

Handbook on the protection of children against sexual exploitation and sexual abuse in crisis and emergency situations



States' main obligations under
the Lanzarote Convention on the
Protection of Children against Sexual
Exploitation and Sexual Abuse

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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States' main obligations under the Lanzarote
Convention on the Protection of Children against
Sexual Exploitation and Sexual Abuse

Prepared by the Lanzarote Committee Secretariat

Council of Europe

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Background

On the 24th of February 2022, the Russian Federation started an armed attack on Ukraine, which led to an unprecedented flow of refugees already in the first days of the conflict. At the end of May, it was estimated that almost 7.5 million refugees had fled Ukraine, of which more than 90% were women and children.¹ This situation presents serious threats to children's lives, survival and opportunities for development for both those fleeing the country and those that are left behind. States that are neighbouring Ukraine and other Council of Europe member States will continue to receive children who have fled from their homes and are seeking refuge and protection.

Under the Council of Europe [Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#) (hereafter Lanzarote Convention),² Parties' first obligation consists of taking all the necessary legislative or other measures to prevent children from being sexually exploited and sexually abused, protecting the victims and prosecuting the perpetrators. This means that, to comply with the Lanzarote Convention, national legislation, measures, procedures and facilities must also be applicable to those children affected by crisis and emergencies.

On the 10th of March 2022, the [Lanzarote Committee](#)³ adopted and published a [Statement](#) calling for the protection of children from sexual exploitation and sexual abuse resulting from the military aggression of the Russian Federation against Ukraine. In particular, it called to "uphold the rights and best interests of the child at all times" and to "take measures to address the specific risk of exposure to sexual exploitation and sexual abuse of migrant and refugee children".

1. Last accessed on 31/05/2022. Updated statistics can be accessed at: [Situation Ukraine Refugee Situation \(unhcr.org\)](#)
2. The Council of Europe [Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#) (CETS No. 201) opened for signature in Lanzarote (Spain) on the 25th of October 2007 and entered into force on 1 July 2010. Currently having been ratified by 48 States, it is the most comprehensive international legal instrument dedicated to the protection of children against sexual exploitation and sexual abuse which may be acceded to by any country world-wide.
3. The [Lanzarote Committee](#) is the body established to monitor whether the Lanzarote Convention is effectively implemented by its Parties (i.e. the countries having ratified/ acceded to it). It is composed of representatives of the Parties to the Convention as well as representatives of international governmental and non-governmental organisations active in combating child sexual exploitation and sexual abuse.

At the time of drafting this Handbook, there is little evidence on the number of children who have been victim of sexual exploitation or sexual abuse as a consequence of the conflict in Ukraine. However, it is generally acknowledged that such situations in themselves present enhanced risks for children. The UNHCR's Assistant High Commissioner for Protection has also pointed out that "the risks of gender-based violence, trafficking, abuse, psychological trauma and family separation (are known to) increase in times of conflict and displacement; but given the gender profile of this refugee outflow, and the fact that many children have fled alone, these are now multiplied."⁴ Furthermore, allegations are on the rise.⁵ The Council of Europe's Commissioner for Human Rights has pointed out that "the risk of trafficking in human beings of women and children was underscored in all countries visited and that there is a need to strengthen the efforts to prevent and combat trafficking in human beings."⁶ Unaccompanied children and other vulnerable groups, such as the Roma,⁷ may be exposed to additional risks.

This is the second refugee crisis in Council of Europe member States in less than a decade. As learned from previous refugee crisis that resulted as a consequence of the conflict in Syria, children were deeply affected, including those that fled to Council of Europe member States. Children who sought asylum faced basic human rights violations, such as (lack of or inadequate) shelter and access to adequate healthcare, but also experiences of violence, including sexual exploitation and sexual abuse.⁸

Building up on its experience with the Lanzarote Committee's [urgent monitoring round on protecting children affected by the refugee crisis from sexual](#)

4. [Statement on risks of trafficking and exploitation facing refugees from Ukraine attributed to UNHCR's Assistant High Commissioner for Protection](#), 12th of April 2022; last visited on 25/04/2022.
5. On 2 March 2022, the Prosecutor of the International Criminal Court [announced](#) he had proceeded to open an investigation into the Situation in Ukraine. For more information visit the relevant [webpage](#)
For other information see for example, [Ukraine: UN High Level Officials urge the swift investigation of sexual violence allegations and call for strengthened measures to protect women and girls](#), joint statement by Ms. Pramila Patten, UN Special Representative of the Secretary-General on Sexual Violence in Conflict, and Ms. Sima Bahous, Executive Director of UN Women.
6. [Commissioner urges more coordinated efforts by all member states to meet the humanitarian needs and protect the human rights of people fleeing the war in Ukraine](#), 24th of March 2022; last visited on 25/04/2022.
7. [Let us fight discrimination and prejudices against Roma fleeing the war in Ukraine](#), 7th of April 2022. Last visited on 25/04/2022.
8. In 2017, the Lanzarote Committee issued a [Special Report](#) focusing on how Parties to the Lanzarote Convention were protecting children affected by the refugee crisis against sexual exploitation and sexual abuse. It covered the situation in 41 State Parties to the Convention. The follow-up to this report can be accessed [here](#)

exploitation and abuse, and in response to the needs of its Parties related to the war in Ukraine and the ensuing increased vulnerability of children to sexual exploitation and sexual abuse, the Lanzarote Committee Secretariat has undertaken to prepare a Handbook to guide practitioners and policymakers in reception, transit and destination countries to better prevent and protect children against sexual exploitation and sexual abuse. Although the Handbook has been drafted to help authorities working to protect children who have fled Ukraine, the challenges highlighted and the proposed recommendations will be applicable to other crisis and emergency situations as well. This Handbook complements similar actions taken by other Council of Europe monitoring bodies, including the recently adopted [Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine and the ensuing humanitarian crisis](#) by the Group of Experts on Action against Trafficking in Human Beings (GRETA). *For a list of relevant standards, tools and monitoring findings relating to children's rights in the context of migration, please see Annex 1.*

Objectives

The specific objectives of the Handbook are:

- ▶ To outline the standards of the Lanzarote Convention applicable in crisis and emergency situations, specifically concerning children's right to protection from sexual exploitation and sexual abuse;
- ▶ To provide concrete information to be used by national authorities and practitioners in reception, transit, destination or other countries to improve existing programmes, measures and services in place or set up new ones, as appropriate;
- ▶ To highlight promising practices in Parties to the Convention that may be replicated in other settings.

The Handbook will be organised under four sections, as below:

- ▶ Preventing sexual exploitation and sexual abuse against children affected by crisis and emergency situations;
- ▶ Identifying and reporting child victims of sexual exploitation and sexual abuse in crisis and emergency situations;
- ▶ Providing support to child victims of sexual exploitation and sexual abuse in crisis and emergency situations;
- ▶ Prosecution of offenders and ensuring child-friendly proceedings in crisis and emergency situations.

Each section will include:

1. Summary boxes with applicable standards of the Lanzarote Convention;
2. Concrete examples of measures that may be set up or improved by Parties to the Convention;
3. Examples of measures put in place by Parties to the Convention, which have been identified as promising practices by the Committee in its monitoring procedures.

All member States of the Council of Europe, in addition to the Russian Federation and Tunisia, have ratified the Lanzarote Convention and are therefore required to apply its provisions. Practitioners in reception, transit, destination and other countries may not be familiar with the Lanzarote Convention and the Lanzarote Committee's monitoring recommendations. These practitioners have to, however, comply with them since the country in which they operate is a Party to the Lanzarote Convention.

In the Handbook, practitioners and national authorities will find a non-exhaustive list of relevant obligations deriving from the Lanzarote Convention as interpreted by the Lanzarote Committee and examples of measures that may be put in place to **prevent sexual exploitation and sexual abuse against children, identify and report child victims**, provide **support to child victims** of sexual exploitation and sexual abuse, **prosecute offenders and ensure child-friendly proceedings**.

The Handbook is a more detailed version of the [Checklist on Protection of children affected by the refugee crisis from sexual exploitation and sexual abuse: States' main obligations under the Lanzarote Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse](#), available in English, French, Hungarian, Polish, Romanian, Slovak and Ukrainian.

Principles and definitions

Principles and definitions as established by the Lanzarote Convention and the Lanzarote Committee

- ▶ **“Child”**: any person under the age of 18 years (*Article 3 Lanzarote Convention*).
- ▶ **Children “affected by crisis and emergency situations”**: children, irrespective of their legal status, affected by armed conflicts and terrorism; migration and forced displacement; health and economic crises; natural disasters, including climate change; and any other unforeseen events that may hamper children’s enjoyment of all their human rights.
- ▶ **“Unaccompanied children”**: children who have been separated from both parents and relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so (*UNHCR Guidelines on Formal Determination of the Best Interests of the Child*⁹).
- ▶ **“Age verification”**¹⁰: in case of doubt about the age of a person, Parties are asked to grant him or her the same type of protection and assistance as those provided for children pending age verification. The principle of the benefit of the doubt should therefore apply to these persons until it is proven that they are not children (*Article 11(2) Lanzarote Convention*).
- ▶ **“Child sexual abuse”**: when a person engages in sexual activities with a child who has not reached the legal age for sexual activities; when a person engages in sexual activities with a child (regardless of the child’s age) using coercion, force or threats; his or her recognised position of trust, authority or influence over the child; or where abuse is made of a particularly vulnerable situation of the child (*Article 18 Lanzarote Convention*).
- ▶ **“Sexual exploitation of children”**: behaviour constituting the criminal offences against children consisting *inter alia* in their exploitation through prostitution, to produce and disseminate child sexual abuse material, and/or to groom or corrupt them for sexual purposes (*Articles 19 to 24 Lanzarote Convention*).
- ▶ **“Victim”**: any child subject to sexual exploitation or sexual abuse (*Article 3 Lanzarote Convention*).

9. UN High Commissioner for Refugees (UNHCR) *Guidelines on Determining the Best Interests of the Child*, May 2008.

10. The Steering Committee for the Rights of the Child (CDENF) is drafting a Recommendation on human rights principles and guidelines on age assessment for children in the context of migration, which will provide more detailed guidance to member states.

Preventing sexual exploitation and sexual abuse against children in crisis and emergency situations

What does the Lanzarote Convention say?

Article 4 – Principles

Each Party shall take the necessary legislative or other measures to prevent all forms of sexual exploitation and sexual abuse of children and to protect children.

Article 5 – Recruitment, training and awareness raising of persons working in contact with children

(...)

3. Each Party shall take the necessary legislative or other measures, in conformity with its internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children.

Article 10 – National measures of co-ordination and collaboration

1. Each Party shall take the necessary measures to ensure the co-ordination on a national or local level between the different agencies in charge of the protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children, notably the education sector, the health sector, the social services and the law-enforcement and judicial authorities.

2. Each Party shall take the necessary legislative or other measures to set up or designate:

a. (...)

b. mechanisms for data collection or focal points at national or local levels and in collaboration with civil society, for the purpose of observing and evaluating the phenomenon of sexual exploitation and sexual abuse of children, with due respect for the requirements of personal data protection.

3. Each Party shall encourage co-operation between the competent state authorities, civil society and the private sector, in order to better prevent and combat sexual exploitation and sexual abuse of children.

Article 38 – General principles and measures for international co-operation

1. The Parties shall co-operate with each other, (...) to the widest extent possible, for the purpose of:

a. preventing and combating sexual exploitation and sexual abuse of children; (...)

Challenges that you should be aware of

Sexual violence against children may happen in their country of origin, while they are travelling or after they arrive in transit or destination countries of asylum. Some of the main challenges in this respect include:

- ▶ Children can sometimes wait months in overcrowded reception centres, makeshift camps or even detention centres, which often lack adequate protection measures and where children often fall victims of sexual abuse and sexual exploitation.
- ▶ These types of facilities are often the only care arrangements for children, making it more difficult to implement prevention measures and thus increasing the risk of the child becoming a victim or recurrent victim of sexual abuse or sexual exploitation.
- ▶ Children are not always identified and registered and may not be appointed a guardian. Without a guardian and suitable care, children may be exposed to serious protection risks, such as sexual violence, and are more likely to go missing.
- ▶ Authorities reveal that they have very little information about what happens to the large number of children who go missing from reception facilities. According to evidence submitted by the European Commission in the previous refugee crisis, between 25% and 60% of unaccompanied

children affected by the refugee crisis had gone missing from certain EU reception facilities.¹¹

- ▶ Children held at these facilities have frequently said that there is a systematic failure to provide adequate information. They did not know, for example, where they were, who the authorities were, who they could trust, where to find help and how to access their rights.¹²
- ▶ Health and psychosocial support providers, guardians, social workers, police, interpreters and volunteers will regularly have a role to play during the child's journey. However, often there is insufficient training for professionals to be able to meet children's comprehensive needs.
- ▶ In many cases, professionals working with children do not systematically undergo a screening process, thereby allowing potential offenders to carry out tasks with the children concerned.

What prevention actions can be put in place

Parties have the obligation to take all the necessary legislative or other measures to prevent children from falling victims to sexual exploitation and sexual abuse. In the case of children affected by crisis and emergency situations, any responses should be adapted to children's specific needs and characteristics, such as language, age, maturity, culture or other. The following measures may be put in place, as well as other, as applicable and necessary:

1. Provision of appropriate **facilities/accommodation solutions of quality** for all children concerned to help eliminate risks of sexual abuse, with attention to:
 - ▶ Better lighting and child-friendly spaces;¹³
 - ▶ Separation of unaccompanied children from adults;
 - ▶ Separation of single women and their children from men to whom they are not related;

11. UK House of Lords, European Union Committee, *Children in crisis: unaccompanied migrant children in the EU*, 2nd Report of Session 2016-17 – published 26 July 2016 – HL Paper 34, Chapter 4: Consequences.

12. Council of Europe: Roundtable Conference Report, *Child-friendly Information for Children in Migration*, 29-30 November 2017, p. 5.

13. Council of Europe: Committee of Ministers *Thematic Report on migrant and refugee children Prepared by the Special Representative of the Secretary General on migration and refugees*, 10 March 2017. SG/Inf(2017)13.

- ▶ Separate facilities for extremely vulnerable children and children at risk of going missing, including the possibility for every room to be locked, and an emergency number prominently displayed.
2. Setting up **protocols** between asylum and migration authorities, law enforcement, judicial and child protection authorities to **prevent children from going missing**.¹⁴
 3. **Appointment of trained and qualified guardians** for all unaccompanied children.
 4. Ensuring **prompt family reunification measures**.
 5. **Ending the placement of children in detention facilities**.
 6. Preparing **information, advice and other awareness raising activities targeting children to help prevent sexual exploitation and sexual abuse**. Information and advice to children should be:
 - ▶ Tailored to children's age and maturity;
 - ▶ In a language they understand;
 - ▶ Sensitive to gender and culture;
 - ▶ Giving children printed and non-verbal information material when they arrive is a helpful preventive measure;
 - ▶ When possible, relevant information and tools should be developed in collaboration with child and youth groups.

Information children need upon arrival

Children may feel overwhelmed if given too much information. It is important to identify key information that must be given to the child promptly upon their arrival and information that can be given once their basic needs have been met.

Make sure that the child understands:

- ▶ they have the right not to be pushed back: everyone should be protected from being pushed back. For children this means they should not be sent to another country before an individual assessment of their best interests.

14. For more information on how Parties to the Lanzarote Convention have put in place protocols addressing the issue of missing children, including examples of promising practices, see [Compliance report concerning Recommendation 35 on cross-border missing children](#)

- ▶ they have the right to a life free from violence: nobody is allowed to beat or hurt them and if it happens it is illegal, they can ask for help and the perpetrators should be punished.
- ▶ they have the right to have their basic needs met.
- ▶ they are entitled to special protection, such as the appointment of a guardian, access to age-appropriate accommodation and education.
- ▶ where they will be moved to a reception centre, or another state (for example under a relocation agreement or family reunification procedure).
- ▶ that they should promptly make themselves known to authorities to be registered as a child to avoid being considered as an adult: border guards can play a particularly important role here by informing children that they have specific rights and protections.
- ▶ why their fingerprints are taken and what happens with this data afterwards: explain to the child that fingerprints are part of the identification procedures and not a punishment or a constraint.
- ▶ what procedures will apply and the consequences of registering as a child or an adult, including preliminary information about family reunification, internal relocation procedures within the state and the European relocation procedure.

Other practical information for professionals is available in the Council of Europe manual [How to convey child-friendly information to children in migration: A Handbook for frontline professionals \(2018\)](#)

7. Ensuring **professionals are able to inform and provide advice to children**, including by raising their awareness, carrying out capacity building and making available tools and communication materials for them to distribute to children.
8. **Screening all persons in contact with children** to verify whether they have been convicted of acts of child sexual exploitation and/or sexual abuse. These include the front-line persons they are met by upon arrival, and any guardians, foster families or other caregivers they may be assigned to. This also includes all volunteers, interpreters and teachers carrying out activities with children. If a person has been convicted of sexual offences against a child, they should be denied access to professional and volunteer activities with children.

Relevant promising practices put in place by Parties to the Lanzarote Convention

On information and advice to children¹⁵

Austria

The project “*Courageous Girls -Violence Prevention Workshops for Girls and Young Women 2019*” of the association “*Wendepunkt - Women for Women and Children*” aims, amongst other things, at the sustainable anchoring of a “strong” image of women among girls and young women as well as on the examination of gender stereotypes and partnership models. The projects “*Transcultural Violence Prevention and Health Promotion*” and “*Violence Prevention in the Transcultural Classroom*” by the “*samara - Association for the Prevention of Sexual Violence*” develop and implement specific concepts for the prevention of violence for teachers, girls and boys and their parents with a migration background, funded by the Federal Ministry of Labour, Social Affairs, Health and Consumer Protection.

Czech Republic

The Facility for minor foreigners based in Prague, which carries out institutionalised support for unaccompanied minors, provides information and advice concerning prevention of and protection from sexual exploitation and sexual abuse in cooperation with NGOs in the form of workshops where both theoretical information and practical demonstrations on how to act in situations at risk are provided. Prevention is mainly targeted to trafficking in human beings as children affected by the refugee crisis might often be victims of it. The NGO Children Crisis Centre produces prevention materials in the form of short comic books adapted to children’s age and maturity.

Germany

The [Minimum Standards for the Protection of Refugees and Migrants in Refugee Accommodation Centres](#) have been published in the context of the National Initiative for the protection of refugees and migrants living in refugee accommodation centres. Under “Minimum Standard 3. Internal structures and external cooperation”, there is information about “Availability of a basic package of courses and counselling services”. These services

15. For more information on how Parties to the Lanzarote Convention have put in place awareness raising activities addressed to refugee children, including examples of promising practices, see [Compliance report concerning Recommendation 15 on information and advice to children](#)

should include “Courses and other event formats for residents that cover a range of topics – such as forms of violence and exploitation, counselling in case of problems with violence and the consequences of violence, legal information, women’s rights, equality of women and men, health and access to the health system, specialised, psycho-social care, women’s health, non-violent methods for children’s upbringing, preventive work with parents, German culture and the cultures of other groups of residents, the German regulatory, assistance and social system, children’s rights, the work and services of the youth welfare office, sexual and gender diversity, and the rights of persons with disabilities – will take place regularly and are open for all residents. Failing that, residents will be referred to appropriate external offers”. The Minimum Standard 3 provides that: “Information about rights, confidentiality, counselling options and further assistance must be communicated in a way that is easily accessible, comprehensible, age-appropriate and gender-specific, and available in all necessary languages as well as in plain language and in pictograms. Sex and gender-specific information directed to residents are to be displayed in safe locations. Information about helplines, flyers, brochures and addresses of women’s counselling services should for example be posted in women’s restrooms, and appropriate information for children should be accessible in rooms reserved for childcare or in other places created for children.” Minimum standards are applicable to all children up to 18 years of age, who live in Refugee Accommodation Centres.

On the exchange of information on awareness raising¹⁶

Hungary

At the level of courts, various national, regional and local trainings are provided annually for the exchange of information, an increase of preparedness and good communication with children. Courts are also represented in several international study visits and conferences for establishing a coordinated approach. 186 judges, 84 assistant judges and 14 clerks obtained a certificate as a lawyer specialised in juvenile cases, which focuses on child-friendly procedures, including by taking into account the best interest of the child.

16. For more information on how Parties to the Lanzarote Convention are carrying out exchange of information on awareness raising activities, including examples of promising practices, see [Compliance report concerning Recommendation 17 on exchange of information on awareness raising](#)

Examples of exchanges include:

- ▶ 29-31 March 2017, Study visit in Düsseldorf (administrative procedure, asylum, environment protection, tax law, social court), organised by North Rhine-Westphalia-Hungary joint committee cooperation;
- ▶ 06-07 April 2017, Cybercrime project – Sexual exploitation of children online, organised by the Academy of European Law;
- ▶ 28-29 August 2017, 10-14 June and 10-13 September 2018, Interrogation technique for traumatised children - police training;
- ▶ 02-03 November 2017, EU Asylum Law, European Judicial Training Network;
- ▶ 14 May 2018, interrogation of children – the Belgian practice, organised by the National Policy Headquarters;
- ▶ 21-24 May 2019, Child trafficking, organised by the European Union Agency for Law Enforcement Training;
- ▶ 27-31 January 2020, Cyber Crime and Child Exploitation Investigations, organised by the Budapest International Law Enforcement Academy; Anti-corruption Series Trafficking in Person Course (11-15 November 2019).

Latvia

The State Police implements recommendations to protect foreign children within the framework of the [European Multidisciplinary Platform Against Criminal Threats](#) (EMPACT) platform, focusing on trafficking in human beings, where every year there are activities through Joint Action Days. One of EMPACT's sub-priorities is child sexual exploitation, including also the exploitation of children affected by the refugee crisis.¹⁷ Latvia is also participating in the work of the Expert group on children at risk (CAR) established by the Council of the Baltic Sea States (CBSS). CAR together with CBSS secretariat have been implementing a series of relevant international projects such as [PROTECT: children on the move](#) and [PROMISE](#) on the Barnahus Initiative.

Romania

Directive no. 49/2011 foresees that at the level of every county and district of Bucharest an Intersectoral County Team (ICT) for the prevention and combat of violence against children is established. Its main role is prevention.

17. See for example EUROPOL (2018) *Criminal networks involved in the trafficking and exploitation of underage victims in the European Union*, The Hague, October 2018, Document Ref. No: 1001370.

ICT is established by decision of the County council and has members from the General Directorate for Social Assistance and Child Protection (GDSACP), police, health, education, labour inspectorate and NGOs. During 2016-2018, the following exchange information on awareness raising activities were carried out by ICTs with specifically focus on child victims of violence, including children affected by refugee crisis, with respect to sexual exploitation and sexual abuse:

- ▶ 2016: Transnational project Romania – Sweden for supporting families; and Support for children and youth in Europe affected by sexual violence, training course organised by Bedfordshire University, both at international level; and
- ▶ 2017: Child sexual abuse, training course organised by International Catholic Child aid Bureau and Save the Children Romania, carried out at national level.

On the prevention of the phenomenon of missing children¹⁸

116 000 hotline

The 116 000 hotline for Missing Children is operating in 32 countries across Europe. The hotline provides a free and 24/7 service to children (at risk of) going missing and their families. Anyone involved in a case of child disappearance (the child, a peer, a friend, a family member, carer or teacher) can call 116 000 and receive immediate emotional, psychological, social, legal and administrative support. In most member states, the services can also be reached through a variety of different text-based communication platforms such as a chat service.

Croatia

Data on missing children, including migrant children, are made public [online](#). This includes data on the total number of children affected by the refugee crisis, for both accompanied and unaccompanied children. Namely, if the children are placed in open facilities and if the facility reports the disappearance of a child, any such reported disappearance is entered into the system without delay. Unaccompanied children are considered a category at risk to go missing and special attention is paid to them through

18. For more information on how Parties to the Lanzarote Convention have put in place protocols addressing the issue of missing children, including examples of promising practices, see [Compliance report concerning Recommendation 35 on cross-border missing children](#)

the exercise of the right to special acceptance and procedural guarantees during the procedure of granting international protection in the Republic of Croatia. All applicants for international protection exercise the right to freedom of movement in the Republic of Croatia, and in cases of wilful abandonment of assigned accommodation, the competent police station is notified and takes further action.

Austria

The Ministry of Interior responds to the phenomenon of cross-border missing children through the established Identification, Documentation, Tracing and Reunification (IDTR) process. In the context of the 2015 refugee crisis, a number of prevention protocols and practices were put in place. This included training Austrian Airlines flight attendants to identify potential child victims of human trafficking, and, in cooperation with a towing organisation in Athens, towing of children aged between 6 months and 11 years on Austrian Airlines and Aegean Airlines from Athens to Vienna to protect them from potential risks on the land route. Another implemented practice was the organisation of checks at the border checkpoint SPK Schwechat, in case of suspicion of a child being abducted and/or sexually exploited or abused.

Identifying and reporting child victims of sexual exploitation and sexual abuse in crisis and emergency situations

What does the Lanzarote Convention say?

On verifying the age

Article 11§2 – Principles

(...)

2. Each Party shall take the necessary legislative or other measures to ensure that when the age of the victim is uncertain and there are reasons to believe that the victim is a child, the protection and assistance measures provided for children shall be accorded to him or her pending verification of his or her age.

On sexual violence

Article 18 – Sexual abuse

1. Each Party shall take the necessary legislative or other measures to ensure that the following intentional conduct is criminalised:

a. (...)

b. engaging in sexual activities with a child where:

- ▶ use is made of coercion, force or threats; or
- ▶ abuse is made of a recognised position of trust, authority or influence over the child, including within the family; or
- ▶ abuse is made of a particularly vulnerable situation of the child, notably because of (...) a situation of dependence.

On identifying children as victims of sexual violence

Article 35 – Interviews with the child

1. Each Party shall take the necessary legislative or other measures to ensure that:

- a. interviews with the child take place without unjustified delay after the facts have been reported to the competent authorities;
- b. interviews with the child take place, where necessary, in premises designed or adapted for this purpose;
- c. interviews with the child are carried out by professionals trained for this purpose;
- d. the same persons, if possible and where appropriate, conduct all interviews with the child;
- e. the number of interviews is as limited as possible and in so far as strictly necessary for the purpose of criminal proceedings;
- f. the child may be accompanied by his or her legal representative or, where appropriate, an adult of his or her choice, unless a reasoned decision has been made to the contrary in respect of that person.

On reporting suspicion of sexual exploitation or sexual abuse

Article 12 – Reporting suspicion of sexual exploitation or sexual abuse

1. Each Party shall take the necessary legislative or other measures to ensure that the confidentiality rules imposed by internal law on certain professionals called upon to work in contact with children do not constitute an obstacle to the possibility, for those professionals, of their reporting to the services responsible for child protection any situation where they have reasonable grounds for believing that a child is the victim of sexual exploitation or sexual abuse.

2. Each Party shall take the necessary legislative or other measures to encourage any person who knows about or suspects, in good faith, sexual exploitation or sexual abuse of children to report these facts to the competent services.

On data collection

Article 10 - National measures of co-ordination and collaboration

1. Each Party shall take the necessary measures to ensure the co-ordination on a national or local level between the different agencies in charge of the

protection from, the prevention of and the fight against sexual exploitation and sexual abuse of children, notably the education sector, the health sector, the social services and the law-enforcement and judicial authorities.

2. Each Party shall take the necessary legislative or other measures to set up or designate:

a. (...)b. mechanisms for data collection or focal points, at the national or local levels and in collaboration with civil society, for the purpose of observing and evaluating the phenomenon of sexual exploitation and sexual abuse of children, with due respect for the requirements of personal data protection.

Challenges that you should be aware of

Identifying and reporting child victims of sexual exploitation and/or sexual abuse is crucial to ensure that children are protected and receive the necessary support as early as possible. However, this is also a task that imposes different challenges to Parties, especially in crisis and emergency situations, as below:

- ▶ Throughout Europe, the identification and registration of children affected by crisis and emergency situations is often incomplete and inaccurate. In some cases, children can only be identified as such after age verification and they may, as a result, be treated as adults until the age assessment procedure is completed. This entails the risk of them being placed in reception facilities with adults only.
- ▶ With regards to sexual exploitation and/or sexual abuse, the fact that it can happen to children before or after they have reached their final destination, makes it more difficult for authorities to guarantee the effective and rapid identification of actual and potential child victims.
- ▶ The children have generally already suffered from some form of trauma in their country of origin. Should this trauma be aggravated by sexual violence inflicted on them during their journey, children will have even greater difficulties disclosing their abuse to authorities who do not necessarily speak the same language or have the same cultural background and with whom, consequently, they do not have a trust-based relationship.
- ▶ During the previous refugee crisis that affected the European continent in a significant way, there were few recorded cases of sexual exploitation and/or sexual abuse, which indicates a lack of capacity or of an appropriate identification mechanism, as well as a lack of systematic and dedicated data collection.

- ▶ Without recorded data of child victim identification, prevention and protection measures cannot be activated or can stop immediately after a child moves from one country to another.

What identification and reporting actions can be put in place?

Parties have the obligation to take all the necessary legislative or other measures to identify and report children who may have been victims of sexual exploitation and sexual abuse. The following measures may be put in place, as well as other, as applicable and necessary:¹⁹

1. **Registration of children** entering or moving through countries.²⁰
2. **Adoption of appropriate age assessment procedures.** Should there be any doubt over a child's age, they should initially be considered as children and consequently accorded all the protective measures due to them, while verification procedures are being performed.
3. **Adopt guidelines and protocols to identify victims of sexual exploitation and sexual abuse and share them amongst all responsible authorities.**
4. **First interviews** with all asylum-seeking children should include special attention as to whether the child is a victim or a potential victim of sexual exploitation and/or sexual abuse. To encourage children to disclose any abuse, the methods used by professionals for counselling, interviewing and reporting, need to be child-sensitive, safe, and known to all children in transit. By creating a safe and trustworthy environment, children will be more willing to break any pre-conceived perceptions they may have as to the consequences of their disclosure and therefore report their abuse.
5. **Inform children about their right to protection from sexual abuse and sexual exploitation** promptly upon arrival and, as necessary, in a manner tailored to their age, maturity and gender and in a language they understand.

19. For more detailed guidance, standards and tools, please see *Annex 1*.

20. For more guidance on registration and safe migration routes, please see GRETA's [Guidance Note on addressing the risks of trafficking in human beings related to the war in Ukraine and the ensuing humanitarian crisis](#). Page 3.

Denmark

When an unaccompanied minor asylum seeker is considered a potential victim of trafficking of human beings, this will be examined, and a decision will be made as soon as possible due to the minor's vulnerability. If a minor is formally considered a victim of trafficking in human beings, he/she will receive a written decision by the Asylum Unit of the Danish Immigration Service (DIS). In the decision, information will be provided to the victim that the DIS can offer him/her access to a wide range of psychological, legal and socio-educational facilities and to health-promoting treatment. It is also made aware to the victim that he/she may contact the staff at his/her asylum centre if assistance is needed, and that he/she has the opportunity to be accommodated at a crisis centre if this is his/her wish. Moreover, in the decision a contact person is also appointed to the victim, who will act to guide and support him/her. The contact person is from the Danish Centre against Human Trafficking (CMM). At the same time, the decision that a minor is formally considered a victim of trafficking in human beings is provided to the minor's personal representative appointed by the Agency of Family Law, so that it will be assured that the minor receives all necessary information and guidance. Information about the decision is also provided to the Accommodation and Assistance Division Unit of the DIS, who contacts CMM who then appoints the contact person. From this stage, the Accommodation and Assistance Unit and CMM are in charge of the different initiatives to ensure the proper care for the victim. As a main rule when talking to all minors, the Danish Immigration Service always try to communicate in a manner adapted to the minors' personal circumstances. Should a minor have special needs due to the experienced sexual trauma e.g. gender of the caseworker or interpreter, the Danish Immigration Service will try to meet these needs if applicable.

6. **Set up a system for reporting child victims of abuse.**
7. **Ensure that there is an obligation for all professionals to report any sexual exploitation or abuse against children and put in place appropriate reporting and referral mechanisms.**
8. **Train all relevant professionals** (including interpreters, social workers, the police and volunteers) dealing with children affected by crisis and emergency situations, ensuring they have the necessary skills and competencies.
9. **Training for professionals working in contact with children**, should include:

- ▶ How to identify victims of sexual exploitation of sexual abuse;
 - ▶ How to report or activate referral mechanisms for the examination and/or interviewing of child victims;
 - ▶ How to communicate with children in a child-friendly manner;
 - ▶ How to recognise when a child is unable to explicitly articulate a concrete fear or abuse and respond to the risks that they child may be exposed to.
10. **Put in place adequate data collection mechanisms, including indicators.** Data should be collected as early as possible and different categories of children concerned should be identified (i.e. asylum-seeking children, unaccompanied children, children in transit, displaced children, etc.). Any information on how many of these children have been sexually exploited and/or sexually abused should be collected as well. Obstacles to data collection on child victims of sexual violence or the fact that such data cannot be disaggregated in light of crisis and emergency situations should be identified and removed.

Relevant promising practices put in place by Parties to the Lanzarote Convention

On mechanisms of data collection²¹

Bulgaria

The State Agency for Refugees (SAR) (Council of Ministers) is able to provide information, which is available, to the child protection authority for data collection. SAR collects monthly statistics on the number of asylum seekers identified as vulnerable. In August 2018, SAR began collecting and reporting separate statistics for victims of psychological, physical and sexual violence.

Cyprus

All cases of sexual abuse and or sexual exploitation of children are referred to the Children's House (Barnahus), since its establishment in 2017. All relevant statistics are kept in the Children's House. The Social Welfare Services in cooperation with the Children's House are partners to the European Project "CAN-MDS II" Coordinated Response to Child Abuse and Neglect via a Minimum Data Set: from planning to practice.

21. For more information on how Parties to the Lanzarote Convention have put in place data collection mechanisms concerning refugee children, including examples of promising practices, see [Compliance report concerning Recommendation 7 on mechanisms for data collection](#)

Italy

The Observatory for the fight against paedophilia and child pornography, established at the Presidency of the Council of Ministers by Law 38/2006, has among its tasks to acquire and monitor data and information relating to the activities carried out by all public administrations in the field of prevention and fight of the phenomenon of sexual abuse and sexual exploitation of children. Article 17, paragraph 1-bis, of Law No. 269 of 3 August 1998, as amended by Law No. 38 of 6 February 2006, authorises the establishment at the Observatory of a database to collect, with the contribution of data provided by other central administrations, all the information useful for monitoring the phenomenon of sexual abuse and sexual exploitation of children. The Observatory's Database represents a unicum in the panorama of systems dedicated to knowledge on this specific topic because it succeeds for the first time in providing an information offer, in a single database, of data derived from several sources. To date, the database contains data provided by the Ministry of the Interior, the Department of Juvenile Justice of the Ministry of Justice and the Italian Statistical Office (ISTAT). With regard to the national data on sex offenders and victims collected by the Ministry of Justice, these data are distinguished between Italians and foreigners as regards both perpetrators and victims.

On the use of data for a coordinated approach between responsible agencies²²

Iceland

Child Protection Authorities in Iceland have responsibilities to all children staying in the country, including migrant children, offering them the same level of protection. Iceland has formal mechanisms for data collection on all child protection cases in the country, including cases of sexual exploitation and sexual abuse. Iceland is currently working to improve data collection even further by developing a nation-wide electronic database. In January 2020 Iceland established a special Centre on Violence against Children, under the auspices of the Government Agency for Child Protection. One of the main focuses of the Centre will be data collection on all forms of violence, prevention and effective protection measures.

22. For more information on how Parties to the Lanzarote Convention have put in place a coordinated approach between responsible agencies, including examples of promising practices, see [Compliance report concerning Recommendation 37 on a coordinated approach between responsible agencies](#)

Serbia

The Public Prosecution Office is cooperating with all relevant state authorities and civil society organisations. In 2012 and 2013, the Office signed Memorandums of Understanding with Astra, an organisation for combatting all forms of exploitation and trafficking in human beings, especially women and children and Atina, a citizen's association for combatting human trafficking and all forms of gender based violence, regarding the collection of data and exchange of information in cases of trafficking in human beings, work in the field of prevention, as well as, the promotion of rights of victims of human trafficking.

Sweden

In January 2016, the County Administrative Boards of Sweden were given a government assignment concerning missing unaccompanied children. The County Administrative Boards were assigned to, in cooperation with other relevant authorities and actors, conduct a national mapping of missing unaccompanied children and propose measures to the government to prevent their disappearances. In 2016, the County Administrative Boards of Sweden therefore conducted a mapping of unaccompanied children who went missing in the period 2013-2016. According to the report *Lost in Migration – A Report on Missing Unaccompanied Minors in Sweden*, unaccompanied children in the arrival phase were especially at risk of going missing. Results and methods have been spread to authorities, municipalities, county councils and other concerned actors. In 2018, the County Administrative Boards received an extension to the assignment. Before the end of the year every county was assigned to (in cooperation with other actors) produce regional procedures and guidelines on prevention and response to missing unaccompanied children.

Providing support to child victims of sexual exploitation and sexual abuse in crisis and emergency situations

What does the Lanzarote Convention say?

Article 2 – Non-discrimination principle

The implementation of the provisions of this Convention by the Parties, in particular the enjoyment of measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, state of health, disability or other status.

Article 5 – Recruitment, training and awareness raising of persons working in contact with children

(...)

2. Each Party shall take the necessary legislative or other measures to ensure that the persons referred to in paragraph 1 [persons who have regular contacts with children in the education, health, social protection, judicial and law-enforcement sectors and in areas relating to sport, culture and leisure activities] have an adequate knowledge of sexual exploitation and sexual abuse of children, of the means to identify them and of the possibility mentioned in Article 12, paragraph 1.

(...)

Article 11 – Principles

2. Each Party shall take the necessary legislative or other measures to ensure that when the age of the victim is uncertain and there are reasons to believe that the victim is a child, the protection and assistance measures provided for children shall be accorded to him or her pending verification of his or her age.

Article 13 – Helplines

Each Party shall take the necessary legislative or other measures to encourage and support the setting up of information services, such as telephone or Internet helplines, to provide advice to callers, even confidentially or with due regard for their anonymity.

Article 14 – Assistance to victims

1. Each Party shall take the necessary legislative or other measures to assist victims, in the short and long term, in their physical and psycho-social recovery. Measures taken pursuant to this paragraph shall take due account of the child's views, needs and concerns.

2. Each Party shall take measures, under the conditions provided for by its internal law, to co-operate with non-governmental organisations, other relevant organisations or other elements of civil society engaged in assistance to victims.

3. When the parents or persons who have care of the child are involved in his or her sexual exploitation or sexual abuse, the intervention procedures taken in application of Article 11, paragraph 1, shall include:

- ▶ the possibility of removing the alleged perpetrator;
- ▶ the possibility of removing the victim from his or her family environment. The conditions and duration of such removal shall be determined in accordance with the best interests of the child.

(...)

Article 30 – Principles

1. Each Party shall take the necessary legislative or other measures to ensure that investigations and criminal proceedings are carried out in the best interests and respecting the rights of the child. (...)

Article 38 – General principles and measures for international co-operation

1. The Parties shall co-operate with each other, in accordance with the provisions of this Convention, and through the application of relevant applicable international and regional instruments, arrangements agreed on the basis of uniform or reciprocal legislation and internal laws, to the widest extent possible, for the purpose of:

(...)

b. protecting and providing assistance to victims.

Challenges that you should be aware of

Although all children, whether on the move or not, should benefit from the child protection system currently in place, when significant numbers of children enter countries as a consequence of crisis and emergency situations, this poses additional challenges and countries may struggle to provide the necessary protection to child victims of sexual exploitation and sexual violence. Some of the challenges may include:

- ▶ Existing child protection systems may need to be adapted and/or specific measures may be adopted to respond to the needs of children in crisis and emergency situations. This includes the enhanced risks to sexual exploitation and sexual abuse due to higher exposure to smugglers, separation from families, kidnapping and other serious child rights violations.
- ▶ Since children, irrespective of their status as victims, are placed in different types of reception facilities for unknown periods of time, the measures taken to cater for their needs vary considerably and as result, child victims of sexual exploitation and sexual violence may be unable to benefit from the appropriate care and assistance they need.
- ▶ With limited screening and training, the role and responsibilities of guardians and other professionals differ across countries in Europe, resulting in the absence of harmonised approaches and negative consequences for the child victim,²³ especially in cases where key decisions based on their best interests need to be taken on their behalf.
- ▶ This lack of co-ordination not only increases the risks of migrant and asylum-seeking children falling victim to trafficking,²⁴ it also means identified child victims fail to receive the same type of care from one country to another.
- ▶ Generally, appointing a guardian to child victims of sexual abuse and sexual exploitation is not necessarily systematic and if organised, can often be delayed or communication with the child is hampered by a lack of interpreters.²⁵

23. UN High Commissioner for Refugees (UNHCR), *The Way Forward to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe*, July 2017, p. 17; last accessed 02/05/2022.

24. Council of Europe: Group of Experts on Action against Trafficking in Human Beings, *6th General Report on GRETA's Activities*, March 2017; last accessed 02/05/2022.

25. *Ibid*, p. 44.

- ▶ This limited communication can have disastrous consequences for the child victim and can impact the child's disclosure in revealing whether and when he or she has suffered from exploitation and trafficking by organised criminal networks or by a person in a recognised position of trust, authority or influence, such as, their accompanying adult, caretakers and/or their family. The Council of Europe's Group of Experts on Action against Trafficking in Human Beings report that when repatriated to their home country, child victims are sometimes handed over to their families, even when it is known they were trafficked with active collusion from family members or relatives.²⁶
- ▶ A child's disclosure represents the most valuable source of information on which a whole case may rest. In the context of crisis and emergency situations, children may have to tell their story repeatedly to different professionals throughout their journey. As a consequence, their account of events may not follow a logical sequence and might appear contradictory.²⁷ If authorities fail to give the child the opportunity to disclose or use inappropriate interview techniques and adverse facilities to interview the child during proceedings, it will prevent the child victim from receiving the urgent protection he or she may need and may well impact on the decisions made regarding his or her future wellbeing.

What protection actions can be put in place

Parties have the obligation to take all the necessary legislative or other measures to provide support to children who may have been victims of sexual exploitation and sexual abuse. The following measures may be put in place, as well as other, as applicable and necessary:

1. **Information to children:** All children affected by crisis or emergency situations and especially those identified as victims of sexual violence, need to have information on their rights, on care facilities and on procedures available to them in a language they understand and that is culturally and gender appropriate.²⁸

26. *Ibid*, p. 35.

27. Resiland: KMOP and Defence for Children International, *Orientations for professionals and officials working with and for children on the move*, October 2015, p. 33; last accessed 02/05/2022.

28. For reference, please see *Council of Europe How to convey child-friendly information to children in migration: A Handbook for frontline professionals (2018)*.

2. **Setting up effective complaint mechanisms and support services, such as helplines**, to report any kind of abuse or reach out for help, with attention to:
 - a. The service in place being available in a language understandable by the children concerned, other than the official language(s) of the host country;
 - b. The service(s) being available for both children and persons wishing to help them;
 - c. The service(s) in place providing advice to callers confidentially or with due regard for their anonymity;
 - d. The service in place being as widely available as possible.
3. **Put in place appropriate support such as therapeutic assistance and emergency psychological care**, to be offered to the children concerned, immediately after the disclosure of sexual exploitation and sexual abuse. Support and assistance should be applied in child-friendly spaces and settings where children are treated in a child-appropriate manner and their views and best interests taken into account.

The Barnahus Initiative: helping child victims of sexual violence under one roof

Barnahus (Children's House) is the leading European response model for child sexual abuse. It was first developed in Iceland in 1998 and is being implemented all over Europe now. Its unique interagency approach brings together all relevant services under one roof for the purposes of providing the child a coordinated and effective response and for preventing re-traumatisation during investigation and court proceedings. The central goal is to coordinate the parallel criminal and child welfare investigations. A key role of the service is to help produce valid evidence for judicial proceedings by eliciting the child's disclosure. The child also receives support and assistance, including medical evaluation and treatment and therapeutic evaluation and treatment.

Key common criteria of Barnahus include:

- 1) Forensic interviews are carried out according to an evidence-based protocol;
- 2) The evidentiary validity of the child's statement is ensured by appropriate arrangements in line with the principles of "due process";

- 3) Medical evaluation for forensic investigative purposes, as well as to ensure the child's physical well-being and recovery, is available;
- 4) Psychological support and short and long-term therapeutic services for trauma to the child and non-offending family members and caretakers are available;
- 5) Assessment of the protection needs of the victim and potential siblings in the family is made.

The Lanzarote Committee identified the Icelandic Barnahus model as a good practice example of response to child sexual violence in its 2015 implementation report. As a follow up to this report, the Council of Europe has supported several states in setting up a Barnahus. Today, this model is becoming one of the key success factors of states committed to supporting child victims of violence. The current projects can be explored on the [website of the Children's Rights Division](#).

4. **Appointment of legal guardians** to safeguard the child victims' best interests and specific needs, regardless of their age. The guardian, who needs to be independent from migration and asylum authorities, has to provide support both on an everyday basis and/or for helping with legal issues. To help build trust with the child, the guardian should have no conflict of interest with the child and must be trained to understand the contextual specificities of the experiences that the children have been through. Guardians, as well as all personnel (professional or voluntary) working towards supporting child victims should be screened to verify whether they have been convicted of acts of child sexual exploitation and/or sexual abuse and thus guarantee the best possible protection to the child.
5. **Adopt common tools, standards and procedural steps for all agencies working to protect child victims**, to ensure that all persons working in the context of the crisis or emergency situations follow the same set of guidelines and do not overlook certain questions that may be relevant for protecting child victims of sexual violence.
6. **Ensure the appropriate coordination of all agencies, including the right to share information.** The agencies involved in coordinating the protection of child victims of sexual abuse and sexual exploitation should also be allowed to share personal information, as appropriate and in accordance with national law. This means that child victims will benefit from similar types of support through the whole of their journey and have their needs identified and taken care of in a consistent way.

7. **Provide safe placements for minimising the danger of victimisation or revictimisation** of sexual abuse, guardians should, where appropriate, prioritise for the child:
 - ▶ family reunification;
 - ▶ foster care, supervised independent accommodation for older children or other forms of non-institutional care;
 - ▶ institution placement in small scale units.
8. **Reinforce cross-border cooperation** to verify, among other, the identity of adults accompanying children, and to carry out family reunification of unaccompanied children without undue delay.

On the establishment and functioning of helplines to child victims²⁹

Germany

The [Sexual Abuse Helpline](#) is run by the Independent Commissioner for Child Sex Abuse Issues, a nationwide, free and anonymous helpline for victims of sexual abuse and those who are close to them, as well as for people involved in the social environment of children, for professionals and for those interested in the topic. Apart from offering advice over the phone and in writing, the team also has an [online service](#) for young people. The helpline is open to all age groups. The entire team has been specially trained in the special techniques of providing counselling to children and juveniles. Furthermore, many of the counsellors come from a specialist background in dealing with children and juveniles (e.g. child and juvenile psychotherapists) and are familiar with the issues of child pornography, child prostitution and child trafficking (e.g. child and juvenile psychotherapists with experience in dealing with victims of organised and ritual sexual violence). The helpline was undergoing development to ensure that the needs of people with disabilities are also optimally covered by the counselling service.

France

The online participatory platform [réfugiés.info](#) was developed in 2019 by the interministerial delegation for the reception and integration of refugees (diAir) and is available in seven relevant languages. The website provides thematic sheets on daily life, rights, health, social and professional support. Abused children can also access the [Allô enfance en danger helpline](#). This

29. For more information on how Parties to the Lanzarote Convention have put in place helplines and other services addressed to refugee children, including examples of promising practices, see [Compliance report concerning Recommendation 32 on helplines to child victims](#)

free number (119), available 24 hours a day, 7 days a week, is aimed for child victims of psychological, physical and sexual violence or for witnesses of violence against children. Additionally, in the case of illiteracy, children still have the opportunity to access the content of the platform thanks to an audio reading module.

Slovak Republic

Multiple helplines are available to child victims, including the telephone line for reporting abuse of the social system and neglect of care, available on number 0800 191 222. The helpline is toll-free and managed by the Central Office of Labour, Social Affairs and Family. The provision of information, assistance and advice is also provided by other telephone helplines. Child victims can reach out to Child Safety Line, CHSL- UNICEF – 0800 116 111, which is part of the associated helpline [Pomoc.sk](#) within the project [Zodpovedne.sk](#), supported by the European Commission under the Connecting Europe Facility programme. For victims of trafficking, a free National Helpline for Victims of Trafficking in Human Beings is operated by the Slovak Catholic Charity (0800 800 818). It can also be contacted by children who have been victims of, for example, sexual exploitation. The [helpline 116 000](#) on Missing Children is available as well. For the needs of crisis intervention, the 24-hour availability of the employees of the authorities – the departments of social and legal protection of children and social guardianship - is ensured. The child Safety telephone line 116 111 is available 24 hours a day, 7 days a week, while the online chat with an operator is provided daily from 18:00 to 22:00.

On the protection of child victims and the effective collaboration between national agencies³⁰

Cyprus

In the context of the previous refugee crisis, Cyprus prepared a national action plan by the Ministry of Interior in cooperation with all the relevant Ministries/ Departments to address the situation caused by the massive influx of persons in need of protection, arriving in the territory of the Republic of Cyprus. The National Action Plan determined the procedures on how to prepare, equip and provide training to professionals, and on interagency cooperation between government departments, services, international organisations

30. For more information on how Parties to the Lanzarote Convention have put in place protection measures addressed to refugee children, including examples of promising practices, see [Compliance report concerning Recommendation 13 on coordination and collaboration of different actors](#), requirement 1.

and NGOs. Through the Action Plan, early detection of vulnerable groups of people, including unaccompanied minors, families and children at risk, was possible since all the relevant actors (i.e. Social Welfare Services, Asylum Services, Immigration Office, Health Services, Civil Defence, Red Cross, etc.) came together from the time of their entry to the Republic of Cyprus. At the point of entry, persons in need of protection were provided with the essentials, a registration took place and an initial screening was undertaken, aiming towards the identification of persons that possibly belonged to such vulnerable groups, so that any special needs are taken into consideration during later procedures. Unaccompanied minors were taken into the care of the Director of Social Welfare Services, who acted 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 were placed in foster or residential care.

The Social Welfare Services continue their cooperation with families and children that might have been detected as being at risk in order to further examine the cases and provide support and counselling services. Also, they work in close cooperation with the Asylum Service and the Kofinou Reception Centre. All Officers who come into contact with children (including unaccompanied children), receive training on issues concerning children in migration, children at risk, etc. Specifically, the Republic of Cyprus participates in [European Asylum Support Office](#) (EASO) Support Plan, which includes training of professionals on issues of migration.

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.

Additionally, a National Strategy on the Prevention and Combating of Sexual Abuse and Sexual Exploitation of Children and Child Pornography was adopted by the Council of Ministers on 21st of March 2016. Within the framework of the National Strategy, the Children's House has been established, since September 2017 by the Ministry of Labour, Welfare and Social Insurance and operates as a unique entity of four governmental services (the Social Welfare Services, the Police, the Mental Health Services, the Ministry of Education and Culture) and an NGO. Child-friendly services are provided to children victims, based on a multidisciplinary/interagency

approach. The Children's House established in Cyprus is based on the successful Barnahus model, which considers well-being, prevention and protection as priority keys in relation to children victims of sexual abuse and/or exploitation. The Ministry of Labour, Welfare and Social Insurance, through the Social Welfare Services is responsible for the monitoring and funding of the Children's House and has appointed "Hope for Children" CRC Policy Centre to undertake its operation in close collaboration with the SWS, Cyprus Police, Ministry of Health and Ministry of Education. Whilst bringing all relevant services together under the same roof, the environment of the Children's House is child-friendly and safe so as to facilitate a right to be heard and to fulfil the best interests of the child, both principles enshrined in the UNCRC. This multidisciplinary and interagency approach avoids undue delays and secondary or repeated victimisation of the child. The services provided are the following: forensic interviews, medical examinations, social support and rehabilitation, psychological evaluation, psychological support and therapy, family therapy and counselling for parents.

Finland

Different actors within the asylum process cooperate closely. The Immigration Service and reception units share a mutual database to which different actors have access and the possibility to add information on an applicant's case, which enhances co-operation and sharing of information. The Finnish Immigration Service and the reception centre keep timely contact on matters regarding the well-being of children in the asylum process, especially in cases where indicators of (sexual) abuse or exploitation have risen. The Immigration Service may in these cases also contact the reception centre through a specifically designed tool for officials in cases where there is worry of the child's well-being, called the "Worry"- form. If abuse has been detected, other national processes' will be activated by the officials, most importantly informing the social services and the police.

A key player in both identifying sexual abuse but also informing it to authorities is a **good representative**. Finland aims to improve the role and knowledge of representatives through training; a "*Skilled Representative*"-project aims for not only improving the know-how of representatives, but also to improve the communication and collaboration between representatives and especially the Finnish Immigration Service.

Based on Finland's new Government Programme, a Parliamentary Committee will be appointed to prepare a national strategy for children based on the UN Convention on the Rights of the Child. Its task will be to formulate a vision for a child and family-friendly Finland that spans Government terms and crosses administrative boundaries. Common goals will be reached

through cross-sectoral measures promoting child rights-based governance and decision-making and fostering a child and family-friendly society. The Government will assess the impacts of its decisions on children, improve child budgeting, strengthen knowledge about child wellbeing and foster the inclusion of children and young people.

Other relevant initiatives include the national “Psykye”- project (“Psyche”), which aims to enhance the knowledge of reception centres, the Assistance System for Victims of Human trafficking and detention units through training and information material. The TERTTU-project implemented by the Finnish Institute for Health and Welfare (THL) in 2017-2019 aimed to develop the health examination protocol for assessing the health, wellbeing and need for health care services of asylum seekers (including children and youth). Information was gathered in 2018 and the research included 67 youth (between 13-17) and 96 children. As part of the project information was gathered, among other, on violence, sexual violence and Female Genital Mutilation experienced by children and youth prior to arrival in Finland. Personal consent as well as consent by their guardian was required when interviewing children and questions took into account the age and the level of development of the child. Questions related to sexual violence were replied by guardians as regards children under 13.

In November 2019, the Finnish Institute for Health and Welfare (THL), in cooperation with national organisations and authorities published a National Action Plan aiming to prevent sexual abuse and violence against children. Non-violent Childhoods, the new action plan for the prevention of violence against children, contains 93 measures for preventing violence against 0–17-year-old children and youth. It will be implemented in Finland during 2020–2025. In preparation of the Action Plan, a specific focus has been given to the obligations emerging from the legislation and international conventions (including the Lanzarote convention). A steering group, coordinated by THL, will monitor implementation of the targets. The plan covers the prevention of physical and mental violence, sexual violence and online harassment in different growth and operating environments. The action plan is a manual for specialists and students working among children and youth in the social and healthcare services, the police, the education and youth services, the judicial system and organisations. The measures listed in the plan are based on research results and needs that have arisen in the specialists’ work. The manual contains, among other things, checklists and practical measures to prevent and reduce violence. In the prevention of violence, children or youth in especially vulnerable positions are particularly taken into account. Those include, for example, children with disabilities, ethnic or language minorities, asylum seekers,

children and youth in substitute care outside home as well as sexual and gender minorities.

Children affected by the refugee crises are entitled to and provided with the same services and measures as children who have permanent residence in Finland. These measures and services include, *inter alia*, the right to health care and child welfare services. Legal bases are found, for example, in Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings (746/2011), Health Care Act (1326/2010), and in Child Welfare Act (417/2007). These legal acts include also provisions on coordination and collaboration of different authorities. In addition to legislation, THL has launched the *Barnahus*-project in June 2019.

The models for interprofessional cooperation and information sharing between authorities already developed at the National Institute for Health and Welfare (the LASTA model and form) will be introduced nationwide as well as regionally in university hospitals' forensic psychology/psychiatry units in cooperation with other actors. A free e-learning programme will be created to promote early recognition and support with such target groups as early childhood education and care, schools, social services and health care. The numbers and geographic coverage of those who complete the training will be monitored systematically.

Prosecuting offenders and ensuring child-friendly proceedings in crisis and emergency situations

What does the Lanzarote Convention say?

Article 30 – Principles

1. Each Party shall take the necessary legislative or other measures to ensure that investigations and criminal proceedings are carried out in the best interests and respecting the rights of the child.
 2. Each Party shall adopt a protective approach towards victims, ensuring that the investigations and criminal proceedings do not aggravate the trauma experienced by the child and that the criminal justice response is followed by assistance, where appropriate.
 3. Each Party shall ensure that the investigations and criminal proceedings are treated as priority and carried out without any unjustified delay.
- (...)

Article 31 – General measures of protection

1. Each Party shall take the necessary legislative or other measures to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and criminal proceedings, in particular by:
 - a. informing them of their rights and the services at their disposal and, unless they do not wish to receive such information, the follow-up given to their complaint, the charges, the general progress of the investigation or proceedings, and their role therein as well as the outcome of their cases;
 - b. ensuring, at least in cases where the victims and their families might be in danger, that they may be informed, if necessary, when the person prosecuted or convicted is released temporarily or definitively;

c. enabling them, in a manner consistent with the procedural rules of internal law, to be heard, to supply evidence and to choose the means of having their views, needs and concerns presented, directly or through an intermediary, and considered;

d. providing them with appropriate support services so that their rights and interests are duly presented and taken into account;

e. protecting their privacy, their identity and their image and by taking measures in accordance with internal law to prevent the public dissemination of any information that could lead to their identification;

f. providing for their safety, as well as that of their families and witnesses on their behalf, from intimidation, retaliation and repeat victimisation;

g. ensuring that contact between victims and perpetrators within court and law enforcement agency premises is avoided, unless the competent authorities establish otherwise in the best interests of the child or when the investigations or proceedings require such contact.

2. Each Party shall ensure that victims have access, as from their first contact with the competent authorities, to information on relevant judicial and administrative proceedings.

3. Each Party shall ensure that victims have access, provided free of charge where warranted, to legal aid when it is possible for them to have the status of parties to criminal proceedings.

4. Each Party shall provide for the possibility for the judicial authorities to appoint a special representative for the victim when, by internal law, he or she may have the status of a party to the criminal proceedings and where the holders of parental responsibility are precluded from representing the child in such proceedings as a result of a conflict of interest between them and the victim.

5. Each Party shall provide, by means of legislative or other measures, in accordance with the conditions provided for by its internal law, the possibility for groups, foundations, associations or governmental or non-governmental organisations, to assist and/or support the victims with their consent during criminal proceedings concerning the offences established in accordance with this Convention.

6. Each Party shall ensure that the information given to victims in conformity with the provisions of this article is provided in a manner adapted to their age and maturity and in a language that they can understand.

Article 32 – Initiation of proceedings

Each Party shall take the necessary legislative or other measures to ensure that investigations or prosecution of offences established in accordance with this Convention shall not be dependent upon the report or accusation made by a victim, and that the proceedings may continue even if the victim has withdrawn his or her statements.

Article 35 – Interviews with the child

1. Each Party shall take the necessary legislative or other measures to ensure that:

- a. interviews with the child take place without unjustified delay after the facts have been reported to the competent authorities;
- b. interviews with the child take place, where necessary, in premises designed or adapted for this purpose;
- c. interviews with the child are carried out by professionals trained for this purpose;
- d. the same persons, if possible and where appropriate, conduct all interviews with the child;
- e. the number of interviews is as limited as possible and in so far as strictly necessary for the purpose of criminal proceedings;
- f. the child may be accompanied by his or her legal representative or, where appropriate, an adult of his or her choice, unless a reasoned decision has been made to the contrary in respect of that person.

(...)

3. When the age of the victim is uncertain and there are reasons to believe that the victim is a child, the measures established in paragraphs 1 and 2 shall be applied pending verification of his or her age.

Article 36 – Criminal court proceedings

1. Each Party shall take the necessary legislative or other measures, with due respect for the rules governing the autonomy of legal professions, to ensure that training on children's rights and sexual exploitation and sexual abuse of children is available for the benefit of all persons involved in the proceedings, in particular judges, prosecutors and lawyers.

Challenges that you should be aware of

There is limited official data on the number of cases of children who become victims of offences concerning sexual exploitation and sexual abuse, especially in crisis and emergency situations, which has been reiterated by the Lanzarote Committee on several occasions.³¹ This makes it challenging to understand the extent to which offenders are prosecuted and how and if child-friendly proceedings are implemented in such cases. Additional challenges include the following:

- ▶ Many Parties to the Lanzarote Committee refer to international co-operation within the European Union and/or the Council of Europe treaties and conventions. Thus, it is not possible to understand whether they also communicate and exchange information with third Parties, which are outside of the European Union or the Council of Europe, from which children affected by crisis or emergency situations may have arrived, or through which such children may have passed.³²
- ▶ In many Parties, it is unclear whether proceedings may continue even if the child victim has withdrawn his or her complaint. Considering that the most common form of sexual violence children affected by the refugee crisis suffer from is sexual exploitation, and that as a consequence, child victims may find themselves under the influence of the offender who can pressure or threaten them to withdraw their statement, the application of Article 32 of the Lanzarote Convention is of particular importance since it enables *“the public authorities to prosecute offences established in accordance with the Convention without the victim having to file a complaint. The purpose of this provision is to facilitate prosecution, in particular by ensuring that victims do not withdraw their complaints because of pressure or threats by the perpetrators of offences”*.³³

31. Lanzarote Committee [Special Report](#) on Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse, 2017.

32. For more information on how Parties to the Lanzarote Convention have put in place measures on the prosecution of offenders, including examples of promising practices, see [Compliance report concerning Recommendation 12 on prosecution of offenders](#)

33. For more information on how Parties to the Lanzarote Convention have put in place measures to ensure child-friendly proceedings, see [Compliance report concerning Recommendation 31 on child-friendly proceedings](#)

What measures can be put in place to prosecute offenders and ensure child-friendly proceedings

Parties have the obligation to take all the necessary legislative or other measures to prosecute offenders and ensure child-friendly proceedings. The following measures may be put in place, as well as others, as applicable and necessary:

1. **Prosecute perpetrators of sexual offences against children** who are on the territory of the state and seek co-operation with other Parties in situations where the offence took place outside of the territory.
2. **Put in place relevant international cooperation mechanisms.** International cooperation is key: If for example, the offence was committed before the child arrived in the country, authorities are obliged to seek legal cooperation with the country where the crime took place. If the offence took place after arrival, the authorities are responsible for prosecuting the offender.
3. **Ensure child-friendly procedures**, with attention to:
 - ▶ If a child becomes involved in legal proceedings during crisis or emergency situations, specific measures need to be taken such as engaging interpreters and providing information in a language they understand, at each stage of the procedure;
 - ▶ The child should be informed of what is happening to them, if and where they are being transferred and what to expect from the procedure³⁴ and their right to participate in it;
 - ▶ Avoid aggravating the child's trauma. Interviews³⁵ during the trial or pre-trial stages of the proceedings should be carried out as soon as possible, be limited in number, and held in facilities designed and adapted for that purpose, located in a place other than police, hospital or court premises. The possibility of these interviews to be video recorded should be admissible as evidence during the proceedings.³⁶

34. Council of Europe: Roundtable Conference Report, [Child-friendly Information for Children in Migration](#), 29-30 November 2017, p. 6.

35. For additional information on how to carry out child-friendly interviewing, see the Guide [Hearing child victims of exploitation and trafficking and children at risk: Practice-oriented guidance for child-sensitive communication and interviewing to obtain accurate and reliable statements from children](#) (Note: this Guide has been prepared in the context of a project in Serbia and will be further revised during 2022).

36. For additional information on child-friendly proceedings, see the recommendations and findings reported in the Lanzarote Committee's first implementation report on the "[Protection of children against sexual abuse in the circle of trust: The framework](#)", 2015.

1. **Allow for the possibility for groups, foundations, associations or governmental or non-governmental organisations to assist and/or support the child victim during the criminal proceedings.**
2. Ensure that the **criminal proceedings may be initiated without the lodging of a complaint and continued** even if the child victim has withdrawn his or her complaint.
3. Ensure that child victims have the possibility to be represented throughout the criminal proceedings by a special representative appointed by the judicial authority.
4. **Training of professionals.** Ensure that training on children's rights and sexual exploitation and sexual abuse of children is available for the benefit of all persons involved in the proceedings, in particular judges, prosecutors and lawyers. Other professionals involved should also receive specialised training, for example professionals carrying out forensic examination and interviewing.

*On the prosecution of offenders*³⁷

Albania

Articles 7 and 7a of the Criminal Code provide that a foreign citizen who commits criminal offences either in Albania or outside Albania but which has specific laws or international agreements to which Albania is a party, is held responsible under the Albanian criminal law. Furthermore, when a criminal proceeding does take place and that the victim reveals he or she has suffered sexual violence prior to his or her arrival in Albania, the recording of such proceeding and the follow-up to the victims' hearing will be transferred to the relevant state as appropriate.

Czech Republic

Various bilateral and multilateral treaties have been adopted within the UN, CoE, EU or on the basis of the principle of mutuality to provide legal assistance in order to facilitate investigations and prosecutions. In addition, the Czech Republic is a Party to conventions on extradition, which set the obligation to extradite persons who are criminally prosecuted by the respective authorities of the other party, or to extradite persons who are requested by these authorities to serve the sentence of imprisonment.

37. For more information on how Parties to the Lanzarote Convention have put in place measures on the prosecution of offenders, including examples of promising practices, see [Compliance report concerning Recommendation 12 on prosecution of offenders](#)

Furthermore, additional bilateral international treaties on police cooperation are negotiated by the Ministry of Interior. The purpose of these is to enhance international cooperation in the area of prevention, identification, investigation, prosecution and punishment of specific criminal offences.

Ukraine

The Criminal Code of Ukraine determines the obligation to prosecute the offenders in instances where the offence occurred prior to arrival on the territory for the purpose of investigation and prosecution. Article 8 provides that *“Foreign nationals or stateless persons not residing permanently in Ukraine, who have committed criminal offenses outside Ukraine, shall be criminally liable in Ukraine under this Code in such cases as provided for by the international treaties, or if they have committed grave or especially grave offenses against rights and freedoms of Ukrainian citizens or the interests of Ukraine.”*

The Criminal Procedure Code, based on reciprocity or upon the request of another Party, makes it possible to render mutual legal assistance even in cases where no bilateral or multilateral agreement applies in respect of the requesting State.

On child-friendly proceedings³⁸

Germany

Protection measures to avoid aggravating the trauma experienced by the child victim apply also to children affected by the refugee crisis. These include, initiating investigations and proceedings as quickly as possible, avoiding for the child to be confronted with the accused, and for hearings to be held in special youth courts in order for the interests of children and youth to be better safeguarded. Prior to the trial proceedings, there is a possibility to use audio and video recording in order to avoid multiple questioning when a child victim witness is questioned by the police or the investigating judge. If a child victim takes part in the main hearing, the questions will be conducted by the judge alone.

The Länder offer a wide range of training opportunities for criminal judges on hearing children as crime victims. The German Judicial Academy also regularly offers training sessions on the topic; in 2022, for example: “Forensic

38. For more information on how Parties to the Lanzarote Convention have put in place measures to ensure child-friendly proceedings see [Compliance report concerning Recommendation 31 on child-friendly proceedings](#)

hearing of children – possibilities and limits of video hearings” or “Child protection proceedings with a focus on sexual offences”. These training courses always meet with great interest among the judiciary and are in great demand. Such trainings include the issue “dealing with very vulnerable victims” such as those with a refugee background on a regular basis. The trainings are currently being expanded. The interviews of young persons under 18 led by investigating judges are also only conducted by the judge her-/himself. All other participants with the right to ask questions must ask their questions via the judge and will only receive the permission to ask the witness directly if there is no disadvantage to the wellbeing of the witness. Police officers interviewing Child victims are also trained to conduct interviews with child victims.

Interviews prior to trial are held mostly at premises that offer a child-friendly environment. For instance, many courts have rooms designed for videorecording of child-victims. Some courts use the child-friendly equipped investigation rooms of police stations. Others use the premises of the Childhood Houses which are already installed in several federal states (Länder). These Childhood Houses have child-friendly rooms specially designed and adapted to the needs of children.

The Victim support centres and psycho-social helpers work to advise victims and support them through the legal process. According to section 406, paragraph 2, German Procedural Criminal Law, a person whom the victim-witness trusts (this can be, inter alia, an employee of a victim support organisation) shall in principle, at the request of the victim, be permitted to be present at the interview. There are several specialised organisations working with migrants and refugees and those that are specialised for victims of trafficking. In addition to that, children up to 18 years of age, who have been victims of sexual crimes or certain violent crimes (among those is e.g. human trafficking), are entitled to apply for a psychosocial assistant, who is appointed free of charge by the court. Psychosocial assistants are highly qualified professionals trained to work with victims, including child victims with their individual and specific needs.

A criminal proceeding may be initiated without a complaint lodged. In cases of sexual abuse, a later withdrawing of the child’s complaint has no effect on the ongoing proceedings. German procedural criminal law strictly abides by the principle of legality; any criminal offense has to be prosecuted. Exceptions exist regarding minor offenses such as trespassing or insult which are prosecuted only on request of the victim, but this does not apply for sexual abuse of children.

The Act on Family Matters allows for a child to be represented by a representative appointed by the judicial authority (such as, for example, a lawyer or social worker). Should there be a conflict of interest with the child's legal representative, a curator will be appointed instead.

ANNEX 1

Council of Europe standards, tools and monitoring findings relating to children's rights in the context of migration³⁹

Dedicated website:

[Children and migration \(coe.int\)](https://www.coe.int/t/e/children/migration)

CM Recommendations:

[CM/Rec\(2007\)09](#) on life projects for unaccompanied migrant minors

[CM/Rec\(2019\)11](#) on effective guardianship for unaccompanied and separated children in the context of migration

[CM/Rec\(2022\)17](#) on protecting the rights of migrant, refugee and asylum-seeking women and girls

Tools and Publications:

[Age assessment for children in migration - A guide for policy makers](#) (2019)

[Your rights in the age assessment procedure - Information for children in migration](#) (2019)

[We are children, hear us out! Children speak out about age assessment](#) (2019)
Report on consultations with unaccompanied children on the topic of age assessment

[Promoting child-friendly approaches in the area of migration - Standards, guidance and current practices](#) (2019)

[How to convey child-friendly information to children in migration: A Handbook for frontline professionals](#) (2018)

39. Last updated on 30/03/22.

Child-friendly information for children in migration: What do children think? (2018)

Guide for Parliamentarians: Visiting places where children are deprived of their liberty as a result of immigration procedures (2017)

A study of immigration detention practices and the use of alternatives to immigration detention of children (2017)

Age assessment: Council of Europe member states' policies, procedures and practices respectful of children's rights in the context of migration (2017)

Living library - Close the chapter on child detention (2015)

Life projects for unaccompanied migrant minors: A Handbook for frontline professionals (2010)

Monitoring of standards:

Lanzarote Committee Statement on protecting children from sexual exploitation and sexual abuse resulting from the military aggression of the Russian Federation against Ukraine

Lanzarote Committee Special Report Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse

Special report further to a visit of a delegation of the Lanzarote Committee to transit zones at the Serbian/Hungarian border (5-7 July 2017)

Assessment of the follow-up given by the Hungarian authorities to the recommendations addressed to them

Evaluation by the Lanzarote Committee of the follow-up given by Parties to the 5 recommendations urging that Parties should implement the Convention

Evaluation by the Lanzarote Committee of the follow-up given by Parties to the 10 recommendations considering that Parties should implement the Convention

- Compliance report concerning Recommendation 7 on mechanisms for data collection
- Compliance report concerning Recommendation 11 on protection to child victims
- Compliance report concerning Recommendation 12 on prosecution of offenders
- Compliance report concerning Recommendation 13 on coordination and collaboration of different actors

- Compliance report concerning Recommendation 15 on information and advice to children
- Compliance report concerning Recommendation 17 on exchange of information on awareness raising
- Compliance report concerning Recommendation 31 on child-friendly proceedings
- Compliance report concerning Recommendation 32 on helplines to child victims
- Compliance report concerning Recommendation 35 on cross-border missing children
- Compliance report concerning Recommendation 37 on a coordinated approach between responsible agencies

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