**Call for submissions: Care and recovery of child victims**

1. **Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)**

**Question 2: Based on your experience, what elements are necessary for a comprehensive and rights-based care and recovery system of child victims of sale and exploitation, including sexual exploitation?**

Chapter IV of the Lanzarote Convention focuses on “Protective measures and assistance to victims”. Article 11, dedicated to the principles which are to guide Parties to the Convention in this area, sets forth that “each Party shall establish effective social programmes and set-up multidisciplinary structures to provide the necessary support for victims, their close relatives and for any person who is responsible for their care”. Additionally, it also requires Parties to ensure that when the age of a 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 her or him pending verification of her or his age.

Chapter IV of the Lanzarote Convention specifically requires Parties to:

* establish helplines to provide assistance to callers;
* encourage the reporting of sexual violence by ensuring that confidentiality rules imposed by internal law do not constitute an obstacle to those professionals having reasonable grounds to believe that a child is the victim of sexual abuse or sexual exploitation;
* take the necessary legislative or other measures to assist victims in their physical and psycho-social recovery.

In so doing, Parties should (in accordance with Article 14)

* take due consideration of the child’s views, needs and concerns;
* develop partnerships or other forms of co-operation between the competent authorities specialised in child protection and non-governmental organisations, other relevant organisations or other elements of society engaged in assistance to victims.

The Lanzarote Committee is the body in charge of monitoring the implementation of the Lanzarote Convention. It does so through thematic monitoring rounds. During the course of its 1st monitoring round (currently underway) it has collected information from Parties and other relevant stakeholders on the measures taken to guarantee the effective implementation of the above Chapter IV with particular regard to victims of sexual abuse in the circle of trust. All the information collected is available on the [Lanzarote Convention’s webpage](http://www.coe.int/t/dghl/standardsetting/children/default_en.asp). Specific information concerning the “legal safeguards to assist and protect the victim” are available in the [compilation of replies to question 9](http://www.coe.int/t/dghl/standardsetting/children/T-ES%282014%2923_bil_CompilationRepliesQuestion9aTQ.pdf). The recommendations of the Lanzarote Committee based on its assessment of this information will be published and communicated to the UN Special Rapporteur when they will be adopted.

**Question 3: Provide examples of good practices and successful initiatives of assistance and rehabilitation programmes which facilitate the recovery and reintegration of child victims of sale and exploitation; including sexual exploitation.**

Considering that the first results of the monitoring process of the Lanzarote Convention are not yet available, examples of good practices which may be referred to have so far emerged during the Lanzarote Committee’s capacity building activities. With regard to the specific area of assistance and rehabilitation programmes which facilitate the recovery and reintegration of child victims of sexual abuse and sexual exploitation, reference may certainly be made to the Icelandic Barnahus (Children’s House) model, which has been considered as a good practice by the Lanzarote Committee after an in-depth study visit dedicated to it specifically in June 2012.

Child victims face many difficulties to disclose their abuse which can be linked to personal fears but may also result from inadequate governmental care and services such as repetitive interviews and absence of child friendly facilities. These circumstances generally re-traumatise and re-victimise the child. Thus, multidisciplinary structures such as the Barnahus (now established in many Nordic and but also other countries) offer a safe haven for child victims to disclose their abuse in a trusted and child friendly environment. The Lanzarote Committee was informed that these structures have had positive results especially in the physical and psychological recovery of child victims but also in preventing the perpetrator from reoffending.

**Question 5: How do you ensure that the views and needs of children are duly taken into account in the design and provision of care and recovery services?**

In general, Article 9 (1) of the Lanzarote Convention calls on Parties to encourage the participation of children in the development and implementation of state policies, programmes or other initiatives concerning the fight against sexual violence.

As mentioned above in reply to Question 2, also Article 14 (1) refers to the need to take due count of children’s views needs and concerns in particular in decisions concerning assistance of victims in the short and long run, in their physical and psycho-social recovery.

Recommendations of the Lanzarote Committee the implementation of the above Articles in the specific case of sexual abuse of children in the circle of trust will be published and communicated to the UN Special Rapporteur when they will be adopted.

1. **Trafficking in Human Beings**

**Question 2. Based on your experience, what elements are necessary for a comprehensive and rights-based care and recovery system of child victims of sale and exploitation, including sexual exploitation?**

In the framework of the monitoring activities of the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings (GRETA), several elements have been identified as being important for a comprehensive assistance system for child victims of trafficking, based on the human-rights based and victim–centred approach of the Council of Europe Convention on Action against Trafficking in Human Beings:

* ensure that the best interest of the child is the primary consideration in planning and implementing assistance programmes;
* provide for a specific identification and referral mechanism which takes into account the special circumstances and needs of child victims;
* involve at all stages of assistance adequately trained specialists, for example child protection services, foster parents and specialised police and prosecutors;
* provide assistance which is adapted to the special needs of child victims, including suitable and safe accommodation and access to education and health care;
* provide counselling and information in a language that the child can understand, as well as legal assistance and free legal aid prior, during and after legal proceedings;
* take measures to avoid children disappearing from the place of assistance;
* appoint for unaccompanied children identified as victims of trafficking a legal guardian, organisation or authority which shall act in their best interest;
* presume that a person who could be younger than 18 is a child until the age verification is completed;
* ensure that the identity or details allowing for the identification of a child victim of trafficking are not made publicly known through the media or by any other means;
* provide for a sufficiently long recovery and reflection period for child victims to decide whether to co-operate with authorities in criminal investigations and proceedings;
* issue residence permits for child victims of trafficking on the basis of the best interests of the child;
* carry out best interests determination, including risk assessment, prior to any decision on the return of child victims to their country of origin, and ensure the child’s safe return in accordance with the best interests of the child.

**Question 3. Provide examples of good practices and successful initiatives of assistance and rehabilitation programmes which facilitate the recovery and reintegration of child victims of sale and exploitation, including sexual exploitation.**

A project providing assistance to unaccompanied foreign minors in the Netherlands includes several elements which could be relevant when creating assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation (see paragraph 163 of [GRETA’s first evaluation report on the Netherlands](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2014_10_FGR_NLD_w_cmnts_en.pdf)):

A pilot project was launched in 2008 in order to prevent unaccompanied foreign minors disappearing and falling victim to trafficking. The project consisted of two protected reception centres with additional security measures, located in remote areas and whose address was kept secret. In 2010 the outcome of the project was considered positive as the level of disappearance was low, but the security measures were found too stringent and tantamount to detention. This aspect was accordingly relaxed and the two protected reception centres were kept running. In 2013, the capacity of these centres was 60 beds, with some flexibility in case of need. The shelters had a staff of 12 educators who were trained to identify signs of trafficking, and a visiting psychologist. There was 24-hour staff supervision, cameras and key cards for the doors. Children received special guidance and support and were informed of the risks linked to trafficking. Further, they were taken to a school outside the shelters where a special programme was organised for them. Children were usually referred to the shelters by an organisation providing guardianship for unaccompanied minors, after an interview with the police. All relevant partners met every six weeks to discuss the situation of the children staying in the centres.

**Question 4. Describe the challenges that your organization has identified in the establishment and management of assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation.**

Various challenges could be identified, amongst which are the following:

* ensure secure and adequate funding of such programmes;
* create awareness among all professionals potentially involved about the special situation and needs of child victims of trafficking;
* identify and employ specialised professionals trained for working with child victims; organise trainings to have more specialised staff;
* prevent the disappearance of the child victims participating in the programme;
* identify the best solution if the reintegration of the child into his/her family is not in the child’s best interests;
* develop procedures allowing for the fast appointment of a qualified legal guardian.