control actions by the entity which exercises the supervision (Article 169b section 3 point 4 and section 10 of the Executive Penal Code).

*Article 169b(10) points out that the court probation officer is obliged in relation to a convicted person classified in the group of higher risk (C), in particular, to:*

- 1) maintain close cooperation with the Police in order to obtain and exchange information with regard to the convict's compliance with the law;*
- 2) conduct regular community-based interviews, including with the convicted person at his/her place of residence or stay;*
- 3) systematic summoning of the convicted person to appear at the seat of the probation services team in order to clarify the course of supervision and the performance of the duties imposed, as well as to present relevant documents confirming performance of the duties, if necessary;*
- 4) require the convicted person to make telephone calls at least twice a month;*
- 5) conduct random tests for the presence of alcohol, narcotic drugs or psychotropic substances in the convict's organism, who is obliged to refrain from the use of alcohol, narcotic drugs or psychotropic substances, who shows signs of addiction during supervision, adopting methods which does not require laboratory testing;*
- 6) establish and maintain regular contact with relevant social associations, institutions and organizations providing social assistance, job placement, treatment, therapeutic services or other, which can be useful in solving the problems which do not contribute to resocialization and monitoring of the probation period.*

- e) According to Polish law, imprisonment without conditional suspension of the sentence for an offense against sexual liberty and decency, if the victim was a minor under the age of 15, is not subjected to expungement (Article 106a of the Polish Penal Code).

**Articles 185a and 185b of the Code of Criminal Procedure**

	<p><b>Article 185a</b> § 1. In cases of offenses committed by use of violence or unlawful threats or specified in Chapters XXIII (offenses against liberty), XXV (offenses against sexual freedom and decency) and XXVI (offenses against family and custody) of the Penal Code, the victim who was under 15 year old at the time of questioning, is questioned as a witness only if their testimony can bear high significance for settlement of the case, and only once, unless material circumstances are revealed, the clarification of which requires repeated questioning, or it is demanded by the defendant, who did not have a lawyer during the first questioning of the victim.</p> <p>§ 2. The questioning is conducted by the court during a meeting attended by an expert psychologist. The prosecutor, the lawyer and the legal representative of the victim are entitled to take part in the questioning. The person referred to in Article 51(2) or an adult point by the victim referred to in section 1 also has the right to be present during the questioning, if this does not limit the freedom of the person being questioned. If the defendant informed of the action does not have a lawyer of their choice, the court assigns a defense counsel.</p> <p>§ 3. The recorded video and audio of the questioning is played during the main hearing, minutes of the questioning are read.</p> <p>§ 4. In cases concerning the offenses listed in section 1, a minor victim who is 15 at the time of the questioning is interviewed under the conditions set out in sections 1-3, if there is a justified concern that the personal condition of the victim could be adversely affected if the questioning took part in different conditions.</p> <p><b>Art. 185b.</b> § 1. In cases concerning offenses committed by violence or unlawful threat, or as defined in Chapters XXV (offenses against sexual freedom and decency) and XXVI (offenses against the family and custody) of the Penal Code, a witness who is under the age of 15 at the time of their questioning is heard under the conditions set out in Article 185a, sections 1 to 3, if the testimony of the witness may be relevant for the purpose of deciding the case.</p> <p>§ 2. In cases concerning the offenses listed in section 1, a minor witness who is 15 at the time of the questioning is interviewed under the conditions set out in Article 177 section 1a, if there is a justified concern that the direct presence of the defendant could adversely affect the witness testimony or their mental condition.</p> <p>§ 3. The provisions of sections 1 and 2 shall not apply to a witness who is complicit in the commission of a criminal offense which the subject of criminal proceedings or of a witness whose act remains in connection with an offense which is the subject of criminal proceedings.</p>
<b>Portugal</b>	<p>According to the Portuguese Council for Refugees, in 2017, Portugal received 1750 asylum-seekers, including 1009 spontaneous asylum-seekers and 741 relocated asylum-seekers in the framework of the European Agenda for Migration<sup>32</sup>. Asylum applicants originated mostly from Syria (426), Iraq (283), the Democratic Republic of Congo (158), Ukraine (124), Angola (121) and Eritrea (67). Regarding gender, 61,2% were men and 38,8% were women.<sup>33</sup> 60% of the spontaneous asylum applications filled in 2017 were presented in national territory, while the remaining 40% were presented at border points.</p> <p>Out of the 1750 asylum applications registered in 2017, 455 were presented by children representing 26% of all asylum applications during the year. Furthermore, at least 28 asylum claims were presented by unaccompanied and separated children (UASC).<sup>34</sup></p> <p>According to the information provided by the Immigration and Borders Service (Serviço de Estrangeiros e Fronteiras – SEF) to CPR<sup>35</sup>, as of 30 June, Portugal</p>

<sup>32</sup> See Serviço de Estrangeiros e Fronteiras (SEF) – Relatório de Imigração, Fronteiras e Asilo, 2017, available: <https://sefstat.sef.pt/Docs/Rifa2017.pdf>.

<sup>33</sup> See also: CPR, AIDA Country Report: Portugal, 2017, March 2018, available at: <http://www.asylumineurope.org/reports/country/portugal>.

<sup>34</sup> According to SEF statistics, 28 asylum-seekers were UASC in 2017, while CPR recorded 41 self-identified UASC. The identification criteria and age assessment procedures used by SEF may explain the difference between the numbers of UASC identified by the organisations. See: CPR, AIDA Country Report: Portugal, 2017, March 2018.

	<p>received 439 spontaneous asylum-seekers in 2018.</p> <p>Between 1 July 2016 and 30 June 2018, CPR registered 422 child asylum applicants, of which 80 were unaccompanied/separated.</p>
<b>Romania / Roumanie</b>	<p>1. Regarding Table D (How the collection of data is used to allow the different agencies to coordinate their actions to protect children from sexual exploitation and sexual abuse, and to prevent and fight against such exploitation and abuse):</p> <p>RO has provided an answer on this matter, but no information appears in the appendix table of the report. We, therefore, resume the information, as follows:</p> <p>a) Indicate also how the data collected is used to offer a coordinated response between the different agencies in charge of the protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children;</p> <p>Answer: A mechanism for the identification of vulnerable persons among asylum seekers is implemented. There are the observation sheet forms that contain columns to be filled in with possible indications as to the possibility that the asylum seeker in question is part of a vulnerable category.</p> <p>b) Identify the institution(s) responsible for the collection of above data.</p> <p>Answer: The identification mechanism mentioned above is implemented by the Romanian Immigration Inspectorate together with the UNHCR, the NGOs, and other institutions as the authority for child protection.</p> <p>2. General additional information:</p> <p>For completing the perspective on the RO system, we would also like to add the following information regarding the procedure for unaccompanied children that enter the territory of the state, according to the Emergency Government Ordinance 194/2002 (art. 131 regarding the legal regime applicable to unaccompanied minors):</p> <p>In the case of foreign children who enter unaccompanied or who remain unaccompanied on the territory of Romania, the General Inspectorate for Immigration and its territorial formations proceed as follows:</p> <p>a) their identity and mode of entry into the country are established;</p>

<sup>35</sup> Act n. 27/2008 of 30 June 2008, amended by Act n. 26/2014 of 5 May 2014.

	<p>b) regardless of the way of entering Romania, they shall be represented by a competent institution according to the law, which will also provide them with the necessary protection and care, including accommodation in special centers for the protection of minors under the same conditions as for the Romanian minors;</p> <p>c) steps are taken to identify parents, irrespective of their place of residence, for family reunification;</p> <p>d) until the parents are identified, school-age minors have access to the education system;</p> <p>(2) In order to find appropriate solutions, the Romanian Immigration Office cooperates with other institutions as well as with national and international organizations specialized in the field of child protection.</p> <p>(3) The procedure provided for in paragraph (1) shall be deemed to be completed in the following situations:</p> <p>a) the family reunification of the minor was achieved;</p> <p>b) the minor was handed over to the competent authorities of the country of origin;</p> <p>c) in the case of non-identification of the minor's parents or other family members;</p> <p>d) the minor is not accepted in the state of origin.</p> <p>(4) During the procedure mentioned in paragraph (1), the minors shall be prolonged their right of residence for the purpose provided in art. 69 par. (1) lit. g), without the necessity of fulfilling the general and special conditions stipulated by the present ordinance.</p> <p>(5) Residence permits for unaccompanied minors shall be exempt from tax.</p> <p>(6) In the situations stipulated in paragraph (3) lit. c) and d), the minor may be granted the right of long-term residence on the territory of Romania.</p>
--	---



<p><b>“The former Yugoslav Republic of Macedonia” / “L’ex-République yougoslave de Macédoine”</b></p>	<p>As a part of the so called Balkan migrants’ route, the Republic of Macedonia was a country of transit for almost over a million refugees, who for the most part, from the Republic of Greece passed to some of the European countries.</p> <p>In that period, on the territory of the Republic of Macedonia, were open two Reception-Transit Centers, one on the southern and one on the northern border, where the refugees and migrants had the possibility for a short stay with access to basic humanitarian needs and health care.</p> <p>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 multifunctional 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, 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.</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>Besides the positive legal framework, the Government of the Republic of Macedonia has also adopted two important documents for these procedures: 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>
<p><b>Turkey / Turquie</b></p>	<p>Before we start to give information regarding actions taken on “urge” recommendations in the report on “Protection of Refugee Children from Sexual Abuse” we would like to give some information on actual situation concerning Syrian people in Turkey who are under temporary protection in Turkey and the efforts made to help this population.</p> <p>According to statistics published by Directorate General for Migration Management, (“DG Migration”) there are 3.584.179 people under temporary protection in Turkey as 19th April 2018. 221.513 Syrians live in temporary refuge centres and the rest, which means 3.362.366 people, live outside these centres. DG Migration holds numbers for each province regarding distribution of Syrian population in Turkey.</p> <p>The data published shows that 1.643.027 persons are under 18 years old. Therefore, almost half of Syrians in Turkey is consisted of children. We should also note that 492.312 Syrians are under 4 years old. Furthermore, only 13.926 of them were relocated to third countries such as United States of America, Canada and European countries. All updated data is available on website of the DG Migration<sup>1</sup>, also in English.</p>

	<p>Turkey established Communication Centre for Foreigners that aims at carrying out procedures related to persons under temporary international protection and getting phone calls for emergencies as a help line for human trafficking victims. This help line serves 7/24 in Turkish, English, Arabic, Russian, Persian and German.</p> <p>Pursuant to the Article 21 of Regulation on Temporary Protection, dated on 13.10.2014, if a refugee who has right to protection cannot show a proof of identity, his declaration will be accepted as true.</p> <p>Refugees under temporary protection, even if they live in normal neighbourhoods in cities or towns, can profit from health services free of charge, children go to school and study at universities, they are entitled to work, they receive social aid. Therefore, we would like to highlight that Syrian children in Turkey live under the same degree of protection as Turkish children and they are not subject to any discrimination in this regard. This is result of the great effort of Turkish people and allocation of financial resources to help Syrian population</p>
<b>Ukraine</b>	<p>The common definition of “accompanied/unaccompanied children” is determined by the Law of Ukraine “ About the protection of childhood”:</p> <ul style="list-style-type: none"> <li>- <b>a child separated from the family (accompanied/unaccompanied child)</b> - a child arriving on the territory of Ukraine without the support of parents or one of them, grandparents or an adult brother or sister, or a guardian or guardian appointed in accordance with the law of the country of origin, or other adults persons who, before arriving in Ukraine voluntarily or by virtue of the custom of the country of origin, assumed responsibility for the upbringing of the child;</li> <li>- <b>a refugee child (unaccompanied minors)</b> is a child who is not a citizen of Ukraine and due to justified fears of becoming a victim of persecution on grounds of race, religion, nationality, citizenship (citizenship), membership of a particular social group or political convictions is outside the country of his or her nationality and can not to use the protection of this country or does not want to use this protection as a result of such fears, or, without citizenship (nationality) and being outside the country of his previous permanent residence ment, is unable or unwilling to return to it because of these fears;</li> <li>- <b>children in need of temporary protection (children of asylum seekers)</b> - children who are foreigners and stateless persons who permanently reside in the territory of a country having a common border with Ukraine who are massively forced to seek protection in Ukraine owing to external aggression, foreign occupation, civil war, collisions on an ethnic basis, natural or man-made disasters or other events that violate public order in a particular part or throughout the country of origin.</li> </ul> <p>The child's age assesment who is without parental care and requiring social protection is carried out according the official Procedure of the Ministry of Social Policy, the Ministry of Education and Science and the Ministry of Health.</p> <p>This Procedure determines the way for determining the age of child separated from a family who is not a citizen of Ukraine and whose legal representative has applied to the competent authorities of Ukraine for a declaration that she is recognized as a refugee or a person who needs an additional or temporary protection) (hereinafter referred to as "the child"), which remained without parental care and in need of social protection in the event of doubt as to the age claimed by the child.</p> <p>Ukrainian legislation regulates the issue of social protection of children who are separated from their parents and who are not Ukrainian citizens. The mechanism of interaction of the authorities at all levels provides the rights of unaccompanied children and the children of asylum seekers. This mechanism involves identifying children of this category, identifying and assessing their needs, providing temporary accommodation, conducting medical examinations, and, if</p>

	<p>necessary, determining the child's age and providing a range of necessary care.</p> <p>The procedure for reviewing appeals and communications concerning the ill-treatment of children or the threat of their commission towards children determines the precise procedure for action. This Procedure applies to all categories of children, including unaccompanied children, refugee children, asylum seekers. This is a joint order of the Ministry of Social Policy, the Ministry of Internal Affairs, the Ministry of Education and Science, the Ministry of Health. The document defines concrete actions within the scope of competence.</p>
--	--