

Doc. 15019
18 December 2019

Stop violence against, and exploitation of, migrant children

Reply to Recommendation¹: Recommendation 2160 (2019)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 2160 \(2019\)](#) entitled “Stop violence against, and exploitation of, migrant children” which it forwarded to the Ad hoc Committee for the Rights of the Child (CAHENF), to the Group of Experts on Action against Trafficking in Human Beings (GRETA), to the Committee of the Parties of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, “Lanzarote Convention”), to the Steering Committee for Human Rights (CDDH) and to the European Committee on Legal Co-operation (CDCJ), for information and possible comments.

2. The Committee of Ministers welcomes the work of the Parliamentary Assembly and acknowledges the importance of this recommendation underlining the serious risks that children face in the context of migration. The Committee of Ministers is acutely aware of the vulnerability of migrant children and the need to ensure their protection from all types of violence and exploitation. It considers it important that work in this area continues and supports the activities carried out by relevant committees and monitoring mechanisms.

3. In its recommendation, the Assembly calls on the Committee of Ministers to act with regard to three issues. The first (paragraph 6.1) relates to the guidelines on guardianship and age assessment prepared in order to provide appropriate safeguards for children in the context of migration. In this respect, the Committee of Ministers informs the Assembly that the Recommendation [CM/Rec\(2019\)11](#) on effective guardianship for unaccompanied and separated children in the context of migration was adopted by the Committee of Ministers on 11 December 2019. With respect to the draft guidelines on age assessment, by the Ad hoc Committee for the Rights of the Child is undertaking consultations in order to complete its work and be able to transmit the text to the Committee of Ministers for consideration in 2020. Following the adoption by the Committee of Ministers of the respective texts, the Committee of Ministers will invite the relevant committees and bodies within the Organisation to promote them among the member States.

4. In paragraph 6.2 of its recommendation, the Assembly calls on the Committee of Ministers to ask the Steering Committee for Human Rights (CDDH) to consider the possibility of developing European standards for non-custodial reception centres for migrant children. In this respect, the Committee of Ministers informs the Assembly that, as part of its terms of reference for 2020-2021, the CDDH will be entrusted with examining the issue of alternative family-based care for unaccompanied and separated children. The particularly vulnerable situation of these children will be the backdrop for this work, which could, as appropriate, provide a basis on which the suggestion put forward by the Assembly in paragraph 6.2. could be considered in due course.

5. Finally, in response to paragraph 6.3, the Committee of Ministers calls on the member States that are Parties to the Lanzarote Convention and have not yet done so to take action to comply with the recommendations of the Lanzarote Committee’s special report entitled “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse”. It recalls that the recommendations in this special report are in line with the legislative measures and policy implementation recommended by the Parliamentary

1. Adopted at the 1363rd meeting of the Ministers’ Deputies (11 December 2019).



Assembly in [Resolution 2295 \(2019\)](#) (see paragraphs 8.1 and 8.2). The report also provides a series of good practices from which States may draw inspiration. The Committee of Ministers recalls that an [evaluation of the follow-up](#) given by the Parties concerned to the recommendations of this special report is currently underway.

6. The Committee of Ministers would also draw attention to the Declaration of the Lanzarote Committee on protecting migrant and refugee children against sexual exploitation and sexual abuse

7. The Committee of Ministers would finally signal Guideline 13 of the Guidelines on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, adopted in June 2019 by the UN Committee on the Rights of the Child (CRC), which encourages States to have specific consideration, *inter alia*, for migrant children.