



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

T-ES(2014)22 bil

24/09/2014

LANZAROTE CONVENTION

CONVENTION DE LANZAROTE

Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

Convention du Conseil de l'Europe sur la protection des enfants contre l'exploitation et les abus sexuels

Compilation of Replies to Question 1 of the Thematic Questionnaire

Compilation des réponses à la Question 1 du Questionnaire Thématique

The full replies submitted by States and other stakeholders are available at:

Les réponses intégrales des Etats et autres parties prenantes sont disponibles ici :

www.coe.int/lanzarote

Introduction

During its 7th meeting (9 December 2013, see §13 of the report as well as its Appendix III)¹, the Committee decided that the Secretariat should compile the replies to the General Overview and Thematic Questionnaires.

This document is aimed at responding to this request by compiling replies to question 1 of the Thematic Questionnaire.

If when replying to this question, States referred to another of their answers in both the General Overview and Thematic questionnaires, their replies will where possible, also be included in this compilation.

* * *

Lors de sa 7^e réunion (9 décembre 2013, voir §13 du rapport ainsi que son annexe III²), le Comité a décidé que le Secrétariat devait compiler les réponses au Questionnaire « Aperçu général » et au Questionnaire Thématique.

Le présent document vise à répondre à cette demande en compilant les réponses reçues à la question 1 du questionnaire thématique.

Si, en répondant à cette question, les Etats se réfèrent à des réponses données à d'autres questions du Questionnaires Général et Thématique, leurs réponses seront, dans la mesure du possible, également incluses dans cette compilation.

¹ The 7th meeting report is online at:

[http://www.coe.int/t/dghl/standardsetting/children/T-ES\(2013\)12Report7thMeeting_en.pdf](http://www.coe.int/t/dghl/standardsetting/children/T-ES(2013)12Report7thMeeting_en.pdf).

² Le rapport de la 7^e réunion est en ligne ici :

[http://www.coe.int/t/dghl/standardsetting/children/T-ES\(2013\)12Report7thMeeting_fr.pdf](http://www.coe.int/t/dghl/standardsetting/children/T-ES(2013)12Report7thMeeting_fr.pdf)

Question 1 of the TQ: Data on sexual abuse in the circle of trust

Please indicate whether data are collected for the purpose of observing and evaluating the phenomenon of sexual abuse of children in the circle of trust. If so, please:

- specify what mechanisms have been established for data collection or whether focal points have been identified especially with regard to statistical data on victims and offenders within the circle of trust (**Article 10 (2) (b), Explanatory Report, paras. 83 and 84**);
- include any relevant data in an Appendix.

Question 1 du QT : Données sur les abus sexuels dans le cercle de confiance

Veillez indiquer si des données sont collectées dans le but d'observer et d'évaluer le phénomène des abus sexuels sur les enfants dans le cercle de confiance. Dans l'affirmative, veuillez :

- préciser quels mécanismes ont été établis aux fins de la collecte de données ou si des points d'information ont été identifiés concernant en particulier les statistiques relatives aux victimes et aux auteurs d'infractions commises dans le cercle de confiance (**article 10, par. 2, alinéa b, Rapport explicatif, par. 83 et 84**)
- inclure les données pertinentes en annexe, le cas échéant.

Relevant extracts from the Lanzarote Convention and its Explanatory report

Lanzarote Convention, Article 10, para. 2.b) – National measures of co-ordination and collaboration

(...)

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

(...)

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.

Explanatory report

(...)

83. Paragraph 2 b requires Parties to set up or designate mechanisms for data collection or focal points at the national or local levels, in collaboration with civil society, for observing and evaluating the phenomenon of sexual exploitation and abuse of children. Although there can be no doubt that the sexual exploitation and abuse of children is a serious and increasing problem, there is a lack of accurate and reliable statistics on the nature of the phenomenon and on the numbers of children involved. Policies and measures may not be best developed and appropriately targeted if reliance is placed on inaccurate or misleading information. The obligation provided in paragraph 2 b aims at taking measures to address the lack of information.

84. The data referred to are not intended to cover personal data on individuals, but only statistical data on victims and offenders. Nevertheless, the negotiators wished to highlight the importance of respecting data protection rules in the collection of any data, by including the phrase “with due respect for the requirements of personal data protection”.

(...)

Extraits pertinents de la Convention de Lanzarote et de son rapport explicatif

Convention de Lanzarote, Article 10 §2b) – Mesures nationales de coordination et de collaboration

(...)

2 Chaque Partie prend les mesures législatives ou autres nécessaires pour mettre en place ou désigner:

(...)

b des mécanismes de recueil de données ou des points d'information, au niveau national ou local et en coopération avec la société civile, permettant, dans le respect des exigences liées à la protection des données à caractère personnel, l'observation et l'évaluation des phénomènes d'exploitation et d'abus sexuels concernant des enfants.

(...)

Rapport explicatif

(...)

83. Le paragraphe 2 (b) demande aux Parties de mettre en place ou de désigner des mécanismes de recueil de données ou des points d'information aux niveaux national ou local, en coopération avec la société civile, afin d'observer et d'évaluer les phénomènes d'exploitation et d'abus sexuels concernant des enfants. Bien que personne ne conteste la gravité et le développement du phénomène de l'exploitation et des abus sexuels, il n'y a pas suffisamment de statistiques exactes et fiables sur sa nature et le nombre d'enfants impliqués. Les politiques et les mesures basées sur des informations inexactes ou trompeuses risquent de n'être pas correctement conçues et ciblées. L'obligation énoncée au paragraphe 2(b) vise à prendre des mesures pour combler ce manque d'informations.

84. Les données évoquées ne sont pas les données à caractère personnel concernant des individus, mais seulement les données statistiques sur les victimes et les auteurs d'infractions. Néanmoins, les négociateurs ont souhaité souligner qu'il était important que le recueil de tout type de données respecte les règles en matière de protection des données, en précisant « dans le respect des exigences liées à la protection des données à caractère personnel ».

(...)

COMPILATION of replies / des réponses³

I – States to be assessed in the 1st monitoring round / Etats devant faire l’objet du 1er cycle de suivi

ALBANIA / ALBANIE

Question 1 of the TQ / du QT

Data for sexually abused children are collected from the General Directorate of Police. For the period January – September 2013:

January – September 2013	Up to 14 years old	14-18 years old
sexual./homosexual relations with minors	10	9
sex./homosex. with persons within the family		1
Immoral acts		18
Total	10	28

AUSTRIA/AUTRICHE

Question 1 of the TQ / du QT

1st indent:

1. The Austrian Federal Office of Criminal Investigation keeps the „Police Crime Statistics“, which contains data about the number of offences and information about perpetrators and victims of violence, disaggregated according to gender, age and relationship of victim and perpetrator.

2. All courts and public prosecution offices make use of the Austrian Court Automation, a system designed to manage key data on more than 50 different proceedings such as data on victims (especially name, nationality, gender, date of birth), criminal charges and convictions.

However, since the definition of circle of trust does not exactly comply with definitions and categories defined in the system generated reports cannot exactly pinpoint that aspect of penal proceedings.

3. The statistics of the youth welfare authorities contain data about the number of interventions (including domestic/sexual violence), age and gender of the involved children, legal circumstances but not the concrete reason of their interventions.

³ The replies are reproduced here in the language they were received / Les réponses sont reproduites ici dans la langue où elles ont été reçues.

4. The annual statistics of the NGO-child protection centres can be collected in reports on violence.

5. The focal point on violence (within the Federal Ministry responsible for Family and Youth) as national partner to the Council of Europe and World Health Organization does not collect data.

2nd indent:

Relevant data can be found in the Appendices:

Appendix 1 is an extract from the Police Crime Statistics (*Polizeiliche Anzeigenstatistik*) which shows the relation between the perpetrator and the victim for all relevant offences against the sexual integrity and self-determination between 2008 and 2012.

Appendices 2 to 6 are extracts from the complaints to the Police Crime Statistics which show in further detail the relation between the perpetrator and the victim between 2008 and 2012, e.g. for each of the various relevant offences (§ 201 – rape, § 202 – sexual coercion, § 205 – sexual abuse of a defenceless or psychologically impaired person, § 206 – severe sexual abuse of minors, § 207 – sexual abuse of minors, § 207b – sexual abuse of juveniles, § 217 – transnational prostitution trade):

First column: family relation in the common household (*familiäre Beziehung in Hausgemeinschaft*),

Second column: family relation without common household (*familiäre Beziehung ohne Hausgemeinschaft*),

Third column: acquaintanceship (*Bekanntschftsverhältnis*),

Fourth column: chance acquaintanceship (*Zufallsbekanntschft*),

Fifth column: no relation between perpetrator and victim (*Keine*),

Sixth column: relationship unknown (*Unbekannt*).

The subcolumns *Anzahl* (number) show the absolute number of cases, the *Zeilen %* show the percentage.

BELGIUM / BELGIQUE

Question 1 of the TQ / du QT

Référence est faite à la Circulaire n° col 3/2006 du Collège des procureurs généraux près les cours d'appel qui a comme objet de définir la violence intrafamiliale et de la maltraitance d'enfants extrafamiliale, l'identification et l'enregistrement des dossiers par les services de police et les parquets.

La circulaire prévoit des modalités identiques d'identification et d'enregistrement des dossiers tant au niveau de la police qu'à celui des parquets. Le repérage et l'enregistrement des situations de violence intrafamiliale et de maltraitance d'enfants extrafamiliale signalées à la justice et la référence à une définition uniforme de ces phénomènes répondent aux objectifs suivants :

1° construire un outil pour l'élaboration, la mise en oeuvre et le suivi d'une politique criminelle au niveau fédéral mais aussi au niveau local (ressorts de cour d'appel et arrondissements judiciaires) ;

2° permettre de répondre à des sollicitations scientifiques (recherches criminologiques, sociologiques ou autres) ainsi qu'à des interrogations du monde politique (questions parlementaires, évaluation et adaptation des lois et des dispositifs réglementaires ou institutionnels, ...).

Dans ce but, elle définit les notions de violence intrafamiliale, de maltraitance d'enfants extrafamiliale, des membres de la même famille et de violence. Par violence, il est entendu :

- tous les comportements punissables qui, par un acte ou une omission, causent un dommage à la personne lésée. Cette violence peut être physique (ex : coups et blessures volontaires), sexuelle (ex : attentat à la pudeur ou viol), psychique (ex : harcèlement, calomnie, diffamation, injures) ou même économique (ex: abandon de famille). Une liste d'infractions jointe à la circulaire mentionne les principales infractions concernées ;
- mais aussi tous les comportements qui, bien que ne paraissant pas constituer une infraction, sont dénoncés à la police ou au parquet et sont habituellement qualifiés de différend familial (indice de prévention 42L) ou de mise en danger d'un enfant (indice de prévention 42O).

Dans les instructions aux service de police et aux autorités judiciaires, il est conseillé – vu la nécessité d'établir des statistiques pertinentes qui permettent de distinguer la nature des infractions commises - d'éviter l'usage de codes trop généraux tels que « Mauvais traitements d'enfants », « Inceste », et « Enfant en danger », chaque fois qu'il est possible de déterminer l'existence d'une infraction précise, telle que coups et blessures volontaires (43A) ou viol (37A). En effet, le fait qu'il s'agisse d'une maltraitance résultera déjà de la mention « Maltraitance d'enfant extrafamiliale » dans le champ contexte. Cette manière de pratiquer permettra en effet de distinguer dans les statistiques les faits de maltraitance suivant la nature exacte de l'infraction.

Il est à noter que le fonctionnaire de police indique à l'endroit prévu dans le procès-verbal, la relation existant entre l'auteur et la victime, ce qui vaut aussi pour le membre du secrétariat du parquet qui encode le procès-verbal dans la banque des données du ministère public. L'encodage de la relation auteur – victime ne sera, au niveau du parquet, obligatoire que lorsqu'un dossier donne lieu, soit à une citation directe, soit à une instruction judiciaire, soit à une déclaration de personne lésée.

Cette mention est sélectionnée dans la table des relations auteur-victime qui comprend désormais les relations reprises dans la liste qui suit.

CODE CONTEXTE	QUALITE DE L'AUTEUR PAR RAPPORT A LA VICTIME
Violence envers descendants	Père/mère
	Conjoint ou partenaire du père/mère
	Grand-père/grand-mère
Maltraitance d'enfants extrafamiliale	Enseignant
	Educateur
	Employeur
	Animateur (sports- loisirs- jeunesse)
	Médecin
	Chirurgien
	Sage-femme
	Gynécologue
	Officier de santé
	Pharmacien
	Profession médicale non précisée
	Ministre du culte
	Conseiller philosophique
	Dirigeant de secte (gourou)
	Trafiquant d'êtres humains
	Souteneur (exploitant la débauche ou prostitution)
	Assistant social
	Psychologue
	Thérapeute
	Ami/connaissance
Voisin	
Autres	
Inconnu	

Au niveau de la Communauté flamande :

Kind en Gezin (Enfance et Famille)⁴ fait depuis 1998 des rapports élaborés sur la situation de vie dans tous ces aspects des enfants en Flandre ('Het kind in Vlaanderen' – 'L'enfant en Flandre') qui sont disponibles sur leur site web (<http://www.kindengezin.be/brochures-en-rapporten/rapporten/kind-in-vlaanderen/>). Voici les chiffres de 2012 qui donnent un aperçu de tous les enfants signalés, sans spécification du statut de l'auteur.

Nombre total d'enfants signalés par province selon la nature du signalement – chiffres de 2012⁵ : (voir tableau ci-dessous).

⁴ Kind en Gezin (Enfance et Famille) est une agence autonomisée de la Communauté flamande, établie par le Décret du 30 avril 2004, portant création de l'agence autonomisée interne dotée de la personnalité juridique "Kind en Gezin" qui a pour mission, conformément à l'article 4 du Décret, ensemble avec ses partenaires, de créer un maximum de possibilités pour chaque enfant, n'importe où et comment il est né ou élevé. Dans l'accomplissement de sa mission, l'agence donne la priorité au respect des droits de l'enfant et à la diversité. Lors de l'exercice de sa tâche, elle prend comme point de départ le développement optimal de l'enfant et la responsabilité et les possibilités des parents. Dans leur action, l'agence et les structures pilotées respectent la conviction idéologique, philosophique et religieuse des personnes auxquelles elles s'adressent. L'article 5 du Décret dispose que la tâche essentielle de l'agence comprend la régie de l'accueil des enfants et l'organisation du soutien préventif aux familles. Cette tâche relative à la régie de l'accueil des enfants comprend entre autres l'enregistrement de toute initiative d'accueil et la stimulation et l'autorisation d'initiatives d'accueil dans toutes ses formes (voir article 6). En ce qui concerne sa tâche relative à l'organisation du soutien aux familles préventif comprend en tout cas, celle-ci comprend entre autres le suivi, la détection et la signalisation de risques concernant la santé, le développement et l'éducation des enfants, dont la détection des cas d'enfants maltraités et l'examen de l'ouïe et de la vue (voir l'article 7).

⁵ A partir de 2010, un nouveau système d'enregistrement a été introduit avec de légers changements au niveau des catégories. Les chiffres des années antérieures ont été recalculés proportionnellement..

Nombre total d'enfants signalés par province selon la nature du signalement – chiffres de 2012²

Province ⁴ (3)	Nombre d'enfants signalés ³ (2)			Total
	(Présomption d'une) situation concrète de maltraitance ou de négligence	Situation à risque	Problématique de traitement, problématique vague ou autre problématique	
Anvers	2620	237	209	3066
Région de Bruxelles-Capitale	591	101	57	749
Brabant flamand	1 101	156	113	1370
Flandre occidentale	1058	224	101	1383
Flandre orientale	1409	349	235	1993
Limbourg	850	171	135	1156
Total	7629	1238	850	9717
2011	7814	1482	892	10 188
2010	6999	1635	768	9402
2009	6503	1377	922	8802
2005	6663	1241	1102	9006

3 Concerne des signalements relatifs à des mineurs, y compris des enfants d'âge inconnu. Un même enfant peut être concerné par plusieurs signalements. Une seule ou plusieurs problématiques peuvent être signalées par enfant.

4 Des enfants peuvent être signalés dans plusieurs provinces / centres de confiance pour enfants maltraités.

Ensuite, il peut être renvoyé à une recommandation du rapport « Ondubbelzinnig kiezen voor erkenning » ('Choisir de manière catégorique pour la reconnaissance') du panel d'experts dans la cadre de la problématique de l'abus historique dans les établissements pour jeunes et les établissements scolaires. Dans son rapport (décembre 2013), le panel d'experts a indiqué que l'essentiel est de créer des modalités pour pouvoir faire rapport sur une base biennale de la prévalence et de l'incidence de la violence actuelle sur les enfants dans différents contextes (cf. poursuite de l'enquête lancée par le Kinderrechtencommissariaat - rapport « Geweld, gemeld en geteld » - 'Rapport « violence, dénoncé et compté »). Les besoins et les intérêts des enfants et des jeunes doivent de surcroît servir de point de départ. Des paramètres doivent ensuite être élaborés pour le monitoring de la violence sur les mineurs. Ceux-ci et d'autres recommandations sont en cours d'examen au parlement flamand.

Fédération Wallonie-Bruxelles

Meilleure connaissance du phénomène, vers un nouvel outil de recueil de données pour l'Office de la naissance et de l'enfance et vers une optimisation de l'outil à la Direction Général de l'Aide à la Jeunesse:

Après avoir constaté pendant des années les faiblesses de son outil statistique permettant de mesurer l'ampleur et les caractéristiques de la maltraitance prise en charge par les équipes SOS Enfants, l'Office de la naissance et de l'enfance a entrepris, en 2012, le projet de le rénover. Pour être en adéquation avec les besoins du secteur, une importante phase exploratoire a été mise en œuvre afin d'identifier les attentes des équipes SOS Enfants mais

aussi les volontés institutionnelles et les standards internationaux tels que ceux indiqués par l'OMS ou Child On Europe. Cette étape a certes permis de repenser le contenu face aux problématiques complexes de l'enfance maltraitée mais elle a également révélé la difficulté à produire et exploiter des données dans ce champ. Si, les statistiques ne représentent que les cas de maltraitance enfantine signalés aux équipes SOS Enfants, autrement dit, le sommet de l'iceberg, ce nouvel outil permet d'obtenir de nouveaux résultats : le type de prise en charge réalisé par les équipes, le temps consacré à l'évaluation clinique des signalements, les caractéristiques de la scolarité de l'enfant, le nombre moyen de services mobilisés pour une situation de maltraitance, le profil des auteurs, etc.

Dans le cadre d'un projet conjoint de la Direction Général de l'Aide à la Jeunesse et de l'Entreprise publique des Technologies nouvelles de l'Information et de la Communication, un projet informatique dénommé « IMAJ » (Interventions et mesures d'aides aux jeunes) est opérationnel depuis 2013 ; ce projet est destiné à prendre la relève de l'application Sigmajed, actuellement exploité pour connaître les jeunes en danger et difficulté pris en charge par l'aide spécialisée. Ce projet permet entre autres de disposer de statistiques relatives aux prises en charge de mineurs relevant de l'aide à la jeunesse.

Pour donner un bref aperçu, des données sont disponibles en FWB sur la maltraitance d'enfant dans sa déclinaison violence sexuelle, bien que les données concernant les violences sexuelles à l'encontre d'enfants ne sont pas agrégées entre les différentes sources de données. Nous ne relaterons donc ici que celles produites par des services de la Fédération Wallonie-Bruxelles soit les équipes SOS enfants et les Services d'aide à la jeunesse.

- Les données résultent des informations de type psychosocial liées à la maltraitance, récoltées par les 14 équipes SOS Enfants postnatales réparties sur tout le territoire de la Fédération Wallonie-Bruxelles. Après une augmentation en 2009, le nombre de signalements de maltraitance (ce qui ne veut pas dire qu'ils sont avérés) pour l'année 2011 se maintient au niveau de 2010 avec 5293 signalements. La maltraitance sexuelle est la catégorie qui arrive en second lieu avec 28,1 % de signalements (situation stable voire en diminution depuis 2006).

- Les données de l'aide à la jeunesse (données 2011) sont des données de prise en charge de jeunes en danger ou en difficulté (donc pas de signalement). Un jeune en danger ou en difficulté sur trois est pris en charge pour des raisons de maltraitance ou de négligence (34 %, 9.874 jeunes). Dans 13 % des cas, il s'agit de maltraitance sexuelle ou de suspicion de maltraitance sexuelle (1.312 jeunes).

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Question 1 of the TQ / du QT

In order to draw up the annual report on the state of human trafficking, the Ministry of Security of BiH is collecting data on the number of potential and/or identified victims of

human trafficking. Data is collected by the police, prosecutor's offices, social care centres, non-governmental institution, and all other relevant stakeholders.

As part of monitoring the implementation of the Strategy for Combating Violence against Children, Ministry of Human Rights and Refugees of BiH is collecting data on the number, age, type, and form of violence committed against children. Questionnaire for monitoring the Strategy implementation is forwarded to the social protection sector, healthcare sector, education sector, police and justice sector, and the non-governmental sector.

BULGARIA / BULGARIE

Question 1 of the TQ / du QT

According to the Regulation of the Child Protection act (adopted on 25.07.2003), "Violence against child is any act of physical, psychological or sexual abuse, neglect, commercial or other exploitation, resulting in actual or potential harm to health, life, development and dignity of the child, which can be done in a family, school or social environment".

Since the establishment of the State Agency for Child Protection in 2001 it gathers information on the number and profile of children victims of violence, which allows to monitor the process in their development, to identify trends and accordingly to take adequate measures to prevent violence and to protect the child.

The main tool for data gathering is a specially developed information card which is fulfilled by all child protection departments at municipal level. The questions in the card include key indicators on active cases of violence against children during the reporting period:

- number of cases of violence against children ;
- type of violence;
- place of violence;
- age and family status of children who are victims of violence;
- profile of the sender of the signal;
- profile of the perpetrator of violence;
- measures taken.

See the Appendix.

CROATIA / CROATIE

Question 1 of the TQ / du QT

The Ministry of the Interior carries out the activities of monitoring and analysis of the state of security and the phenomena that are conducive to the emergence and development of crime both in the territory of the Republic of Croatia and within areas under the jurisdiction of individual police administrations. These activities also include the analysis of data relating

to sexual abuse and exploitation of children, within the scope of which records are kept on the number of committed criminal offences, number of injured persons, number of offenders, and the relationship between the victim and the offender.

In view of the fact that on 1 January 2013, a new Criminal Act entered into force in the Republic of Croatia⁶ – for a detailed overview of the criminal offences covered by the Convention and provided for in the said Act see the answer to question 3a of the General Overview Questionnaire – and that the 2013 reference period for which statistical data are being collected has still not ended, the data presented below on these criminal offences refer to the Criminal Act that was in force until 1 January 2013⁷ (hereinafter referred to as: the “CA/97”).

Article 191, paragraph 2, of the CA/97⁸ prescribes punishability for sexual intercourse with a minor aged between 14 and 18 years through abuse of position, which provision corresponds to Article 159, paragraph 1, of the CA.

At the same time, Article 192, paragraph 3, of the CA/97⁹ describes the aggravated form of the criminal offence, namely sexual intercourse with a child (person under the age of 14 years), which corresponds to Article 158, paragraph 5, of the CA.

CRIMINAL OFFENCE		2011	2012
Article 191, paragraph 2, CA/97	TOTAL	5	3
	F	5	2
	M	0	1
Article 192, paragraph 3, CA/97	TOTAL	3	4
	F	3	3
	M	0	1

Furthermore, Article 166 of the CA provides for the qualified forms of sexual abuse of children (Serious Criminal Offences of Sexual Abuse and Exploitation of Children) in accordance with Article 28 of the Convention on Protection of Children against Sexual Exploitation and Sexual Abuse. Thus, Article 166, paragraphs 1 and 2, provides for a number of qualified forms, including that of a criminal offence committed by a person close to the child or a person with whom the child lives in a shared household.

In order to ensure the best possible quality of the collection and analysis of data on the criminal-law protection and violence within the circle of trust, on 1 January 2013, the Ministry of the Interior started registering the victim-offender relationship. The said

⁶ Official Gazette 125/11 and 144/12.

⁷ Official Gazette 110/97, 27/98, 50/00, 129/00, 51/01, 111/03, 190/03, 105/04, 84/05, 71/06, 110/07, 152/08 and 57/11

⁸ Article 191, paragraph 2, of the CA/97 reads as follows: “A teacher, educator, parent, adopter, guardian, step-father, step-mother or any other person who, by abusing his/her position towards or relationship with a minor with whose education, upbringing, custody, or care he/she has been entrusted, engages in sexual intercourse or an equivalent sexual act with the said minor, ...”

⁹ Article 192, paragraph 3, of the CA/97 reads as follows: “Whoever through abuse of his/her position engages in sexual intercourse or an equivalent sexual act with a child, ...”

relationship includes 95 different forms of victim-offender relationship (family members, persons close to the child, members of the shared household), as well as other relations important for monitoring the criminal-law protection of children and, consequently, the criminal offences of sexual abuse of children.

POSSIBLE VICTIM – OFFENDER RELATIONSHIP:

son/daughter – father/mother
father/mother – son/daughter
step-son/step-daughter – step-father/step-mother
step-father/step-mother – step-son/step-daughter
grandson/granddaughter – grandfather/grandmother
grandfather/grandmother – grandson/granddaughter
great-grandson/great-granddaughter – great-grandfather/great-grandmother
great-grandfather/great-grandmother – great-grandson/great-granddaughter
brother/sister – brother/sister
maternal half-brother/half-sister – paternal half-brother/half-sister
paternal half-brother/half-sister - maternal half-brother/half-sister
wife/husband – husband/wife
ex-husband/ex-wife – ex-wife/ex-husband
common-law husband/common-law wife – common-law wife/common-law husband
ex-common-law husband/ex-common-law wife – ex-common-law wife/ex-common-law husband
son-in-law (daughter's husband) – father-in-law (wife's father)
son-in-law (daughter's husband) – mother-in-law (wife's mother)
father-in-law (wife's father) – son-in-law (daughter's husband)
mother-in-law (wife's mother) – son-in-law (daughter's husband)
daughter-in-law (son's wife) – father-in-law (husband's father)
daughter-in-law (son's wife) – mother-in-law (husband's mother)
father-in-law (husband's father) – daughter-in-law (son's wife)
mother-in-law (husband's mother) – daughter-in-law (son's wife)
brother-in-law (sister's husband) – brother-in-law (wife's brother)
brother-in-law (wife's brother) – brother-in-law (sister's husband)
brother-in-law (sister's husband) – sister-in-law (wife's sister)
sister-in-law (wife's sister) – brother-in-law (sister's husband)
sister-in-law (brother's wife) – brother-in-law (husband's brother)
brother-in-law (husband's brother) – sister-in-law (brother's wife)
sister-in-law (brother's wife) – sister-in-law (husband's sister)
sister-in-law (husband's sister) – sister-in-law (brother's wife)

nephew/niece (brother's/sister's son/daughter) – (paternal) uncle
nephew/niece – (maternal) uncle
nephew/niece – (paternal) aunt
nephew/niece – (maternal) aunt
(paternal) uncle – nephew/niece
(maternal) uncle – nephew/niece
(paternal) aunt – nephew/niece
(maternal) aunt – nephew/niece
same-sex partner – same-sex partner
ward – guardian
guardian – ward
ward – member of guardian's family
member of guardian's family – ward
user of foster care – foster care provider
foster care provider – user of foster care
user of foster care – member of foster care provider's family
member of foster care provider's family – user of foster care
adoptee – adopter
adopter – adoptee
adoptee – member of adopter's family
member of adopter's family – adoptee
godchild – godfather/godmother
godfather/godmother – godchild
godchild – member of godfather's/godmother's family
member of godfather's/godmother's family – godchild
recipient of health care – health-care worker
health-care worker – recipient of health care
welfare recipient – social worker
social worker – welfare recipient
user of education-sector services – education sector employee
education sector employee – user of education-sector services
user – employee at a correctional facility
employee at a correctional facility – user
user – worker at pupils'/student hostel
worker at pupils'/student hostel – user
user – employee at a preschool institution (kindergarten)
employee at a preschool institution (kindergarten) – user
user – employee at a children's home
employee at a children's home – user
user – employee at a religious institution
employee at a religious institution – user
user – employee at a sports organisation/club
employee at a sports organisation/club – user
user – employee at a children's playgroup

employee at a children's playgroup – user
user – employee with an arts and cultural organisation
employee with an arts and cultural organisation – user
user – employee at an organisation for technical culture
employee at an organisation for technical culture – user
user – employee at a charitable organisation
employee at a charitable organisation – user
primary school pupil – primary school pupil
secondary school pupil – primary school pupil
primary school pupil – secondary school pupil
secondary school pupil – secondary school pupil
primary school pupil – former pupil
secondary school pupil – former pupil
pre-school child – pupil
employee – employer
employer – employee
former same-sex partner – former same-sex partner
partner (boyfriend/girlfriend) – partner (boyfriend/girlfriend)
unknown relationship between the victim and the offender (it has not been established whether the victim and the offender know each other)
the victim and the offender do not know each other (this has been established)

Furthermore, with the aim of protecting children and minors against sexual abuse and all forms of intentional engagement in sexual acts with children whereby a recognised position of trust, authority or influence is abused by a person within the child's circle of trust as well as of preventing such forms of wrongful conduct it is necessary to continually monitor all modes in which the criminal offences of sexual violence are committed. An important role in this monitoring activity is performed by the statistical data and operational reports which all state attorney's offices in the territory of the Republic of Croatia send each month to the State Attorney's Office of the Republic of Croatia which then stores them in the Case Tracking System (CTS). This allows for the analysis and monitoring of data on the sexual exploitation and sexual abuse of children, within the framework of which activities the number of committed criminal offences, the number of perpetrators, the number of injured persons, and the relationship between the victim and the perpetrator are registered. The records kept also contain information on the procedural actions taken by the state attorney's office and courts in each criminal proceedings, including information on the appeals filed in each proceedings.

According to the consolidated annual report of the State Attorney's Office of the Republic of Croatia which represents the official document in 2012 for the criminal offence of sexual intercourse by abuse of position referred to in Article 191, paragraph 2, of the CA/97¹⁰, criminal reports were filed against 3 perpetrators, with 2 of them being eventually convicted and sentenced to, respectively, imprisonment and a conditional sentence. As regards the criminal offence referred to in Article 192 of the CA/97, namely sexual intercourse with a child, the statistical reports of the State Attorney's Office of the Republic of Croatia contain data on all the forms of this criminal offence (Article 192, paragraphs 1, 2, 3, 4 and 5 of the CA/97). Thus, a total of 23 perpetrators were reported for this criminal offence.

¹⁰ See footnote 3.

According to the data collected by the State Attorney's Office of the Republic of Croatia, in 2013, criminal reports for the criminal offence referred to in Article 159, paragraphs 1 and 2, of the CA and the criminal offence referred to in Article 166, paragraph 2, in conjunction with Article 158, paragraph 5, of the CA were filed against, respectively, 3 perpetrators and 1 perpetrator¹¹ (see the answer to question 3a of the General Overview Questionnaire).

In order to ensure the best possible quality of the collection and analysis of data on the criminal-law protection and violence within the circle of trust, the State Attorney's Office of the Republic of Croatia shall prescribe the duty of recording the relationship between the victim and the offender.

Question 3a of the General Questionnaire:

The legislative framework ensuring the fulfilment of the purpose of this Convention is provided by the CA in which the said criminal offences are laid down in:

- Title IX – Crimes against Humanity and Human Dignity¹²,
- Title XVI – Criminal Offences against Sexual Freedom¹³, and
- Title XVII – Criminal Offences of Sexual Abuse and Sexual Exploitation of Children¹⁴.

In addition to the above criminal offences directly relating to child sexual abuse, mention should be made of criminal offences against child exploitation¹⁵

Furthermore, in order to eliminate circumstances enabling or conducive to the commission of a new criminal offence, the court has the possibility, under the CA, to impose upon the perpetrator, in addition to a penalty, safety measures or special obligations¹⁶.

¹¹ See the answer to question 3a of the General Overview Questionnaire

¹² The said title of the CA contains the criminal offences of "Slavery" (Article 105 of the CA) and "Trafficking in Human Beings" (Article 106 of the CA).

¹³ The said title of the CA contains the following criminal offences: "Non-Consensual Sexual Intercourse" (Article 152 of the CA), "Rape" (Article 153 of the CA), "Lewd Acts" (Article 155 of the CA), "Sexual Harassment" (Article 156 of the CA), "Prostitution" (Article 157 of the CA). It should also be pointed out that Article 154, paragraph 1, point 2, and paragraph 2, of the CA provides for more severe punishment of the criminal offences of "Non-Consensual Sexual Intercourse", "Rape", and "Lewd Acts" (Articles 152, 153 and 155 of the CA) where the victim of the said criminal offences is particularly vulnerable due to his/her age. This category of "victim vulnerable due to his/her age" most certainly also includes the child within the meaning of Article 87 of the CA

¹⁴ By which the following criminal offences are meant: "Child Pandering" (Article 162 of the CA), "Exploitation of Children for Pornography" (Article 163 of the CA), "Exploitation of Children for Pornographic Performances" (Article 164 of the CA), and the criminal offence of "Introducing Pornography to Children" (Article 165 of the CA). With respect to prevention of, fight and protection against sexual exploitation and abuse, special criminal-law protection is provided to children under the age of 15 years. These criminal offences include the following: "Sexual Abuse of a Child under the Age of Fifteen" (Article 158 of the CA), "Satisfying Lust in the Presence of a Child under the Age of Fifteen" (Article 160 of the CA) and "Child Enticement for the Purpose of Satisfying Sexual Needs" (Article 161 of the CA). Article 166 of the CA also provides for special, so-called aggravated forms of particular criminal offences termed "Serious Criminal Offence of Child Sexual Abuse and Exploitation" (Article 166 of the CA).

¹⁵ This group of criminal offences includes the criminal offence referred to in Article 106 of the CA, namely "Trafficking in Human Beings". Pursuant to paragraphs 2 and 3 of the said Article, the said criminal offence, when committed against the child, is punishable (paragraph 2: "... whoever recruits, transports, transfers, harbours or receives a child, or exchanges or transfers control over a child for the purpose of exploiting his or her labour by means of forced labour or services, slavery or a relationship similar thereto, or for the purpose of exploitation for prostitution of the child or of other forms of sexual exploitation, including pornography, or of contracting an illicit or forced marriage, or of illegal adoption, or of taking parts of a child's body, or of using the child in armed conflicts.", while paragraph 3 provides for a more severe penalty: "If the criminal offence referred to in paragraph 1 was committed against a child or the criminal offence referred to in paragraphs 1 or 2 of this Article was committed by a public official in the performance of his or her duties, ...").

¹⁶ Safety measures include the following (Articles 65 to 76 of the CA): mandatory psychiatric treatment, mandatory addiction treatment, mandatory psychosocial treatment, prohibition from holding a particular office or engaging in a particular activity, prohibition from driving a motor vehicle, prohibition from approaching a person, removal from shared

The Act on the Legal Consequences of Conviction, the Criminal Record and Rehabilitation¹⁷ which is currently in force in the Republic of Croatia regulates issues such as the legal consequences of conviction, the organisation of the criminal record, its keeping, access to the record, entry of data onto and their deletion from the record, international exchange of the data on the criminal record, and rehabilitation. The criminal record also includes a record of persons convicted by a final judgment for criminal offences of child sexual abuse and child sexual exploitation. The courts, public authorities and institutions engaged in procedures for the protection of the rights and interests of children and procedures of entrusting certain tasks and activities in the field of child-related work may be provided, upon their reasoned request and in the form of a special certificate, with data on the persons convicted by a final judgment for the criminal offences of sexual abuse and sexual exploitation of children. When taking somebody on to do a job that involves regular contacts with children or entrusting somebody with tasks that involve such contacts, the employer may, subject to consent from the person on whom this information is requested, ask for the issuance of a special certificate.

The rehabilitation period for perpetrators of the criminal offences of child sexual abuse and exploitation is twice as long as that for any other criminal offence. Criminal records data are transmitted to all other EU Member States electronically through the use of a criminal records database connected to the European Criminal Records Information System (ECRIS) and to third countries in accordance with the provisions of international treaties.

DENMARK / DANEMARK

Question 1 of the TQ / du QT

See answer to question 5(b) of the GOQ. See also Annex

Question 5b of the General Questionnaire:

The Child Advocacy Centres are under an obligation to register key information about the children and adolescents who receive help in the Centres. The information is gathered for statistical purposes and is reported to the National Board of Social Services.

The plan “Coordinated measures to protect children from abuse” also introduces national statistics for all reports to the social authorities about children and young persons – including reports about children who are presumed to have been exposed to sexual abuse.

household, prohibition from accessing the Internet, and protective supervision upon having served a full prison sentence. Some special obligations that are of relevance to the subject matter of this Convention include the following: “refraining from frequenting certain establishments, ...”, “undergoing individual or group psychosocial treatment at a youth counselling centre” or “prohibition to approach or harass the victim

¹⁷ Official Gazette 143/12.

FINLAND / FINLANDE

Question 1 of the TQ / du QT

There are no separate data collected on information regarding sexual abuse and exploitation of children in the circle of trust.

FRANCE

Did not reply yet. / N'a pas encore répondu.

GREECE / GRÈCE

Question 1 of the TQ / du QT

Thus far, there is no mechanism established for collecting data on sexual abuse of children.

However, the Institute of Child Health collected nationwide data on child abuse and neglect including sexual victimization for 11, 13 and 16 year old children in the context of B.E.C.A.N Project, "Balkan Epidemiological Study on Child Abuse and Neglect" (EU/FP7/223478). These data are concerning field survey of self-reported child victimization experiences for school-years 2010-2012 as well as case-based surveillance study of administratively collected data of child abuse and neglect by authoritative agencies of health, welfare, justice, law enforcement and education sectors (NGOs and governmental organizations) for the year 2010.

Additionally, ICH within the framework of EU's DAPHNE program is currently coordinating a project ("CAN-MDS"/DAP/3) for specifying the minimum dataset indicators required for a pan-European surveillance child maltreatment mechanism that could be feasible in most European countries. the Institute of Child Health has taken the initiative under the overall framework of the a project funded by EU's National Strategic Framework Program (MIS 372071) to develop a national database (national registry for child abuse and neglect cases), where all professionals and related services from the sectors of health, education, social welfare, justice, law enforcement will be able to enter data concerning child abuse and neglect in a unified database.

At this system under development, there are specific variables for the type of abuse and the perpetrator. It is anticipated that the national registry will be operational within year 2015. Moreover, within the EU's National Strategic Framework Program, "EKKA" is currently developing a more widescope project ("e-pronoia") in which all social welfare related cases are to be registered and thus is anticipated to include also child sexual victimization cases among others. As soon as these initiatives conclude successfully, the issue of registration and storage of comprehensive data records

ICELAND / ISLANDE

Question 1 of the TQ / du QT

As explained in the Answer 5b of the GOQ, the Government Agency for Child Protection (GACP) serves as the hub for the collection of statistical data on child sexual abuse and exploitation. Other Agencies including the State Prosecution, the Courts Council and the University Hospital, hold statistics of cases according to their respective roles.

The Appendix to answers to this questionnaire contains a variety of statistical data, including the number of cases reported to the local child protection services (Fig. 10.), data on number of court testimonies by children (Fig. 11.), data on number of police investigations referred to the State Prosecution, data on indictments and sentencing (Fig. 12.). Furthermore, the GACP has analysed statistical data with regard to circle of trust with regard to all disclosures from investigative interviews in *Barnahus* for the past three years. This information reveals that in 72.6% (2012) to 84.7% (2013) of all substantiated cases where children disclosed sexual abuse and exploitation, the perpetrator belonged to the circle of trust (Fig. 9.).

ITALY / ITALIE

Question 1 of the TQ / du QT

Please see answer to question 5b of GOQ

Question 5b of the General Questionnaire:

Italy still does not have a coordinated monitoring and data collection mechanism. Data mainly come from the *Ministry of the Interior*, which takes in consideration police crime reports to the Judicial Authority; from the *Social Services*, which take on responsibility of sexual crime victims; from *Eurispes*; and from *CISMAI* (Coordinated Italian Services against children mistreatment and abuse).

Furthermore, the Observatory for the fight against paedophilia and child pornography set up by law no. 38/2006 is in the process of creating a database to collect, in collaboration with the public authorities, all the information which may be useful to analyze the phenomenon and to evaluate the effectiveness of measures. The approach followed by the Observatory in the construction of the database is structured in three stages:

- collection of data;
- elaboration of the available data;
- discussion with all the professionals dealing with the phenomenon.

In 2008 National Centre for Documentation and Analysis of Children and Adolescence - Istituto degli Innocenti in Florence made a feasibility study of the database. This study was carried out making use of the indications of a technical group composed of the representatives of the Administrations involved. The main purpose of the database is to organize in a systematic and integrated way the information already available through the ability to draw on sources of existing data collection. The highly innovative element of this

instrument is undoubtedly represented by the change in the perspective in relation to the existing information systems. Ultimately, the database will provide an analytical approach mainly focused on child victims of sexual violence, but without publicising sensitive data that would make the children victims and the perpetrators recognizable.

The National centre for the fight against child pornography on the web, also set up by law n. 38/2006, collects all the reports – coming also from foreign polices and from public and private subjects – concerning websites containing child pornography, their administrators and the recipients of payments. The reports are examined by the police and by the judicial authorities and, in case allegations are confirmed, the website as well as the names of its administrators and of the recipients of payments are included in a constantly updated list. The Centre must then communicate all the information and statistical data concerning child pornography on the web to the Presidency of the Council of Ministers - Family Policies Department.

Moreover, the project S.In.Ba. - Information System on the care and protection of children and their families - promoted in the year 2010 by the Ministry of Labour and Social Policy, and coordinated to the Region of Campania, in Italy is today the most important attempt to create a system at national level on children followed by the local social services. The project is part of a process of realization of the SISS - Information system of social services - as set out in article 21 of law no. 328/00.

The projects is based on the filling out of a specific file for each child who is in the care of the local social services. The minimum set of data on the card S.In.Ba. consists of the following sections:

1. Personal profile of the child (age, gender, etc. ..);
2. profile of the parents of the child (age , educational level , etc. ..);
3. profile of the child's family (composition, where the child lived at the time of registration);
4. reporting - evaluation of the application and the action taken;
5. closing the file.

As regards the Ministry of Justice, the Department of Juvenile Justice, Office I of the Head of the Department performed a survey regarding “Minors victims and perpetrators of sexual offences. Activities performed by Offices of Youth Social Services. Survey years 2011-2012”

http://www.giustizia.it/giustizia/it/mg_1_14_1.wp?facetNode_1=0_6&facetNode_2=1_5_2_9&previousPage=mg_1_14&contentId=SST950014

http://www.giustizia.it/giustizia/it/mg_1_12_1.wp?facetNode_1=0_6&facetNode_3=0_6_0_9&facetNode_2=0_6_0&previousPage=mg_1_12&contentId=SPS955053

LITHUANIA / LITUANIE

Question 1 of the TQ / du QT

While implementing Resolution No. 695 “On the approval of the list of indicators of statistical data on children” of the Government of the Republic of Lithuania as of 8 June 2004, within the framework of the 2005 Strategic Partnership Agreement, the Ministry of

Social Security and Labour of the Republic of Lithuania and city (district) municipality administrations cooperate in strategic planning of social services and other child rights protection measures. Pursuant to this agreement, child rights protection services (divisions) of each municipality administration collect and enter the data on the implementation of child rights protection in municipalities in the Strategic Partnership Information System. Currently it is the Information System on Social Assistance to Families (hereinafter referred to as SPIS). The State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour has been analysing the data of reports formed in SPIS since 2006. It should be noted that SPIS reports (<http://vitrinos.spis.lt:8080/vtas.html>) indicate the number of children and cases of potential violence against children. The table presents statistics on children who suffered from violence (including sexual abuse) by municipalities and across the country, distinguishing between cases of abuse of children by other people and in the circle of trust. The statistics on children victims of sexual abuse in Lithuania are accumulated and processed in accordance with the Children's Gender Parameter, and the number of both girls and boys victims of sexual abuse is identified.

- The Information and Communications Department under the Ministry of the Interior is the manager of the Departmental Register of Criminal Acts (hereinafter referred to as the Register) (Order No. 1V-36 "Regarding the Departmental Register of Criminal Acts" of the Minister of the Interior as of 26 January 2006) and, on the basis of its data, drafts statistical reports of criminal acts, their investigation results, persons suspected (accused) of commitment of criminal acts and victims of criminal acts in the Republic of Lithuania. The purpose of the Register is to register the objects of the Register, to collect, accumulate, process, systematise, store, use and provide the Register data and documents for pre-trial investigation institutions, courts, other state institutions and agencies, natural and legal persons, and to perform other actions of handling the Register data. The aims of personal data management of the Register include the investigation and prevention of criminal acts, record of suspected (accused) persons and victims, drafting of statistical reports on criminal acts, suspected (accused) persons and victims.
- The Information and Communications Department under the Ministry of the Interior is the manager and administrator of the Register of Suspected, Accused and Convicted Persons (Regulations of the Register of Suspected, Accused and Convicted Persons approved by Resolution No. 435 "On the approval of the regulations of the Register of Suspected, Accused and Convicted Persons and the establishment of the beginning of operation thereof" of the Government of the Republic of Lithuania as of 18 April 2012). The Register objects are the following suspected, accused and convicted natural and legal persons:
 - 1) natural and legal persons with regard to who a notice of suspicion has been issued;
 - 2) natural persons who have been identified as suspects, when they are hiding or their whereabouts are unknown;
 - 3) natural and legal persons accused in private accusation proceedings;
 - 4) natural and legal persons with regard whereto procedural decisions were passed during pre-trial investigation and legal proceedings in criminal proceedings;

- 5) natural and legal persons with regard whereto procedural decisions passed in criminal proceedings are executed.

- The purpose of the Register is to register the objects of the Register, to collect, accumulate, process, systematise, store, use and provide the Register data, information and documents, and to perform other actions of handling the Register data and information. The aims of personal data management of the Register include the investigation and prevention of criminal acts, legal proceedings, execution of court judgments, performance of direct and other statutory functions of law enforcement and other state and municipal institutions and establishments.

LUXEMBOURG

Question 1 of the TQ / du QT

Non, il n'y a pas de collecte de données au niveau du Parquet ou du Ministère de la Justice en vue d'observer et d'évaluer le phénomène.

MALTA/MALTE

Question 1 of the TQ / du QT

Data regarding the entire Child Protection Service is collected by Aġenzija Appoġġ, which is the National Agency for children, families and the community, safeguards and promotes the well-being of persons through the development and provision of psycho-social welfare services. Aġenzija Appoġġ forms part of the Foundation for Social Welfare Services, which is responsible to provide social welfare services, in particular in relation to alcohol and substance abuse and in relation to other social welfare problems prevalent in the country, especially those related to family welfare.

The data collected is not specifically on sexual abuse or specific to children in the circle of trust. Therefore the data is predominantly collected for observing the phenomenon of child abuse. No focal point has been identified with regards to statistical data on victims and offenders within the circle of trust.

In terms of processed data, the Child Protection Service inputs information concerning their cases within an Access Database. This information is then collected by the Foundation for Social Welfare Service's Research Office. The information is processed and analysed every 6 months. A Statistical Report containing the data is published every 6 months. An annual trends report is published for internal use and a Biennial Report is published online and is accessible at:

<http://fsws.gov.mt/en/fsws/Pages/research.aspx>

The data is used to reply to local Parliamentary Questions, for various local and international questionnaires e.g. WHO Questionnaire on the prevention of child maltreatment and other adverse childhood experiences (ACE), US Department of State Country Report on Human Rights Practices in Malta for 2011. From time to time, statistical data is released to the Media and is requested by the National Statistics Office for publications such as the Children's Publication. The publications are available at:

http://www.nso.gov.mt/statdoc/document_view.aspx?id=2640

The Protection of Minors (Registration) Act came into force in January 2012. It provides for the registration of sexual offenders and other offenders who commit offences of serious violence towards minors.

<http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11815&l=1>

REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA

Question 1 of the TQ / du QT

In order to implement the Law on social assistance by the Government Decision no. 1356 of December 03, 2008 the "Structure of Information System" Social Assistance was approved. Social Assistance Automated Information System (SAAIS) was created for the collection, storage, processing and distribution of the information about the beneficiaries, institutions and services of social assistance system to the central and local authorities, individuals and legal entity. Meanwhile, SAAIS is a tool for social workers, helping them to go through all needed steps to solve a case. The module of Social Services in SAAIS is enhanced to cover the following services: child and family protection, assistance and protection of victims of domestic violence, care and protection of persons infected / affected by HIV / AIDS, care and protection of persons suffering from tuberculosis, assistance and protection of victims and potential victims of human trafficking, protection of persons with disabilities (including prosthetic, orthopaedics and rehabilitation services). In 2013 the SAAIS was put into operation.

The General Directorate of Criminal Prosecution has participated in a series of workshops, round tables, workshops on the nomination, namely:

- On 24.04.2013 the National Center for the Prevention of child abuse in collaboration with the Center for Investigations and Consultancy SOCIOPOLIS organized an event to launch the study report child victims of crime and legal procedures;
- On 28.05.2013 the National Center for Prevention of child abuse in collaboration with the Ministry of Justice and Social Development Center „MOVISIE” in Netherlands organized an event to launch the report on the assessment of the legal system in cases of criminal investigation of children in Moldova;
- The Ministry of Justice, as coordinator of the implementation of the Justice Sector Reform Strategy for the 2011-2016 , in order to achieve optimal action 6.3.2 page 2 of the Strategy Action Plan, approved by Parliament Decision no. 6 of 16.02.2012, “Fitting assistance and spaces for hearing children inside the courts, prosecution offices and police stations”, organized a roundtable with the representatives of the

implementing institutions of the justice sector, the third sector and development partners;

- The General Directorate of Criminal Prosecution participated in a study seminar entitled „Justice for Children” held at the „Stefan cel Mare” Police Academy premises, between July 1-2, 2013, in partnership with UNICEF and General Directorate of Criminal Prosecution of the General Inspectorate of Police;
- From 08.06.2013 the Directorate attended the consultative meeting on identifying opportunities for documentation of cases of docking children for sexual purposes in terms of exclusion among children in the documentary.

In 2011 the CO International Center for Women Rights Protection and Promotion “La Strada” provided two training modules entitled „Interdisciplinary approach to cases of commercial sexual exploitation of children” in order to promote the special, child hearing status of victim / witness of sexual exploitation, involving 150 employees of the prosecution services and the department of child safety police subdivisions.

During 2012, „Terre des hommes” Foundation representative in Moldova, Lausanne-Switzerland, held four workshops for the employees of temporary placement of juveniles’ center of the Ministry of Internal Affairs, which aims to develop communication skills of children and intervention strategies for positive discipline approach for the beneficiaries of the Centre.

On November 14, 2012, under „Free, powerful and protected - towards a better system of child protection in Moldova” project held in Orhei and Leova, conducted in cooperation with the National Center for Prevention of Child Abuse, 27 employees of public order services from targeted districts were trained on effective intersectoral cooperation mechanism and monitoring assistance to child victims and potential victims of abuse, neglect, exploitation and trafficking.

Also, between 28-30 of March 2012, the NGO “Partnership for Every Child” in collaboration with the Ministry of Education, Ministry of Health and Ministry of Labor and Social Protection implemented the project „Ensuring children's right to protection from family violence, abuse and neglect”, funded by USAID, which assists the Government of the Republic of Moldova to strengthen the child protection system, ensuring growth in a family's safety and protection, held a workshop entitled „New insights for social services for children and families in Falesti, Calarasi, Ungheni, part II”, which was attended by 10 employees of public order police services (deputy commissioners, police chiefs of public order).

Between 20-31.05.2013, 45 employees of the Department of Child Safety, were trained on best practices for effective communication with children. The training of trainers was organized with the support of „Terre des hommes” Foundation Representative in Moldova, Lausanne-Switzerland, which is foreseen to expand their training activities within the territorial subdivisions of police in preventing and combating all forms of abuse, negligence, exploitation and increasing the level of safety and protection of children.

There is no specific mentioning on the data of offences in the circle of trust.

MONTENEGRO

Question 1 of the TQ / du QT

There is no single record or database of children – victims of sexual violence; instead, each institution has its own records.

Database on child protection, which refers to the social and child protection, has been established at local and national levels, in order to contribute to improving the monitoring and planning of child protection, as well as to developing programmes for improvement thereof.

The application has been put into operation in early 2012, so employees of social welfare centres are inserting all new cases, as well as the rights already achieved in previous years. Within the multidisciplinary teams, each case of violence is processed separately, with all of its characteristics and particularities.

Data exists in all health care institutions in paper form.

The perceived shortcoming of the protection of children is that an insufficient number of cases of sexual abuse and exploitation of children is addressed before courts, and the reason for this, according to professionals, is the problem of provability, i.e. the inability to conduct effective investigations, which often leads to a delay in the proceedings and the situation in which the victims give up. For example, in the period from 2008 to 2011, 61 criminal charges were filed to Basic Courts in Montenegro in relation to sexual exploitation of children, whereas 44 convictions were pronounced for these criminal offences; according to the records of the Basic Public Prosecutor's Office, 58 criminal charges were filed and there were 27 convictions made¹⁸

During 2012, in cooperation with ombudspersons of the region, with the support of Save the Children from Norway, the second phase of the project "Improvement of the status of the child with a view to protection against all forms of exploitation" was implemented. This phase referred to the protection of children from sexual exploitation. The results of the survey conducted in Montenegro indicate that cases of sexual exploitation and abuse of children were registered in all regional units of the Police Administration, public prosecution offices, and in most social welfare centres (57.14%). Half of the Basic Courts reported cases of sexual exploitation of children, which indicates that a small number of cases are addressed before courts.

Often there are situations in which, when there is a suspicion that a child is sexually exploited, the case is not reported due to a lack of physical evidence, the problem of a small community, and the like. Professionals themselves often do not have the support of parents and families with whom the child lives, because in most cases the family does not accept any such indications as possible, giving more trust and attention to the testimony of an adult (a possible perpetrator of the abuse), than to the child's statement. All of the above is very disturbing because it

¹⁸ "A Report on the sexual exploitation of children in Montenegro", within the regional project of the Children's Rights Ombudspersons' Network in South and Eastern Europe, "Improvement of the status of the child with a view to protection against all forms of exploitation", 2010.

indicates a problem in the procedures of reporting, identification of child victims, inter-agency cooperation, investigation and prosecution of cases of sexual exploitation of children, and child safety in the protection process itself.

NETHERLANDS / PAYS BAS

Question 1 of the TQ / du QT

Did not reply yet. / N'a pas encore répondu.

PORTUGAL

Question 1 of the TQ / du QT

None of the Portuguese authorities consulted reported the existence of systematic collection of data on the specific issue of sexual abuse of children in the circle of trust. The official statistics of justice on sexual crimes against children only allow for a disaggregation of data per crime and not per type of offender.

According to the Portuguese Ministry of Health, clinical data concerning the abuse of children and juveniles are currently in the process of being electronically registered, which will allow for the gradual improvement of collection methods and availability of information.

The Criminal Police (Polícia Judiciária) collects data on the phenomenon of sexual crime against children, including disaggregated data on sexual abuse of children in the circle of trust. These data originate from the register of crimes reported to and investigated by the Criminal Police and are registered into SIIC, a database on criminal information available to all Portuguese police forces. The relevant indicator that is taken into consideration is the kind of relationship which exists between the aggressor and the victim. This indicator allows for a research according to the type of relationship, and many of the categories inscribed bare a connection with the child's circle of trust.

The typology of sexual crimes against children foreseen in the Portuguese criminal legislation is: sexual abuse of children, sexual abuse of dependent minor, sexual activities with adolescents; pornography of minors, children recruitment for prostitution purposes (pandering of minors).

For available statistical information please see the tables attached.[Appendix]

ROMANIA / ROUMANIE

Question 1 of the TQ / du QT

On ANITP level there is the Integrated System for Monitoring and Assessing Victims – database referring to the trafficking of children for the purpose of exploitation in any way. As well, the data concerning child abuse, neglect and exploitation of any kind is also collected through the Monitoring reports on situations of abuse, neglect and exploitation of children. This data is collected on national level by the Directorate for the Protection of Children within the Ministry of Labor, Family, Social Welfare and Elders (DPC-MLFSWE), the data being collected on local level through the 47 DGSWCP.

The data collection on the level of DGSWCP is made on the basis of the mandatory notification provisioned by Law no. 272 on the protection and promotion of the rights of the child, notifications being made by any person or institution, including nongovernmental organizations (NGOs). The data is available on the website www.copii.ro, as statistics begin with 2008.

SAN MARINO / SAINT-MARIN

Question 1 of the TQ / du QT

Did not reply yet. / N'a pas encore répondu.

SERBIA / SERBIE

Question 1 of the TQ / du QT

Ministry of Labour, Employment and Social Policy:

Under the Family Code of the Republic of Serbia and Rules on records and documents on persons victims of domestic violence, and on persons who are provided with a measure of protection from domestic violence, it is the Centres for social work, as a basic unit in social welfare system in the Republic of Serbia, that are responsible to maintain records on registered victims (including the victims of forced sexual activities), and on offenders against whom measure of protection is ordered. The data (the certificate provided on the basis of the record so maintained by centre of social work) on the registered offenders are issued on the request of: victims of violence; legal representative; other centre for social work (guardianship authority); judiciary authorities; Ministry of Interior; healthcare facilities and educational institutions. However, in centres for social work, as well as within social welfare system generally, there are no coordinators/focal points in place to statistically observe and evaluate sexual abuse of children.

Under the records maintained by centres for social work in the Republic of Serbia (in total there are 140 such centres across Serbia), of 3.787 children who have been victims of sexual abuse and neglect in 2012, 118 (24 boys and 94 girls) are victims of sexual violence.

According to the data for 2011, in most cases of violence against children reoriented to the centre for social work, it occurred within natural/biological family (96%). There are cases of reported violence in foster families and in residential care institutions, however very few (0.4%). Of all the cases of violence reported to social welfare services, only 3.3 % are cases of violence that occurred in other types of environments. In Serbia, a number of children who were registered with CSW as victims of domestic violence in 2012 were 3017, i.e. for the first time their number has been over 3000. In 2011, there were 2.324 of such children. Nevertheless, a number of children victims of violence who in 2012 were removed from the family for purpose of safety (under the temporary conclusion on provision of placement for such children) almost doubled in a year – there were 640 of the children in 2012 in comparison to 359 in 2011.

Ministry of Health:

Under the Law on Healthcare Documents and Records which is currently undergoing the procedure of enactment and which is expected to become in effect by the end of 2013, the basic medical documents shall also contain the data on the patient, which in addition to other data include the following personal data: Name and surname, name and surname of one parent-guardian, gender, date and year of birth, marital status, city, municipality and country of residence and birth and citizen's individual identification number.

Also, under the same Law, the Registry Book is introduced to be utilized for identification of health conditions and diseases, including also in cases of children when reasonable doubts arise that there have been exposed to abuse and neglect.

Under the same Law the preparation of individual and aggregate reports are mandatory on children in connection to whom there is reasonable doubt that they may have been exposed to any form of child abuse.

In 2013, Institute for Public Health of Serbia "*Dr. Milan Jovanovic Batut*", identified a set of data and indicators for monitoring incidences of child abuse, neglect and exploitation, including sexual exploitation, created a database to collect and enter the data, and started developing the Register on children in connection to whom there is a doubt that they have been exposed to abuse and neglect. In 2014 all the staff in every relevant healthcare institutions will be trained and consequently start registering and reporting when they have doubts that a child may have been exposed to abuse and neglect.

NGO Astra answer:

Please see the answers to the questions 5b and 5c of the GOQ.

Question 5b of the General Questionnaire:

NGO Astra:

When it comes to human trafficking in Serbia there is no body that is responsible for coordinating the collection of data on trafficking and related offences. There are several sources of data on victims of trafficking, from the Ministry of Interior, which records information on the number of criminal charges that were filed in a given period for this criminal act, through the Centre for the Protection of Victims of Human Trafficking, which keeps track of identified trafficking victims, social welfare centres, including non-governmental organizations that provide assistance to victims and keep records of their

clients. These data are not coordinated and comparable, primarily due to the different criteria of recording.

Regarding the data on conducted investigations, prosecutions, court proceedings and rulings, there is also no centralized database, which would enable easy access to data. Republic Public Prosecutor's Office has information on conducted investigations, charges rejected, prosecuted, first and second instance rulings (including information on the type of sentence), but these data are collected on persons who are the subject of the indictment, while the information about the injured parties do not exist. Data on persons against whom proceedings are conducted is provided as an aggregate number, i.e. without sorting by gender, age, etc.

Republic Institute for Statistics also keeps a record for the crime of human trafficking and other offences, but the data that they publish represents the aggregate number of court rulings, without detailed information on the type and length of sentence. Data on the length of the sentence awarded to traffickers is not available in a centralized form.

It is expected that, for the purposes of negotiating with the EU, some judicial data is to be collected in more details, and to be more accessible, but it is still necessary to design and implement a systematic approach to collecting data on the criminal offence of trafficking and victims of human trafficking, which will provide a valid picture of the extent of the problem in our country and the activities undertaken in the field of criminal prosecution and victim protection and assistance.

Question 5c of the General Questionnaire

NGO Astra:

In April 2013, Law on special measures for the prevention of crimes against sexual freedom against minors, known as "Marija's Law" was adopted. Article 14 of the proposed law stipulates that the Directorate should keep special records for Execution of Criminal Sanctions, and that the Ministry of Justice will regulate the record keeping in closer detail. The deadline for submission of data to the responsible person in the Directorate for Execution of Criminal Sanctions who keeps separate records is within three days.

All state and other authorities, as well as legal entities or entrepreneurs are required to submit the obtained information on which special records are kept in this time period. It was proposed that the data in special records is kept permanently, as well as that it is not allowed to delete data from special records. This database has not yet been established.

SPAIN / ESPAGNE

Question 1 of the TQ / du QT

See Q5b GOQ.

Question 5b of the General Questionnaire:

The working group on child abuse of the Spanish Observatory on Children published in 2001 a manual entitled "Child abuse. Detection, notification and recording of cases", which has

served as a basis for the detection and action protocols of the Autonomous Regions. The manual included a tool, the notification sheet, to elaborate statistics on child abuse.

The Ministry of Health, Social Services and Equality in cooperation with the Autonomous Regions started setting up an on-line database for the notification of child abuse cases (RUMI) in June 2008. All protection services have access to it at present.

RUMI (unified register of child abuse) provides global data related to the following factors: age, sex, type of abuse, origin of notification, nationality of the victim and degree of abuse. 2012 data are the following:

NOTIFICATIONS BY SEX AND TYPE OF ABUSE

TYPE OF ABUSE	Female	Male	Total
SEXUAL ABUSE	340	148	488
EMOTIONAL	1.424	1.564	2.988
PHYSICAL	1.060	989	2.049
NEGLECT	3.124	3.898	7.022
	5.948	6.599	12.547

The successive Plans of Action against the Sexual Exploitation of Children and Adolescents have always devoted a specific section to statistical information based on information from the Ministry for Home Affairs.

The following table provides data on the number of complaints about offences against sexual freedom on minors:

	2008	2009	2010	2011	2012
Female	3.011	2.781	2.673	2.566	2.582
Male	801	678	648	607	608
Total	3.812	3.459	3.322	3.177	3.190

On another point, the Ministry of Justice, in collaboration with the Ministry of Health, Social Services and Equality and the civil society, has addressed the collection of best practices in two aspects: the fight against child violence and the fight against child sexual abuse.

"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA" / "L'EX-REPUBLIQUE YUGOSLAVE DE MACEDOINE"

Did not reply yet. / N'a pas encore répondu.

TURKEY / TURQUIE

Question 1 of the TQ / du QT

One of the eight strategic objectives of the “National Action Plan on Combating Violence Against Children” (2014-2018), mentioned in the General Overview Questionnaire, is the establishment of a follow-up mechanism, which would be in operation on a regular basis within a circle of trust to monitor the children who have been subject to exploitation.

This strategic objective aims to achieve two goals: 1-to ensure the systematic follow-up of the qualitative and quantitative extent of the violence against children issue by official data and studies to be conducted among the general child population. 2-to assess the efficiency and performance of public policies which are already in place and which will soon be in place.

Within this context, three subgoals have been identified:

1- to determine the concept of violence against children, its indications and institutions that collect data related to these indications, as well as their data collection strategies,

2- to identify strategies on the sharing of data collected by different institutions and on gathering these data in a common data repository,

3- to set standards for studies to be conducted on a regular basis on the “experience of violence” among the general child population and to collect data through at least one study.

UKRAINE

Question 1 of the TQ / du QT

Did not respond to this question / N’a pas répondu à cette question

* * *

III – Other stakeholders / Autres parties prenantes

BLÁTT ÁFRAM (ICELAND / ISLANDE)

Question 1 of the TQ

Data has been collected from 2nd grade teachers who have seen the “Kids on the Block” production, which is aimed for the prevention of sexual abuse with the message encouraging children to disclose if they are in need of help. Post-program evaluation has been conducted as to its effectiveness in helping teachers identify abuse, as well as teaching children to ask for help when in need. This research report will be released in February 2014, and will be sent to your organization once it is transcribed in English.

UNICEF (ICELAND / ISLANDE)

Question 1 of the TQ

No special or official mechanisms are in place to specifically collect data on victims or offenders within the circle of trust. The Child protection agency is responsible for collecting data on all notifications made on sexual abuse and exploitation but the reports they publish every 3 months do not have details on perpetrators. The Children’s house collects detailed data on all children that come there for questioning and treatment. Their data is not analysed annually in any organised manner.

UNICEF Iceland published a report in March 2013 on violence against children and prevention measures. The report includes various data on abuse and exploitation in the circle of trust. The data is included in Appendix I.

IV- appendixes/annexes:

AUSTRIA/AUTRICHE

Appendix 1 :

Police Crime Statistics Austria

Police Crime Statistics Austria
Offences against the sexual integrity and self-determination
(§§ 201, 202, 205, 206, 207, 207b, 217 StGB)
relation between the perpetrator and the victim

total number	overall	family relation in the common household	family relation without common household
Year 2008	1.425	283	140
Year 2009	1.394	275	147
Year 2010	1.756	354	205
Year 2011	1.882	419	217
Year 2012	1.879	392	224

percentage	overall	family relation in the common household	family relation without common household
Year 2008	100,0%	19,9%	9,8%
Year 2009	100,0%	19,7%	10,5%
Year 2010	100,0%	20,2%	11,7%
Year 2011	100,0%	22,3%	11,5%
Year 2012	100,0%	20,9%	11,9%

acquaintanceship	chance acquaintanceship	unknown	none
601	208	20	173
584	220	9	159
732	225	28	212
801	200	29	216
822	212	20	209

acquaintanceship	chance acquaintanceship	unknown	none
42,2%	14,6%	1,4%	12,1%
41,9%	15,8%	0,6%	11,4%
41,7%	12,8%	1,6%	12,1%
42,6%	10,6%	1,5%	11,5%
43,7%	11,3%	1,1%	11,1%

Appendix 2-6:

ÖSTERREICH JÄNNER BIS DEZEMBER 2008		III-99 der Beilagen XXIV. GP - Bericht - Hauptdokument (Teil II) TÄTER-OPFER BEZIEHUNG										TABELLE 4 BLATT 1		33 von 285
		BEZIEHUNGSART												
AUSGEWÄHLTE DELIKTE	FAMILIÄRE BEZIEHUNG IN HAUSGEMEINSCHAFT		FAMILIÄRE BEZIEHUNG OHNE HAUSGEMEINSCHAFT		BEKANNTSCHAFTS- VERHÄLTNISS		ZUFALLS- BEKANNTSCHAFT		KEINE		UNBEKANNT		GESAMT	
	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %
§ 75 StGB	27	25,7%	16	15,2%	33	31,4%	10	9,5%	19	18,1%	-	-	105	100%
§ 77 StGB	-	---	-	---	2	100,0%	-	-	-	-	-	-	2	100%
§ 78 StGB	1	33,3%	1	33,3%	1	33,3%	-	-	-	-	-	-	3	100%
§ 82 StGB	1	25,0%	1	25,0%	1	25,0%	1	25,0%	-	-	-	-	4	100%
§ 83 StGB	4.435	16,2%	1.526	5,6%	7.882	28,7%	2.448	8,9%	10.052	36,7%	1.081	3,9%	27.424	100%
§ 84 StGB	165	6,6%	65	2,6%	557	22,4%	274	11,0%	1.319	53,1%	103	4,1%	2.483	100%
§ 85 StGB	6	15,0%	1	2,5%	12	30,0%	3	7,5%	17	42,5%	1	2,5%	40	100%
§ 86 StGB	-	---	-	---	6	60,0%	-	-	2	20,0%	2	20,0%	10	100%
§ 87 StGB	19	8,0%	11	4,6%	71	30,0%	21	8,9%	104	43,9%	11	4,6%	237	100%
§ 92 StGB - Vergehen	149	81,4%	10	5,5%	9	4,9%	1	0,5%	13	7,1%	1	0,5%	183	100%
§ 92 StGB - Verbrechen	14	82,4%	-	---	2	11,8%	1	5,9%	-	-	-	-	17	100%
§ 93 StGB - Verbrechen	2	100,0%	-	---	-	---	-	-	-	-	-	-	2	100%
§ 99 StGB - Vergehen	90	27,8%	42	13,0%	130	40,1%	22	6,8%	35	10,8%	5	1,5%	324	100%
§ 99 StGB - Verbrechen	2	50,0%	-	---	2	50,0%	-	-	-	-	-	-	4	100%
§ 101 StGB	-	---	-	---	-	---	-	-	1	100,0%	-	-	1	100%
§ 102 StGB	1	6,3%	4	25,0%	8	50,0%	-	-	3	18,8%	-	-	16	100%
§ 104a StGB - Vergehen	-	---	-	---	2	50,0%	-	-	-	-	2	50,0%	4	100%
§ 105 StGB	244	12,4%	144	7,3%	663	33,7%	158	8,0%	693	35,2%	66	3,4%	1.968	100%
§ 106 StGB	376	26,7%	209	14,9%	466	33,1%	86	6,1%	241	17,1%	29	2,1%	1.407	100%
§ 107 StGB	1.930	18,2%	1.237	11,7%	3.930	37,0%	744	7,0%	2.476	23,3%	291	2,7%	10.608	100%
§ 107a StGB	78	4,5%	371	21,3%	947	54,4%	128	7,3%	187	10,7%	31	1,8%	1.742	100%
§ 131 StGB	2	0,6%	2	0,6%	11	3,5%	14	4,5%	275	88,1%	8	2,6%	312	100%
§ 142 StGB	15	1,1%	11	0,8%	167	12,6%	71	5,4%	1.002	75,6%	60	4,5%	1.326	100%
§ 143 StGB	1	0,1%	3	0,4%	56	8,3%	43	6,4%	537	79,9%	32	4,8%	672	100%
§ 201 StGB	125	25,2%	28	5,6%	200	40,3%	85	17,1%	50	10,1%	8	1,6%	496	100%
§ 202 StGB	18	8,3%	8	3,7%	96	44,2%	46	21,2%	46	21,2%	3	1,4%	217	100%
§ 205 StGB	7	5,7%	8	6,6%	67	54,9%	25	20,5%	12	9,8%	3	2,5%	122	100%
§ 206 StGB	70	28,2%	46	18,5%	109	44,0%	16	6,5%	7	2,8%	-	-	248	100%
§ 207 StGB	54	22,4%	47	19,5%	78	32,4%	21	8,7%	38	15,8%	3	1,2%	241	100%
§ 207b StGB	6	8,7%	3	4,3%	32	46,4%	13	18,8%	15	21,7%	-	-	69	100%
§ 217 StGB	3	9,4%	-	---	19	59,4%	2	6,3%	5	15,6%	3	9,4%	32	100%

ÖSTERREICH JÄNNER BIS DEZEMBER 2009		TÄTER-OPFER BEZIEHUNG										TABELLE 4 BLATT 1		
		BEZIEHUNGSART												
AUSGEWÄHLTE DELIKTE	FAMILIÄRE BEZIEHUNG IN HAUSGEMEINSCHAFT		FAMILIÄRE BEZIEHUNG OHNE HAUSGEMEINSCHAFT		BEKANNTSCHAFTS- VERHÄLTNISS		ZUFALLS- BEKANNTSCHAFT		KEINE		UNBEKANNT		GESAMT	
	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %
§ 75 StGB	37	26,8%	23	16,7%	36	26,1%	14	10,1%	21	15,2%	7	5,1%	138	100%
§ 78 StGB	1	100,0%	-	---	-	---	-	---	-	---	-	---	1	100%
§ 79 StGB	2	100,0%	-	---	-	---	-	---	-	---	-	---	2	100%
§ 82 StGB	-	---	-	---	4	66,7%	-	---	2	33,3%	-	---	6	100%
§ 83 StGB	4.671	16,8%	1.645	5,9%	7.864	28,3%	2.180	7,8%	10.266	36,9%	1.167	4,2%	27.793	100%
§ 84 StGB	203	7,7%	87	3,3%	570	21,5%	224	8,4%	1.417	53,4%	152	5,7%	2.653	100%
§ 85 StGB	3	12,5%	-	---	8	33,3%	1	4,2%	11	45,8%	1	4,2%	24	100%
§ 86 StGB	-	---	1	16,7%	1	16,7%	1	16,7%	3	50,0%	-	---	6	100%
§ 87 StGB	21	7,6%	9	3,2%	70	25,3%	29	10,5%	137	49,5%	11	4,0%	277	100%
§ 92 StGB - Vergehen	129	76,8%	23	13,7%	11	6,5%	1	0,6%	4	2,4%	-	---	168	100%
§ 92 StGB - Verbrechen	6	85,7%	-	---	1	14,3%	-	---	-	---	-	---	7	100%
§ 99 StGB - Vergehen	126	35,2%	42	11,7%	126	35,2%	16	4,5%	44	12,3%	4	1,1%	358	100%
§ 99 StGB - Verbrechen	5	31,3%	2	12,5%	6	37,5%	2	12,5%	1	6,3%	-	---	16	100%
§ 101 StGB	-	---	1	50,0%	-	---	-	---	1	50,0%	-	---	2	100%
§ 102 StGB	1	20,0%	1	20,0%	-	---	1	20,0%	2	40,0%	-	---	5	100%
§ 104a StGB - Vergehen	5	35,7%	1	7,1%	4	28,6%	1	7,1%	-	---	3	21,4%	14	100%
§ 104a StGB - Verbrechen	-	---	-	---	5	71,4%	-	---	2	28,6%	-	---	7	100%
§ 105 StGB	284	13,0%	186	8,5%	766	35,1%	178	8,1%	719	32,9%	52	2,4%	2.185	100%
§ 106 StGB	364	24,4%	199	13,3%	525	35,2%	67	4,5%	296	19,9%	40	2,7%	1.491	100%
§ 107 StGB	2.063	18,3%	1.380	12,3%	4.178	37,2%	756	6,7%	2.573	22,9%	295	2,6%	11.245	100%
§ 107a StGB	83	4,6%	375	20,7%	1.018	56,1%	107	5,9%	204	11,2%	27	1,5%	1.814	100%
§ 107b - Vergehen	59	80,8%	5	6,8%	8	11,0%	-	---	1	1,4%	-	---	73	100%
§ 107b - Verbrechen	11	68,8%	2	12,5%	3	18,8%	-	---	-	---	-	---	16	100%
§ 131 StGB	1	0,3%	1	0,3%	22	6,7%	11	3,4%	281	85,9%	11	3,4%	327	100%
§ 142 StGB	11	0,8%	10	0,7%	187	13,3%	122	8,7%	1.045	74,3%	32	2,3%	1.407	100%
§ 143 StGB	1	0,1%	-	---	60	7,7%	43	5,5%	656	83,7%	24	3,1%	784	100%
§ 201 StGB	143	26,3%	38	7,0%	216	39,8%	98	18,0%	43	7,9%	5	0,9%	543	100%
§ 202 StGB	17	9,3%	6	3,3%	87	47,5%	39	21,3%	34	18,6%	-	---	183	100%
§ 205 StGB	4	4,0%	4	4,0%	59	59,6%	24	24,2%	8	8,1%	-	---	99	100%
§ 206 StGB	62	28,2%	38	17,3%	97	44,1%	15	6,8%	8	3,6%	-	---	220	100%
§ 207 StGB	42	19,2%	51	23,3%	80	36,5%	29	13,2%	16	7,3%	1	0,5%	219	100%
§ 207b StGB	5	9,1%	6	10,9%	27	49,1%	11	20,0%	6	10,9%	-	---	55	100%
§ 217 StGB	2	2,7%	4	5,3%	18	24,0%	4	5,3%	44	58,7%	3	4,0%	75	100%

DELIKTSGRUPPEN	BEZIEHUNGSART														GESAMT
	FAMILIÄRE BEZIEHUNG IN HAUSGEMEINSCHAFT		FAMILIÄRE BEZIEHUNG OHNE HAUSGEMEINSCHAFT		BEKANNTSCHAFTS- VERHÄLTNIS		ZUFALLS- BEKANNTSCHAFT		KEINE		UNBEKANNT		ANZAHL	ZEILEN %	
	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %			
§ 201 StGB	149	21,7%	62	9,0%	266	38,8%	121	17,6%	79	11,5%	9	1,3%	686	100%	
§ 202 StGB	22	10,9%	11	5,5%	92	45,8%	18	9,0%	54	26,9%	4	2,0%	201	100%	
§ 205 StGB	8	5,8%	8	5,8%	70	50,4%	37	26,6%	15	10,8%	1	0,7%	139	100%	
§ 206 StGB	91	26,7%	64	18,8%	149	43,7%	18	5,3%	14	4,1%	5	1,5%	341	100%	
§ 207 StGB	73	26,7%	53	19,4%	98	35,9%	16	5,9%	29	10,6%	4	1,5%	273	100%	
§ 207b StGB	7	9,2%	5	6,6%	41	53,9%	11	14,5%	10	13,2%	2	2,6%	76	100%	
§ 217 StGB	4	10,0%	2	5,0%	16	40,0%	4	10,0%	11	27,5%	3	7,5%	40	100%	
STRAFBARE HANDLUNGEN GEGEN LEIB UND LEBEN	5.627	17,0%	1.965	5,9%	9.191	27,8%	1.831	5,5%	13.293	40,2%	1.164	3,5%	33.071	100%	
DAVON VERBRECHEN	86	16,6%	30	5,8%	146	28,1%	48	9,2%	191	36,8%	18	3,5%	519	100%	
DAVON VERGEHEN	5.541	17,0%	1.935	5,9%	9.045	27,8%	1.783	5,5%	13.102	40,2%	1.146	3,5%	32.552	100%	
STRAFBARE HANDLUNGEN GEGEN DIE FREIHEIT	3.145	18,2%	2.343	13,5%	6.486	37,4%	814	4,7%	4.161	24,0%	372	2,1%	17.321	100%	
DAVON VERBRECHEN	410	27,4%	233	15,6%	470	31,4%	64	4,3%	289	19,3%	31	2,1%	1.497	100%	
DAVON VERGEHEN	2.735	17,3%	2.110	13,3%	6.016	38,0%	750	4,7%	3.872	24,5%	341	2,2%	15.824	100%	
STRAFBARE HANDLUNGEN GEGEN FREMDES VERMÖGEN	5	0,3%	7	0,4%	217	13,0%	95	5,7%	1.302	77,8%	47	2,8%	1.673	100%	
DAVON VERBRECHEN	5	0,3%	7	0,4%	217	13,0%	95	5,7%	1.302	77,8%	47	2,8%	1.673	100%	
DAVON VERGEHEN	-	---	-	---	-	---	-	---	-	---	-	---	-	-	
STRAFB HANDLUNGEN GG D SEXUELLE INTEGRITÄT U SELBSTBESTIMMUNG	354	20,2%	205	11,7%	732	41,7%	225	12,8%	212	12,1%	28	1,6%	1.756	100%	
DAVON VERBRECHEN	347	20,7%	200	11,9%	691	41,1%	214	12,7%	202	12,0%	26	1,5%	1.680	100%	
DAVON VERGEHEN	7	9,2%	5	6,6%	41	53,9%	11	14,5%	10	13,2%	2	2,6%	76	100%	
GESAMTSUMME ALLER GERICHTLICH STRAFBAREN HANDLUNGEN	9.131	17,0%	4.520	8,4%	16.626	30,9%	2.965	5,5%	18.968	35,2%	1.611	3,0%	53.821	100%	
DAVON VERBRECHEN	848	15,8%	470	8,8%	1.524	28,4%	421	7,8%	1.984	37,0%	122	2,3%	5.369	100%	
DAVON VERGEHEN	8.283	17,1%	4.050	8,4%	15.102	31,2%	2.544	5,3%	16.984	35,1%	1.489	3,1%	48.452	100%	

DELIKTSGRUPPEN	BEZIEHUNGSART														GESAMT
	FAMILIÄRE BEZIEHUNG IN HAUSGEMEINSCHAFT		FAMILIÄRE BEZIEHUNG OHNE HAUSGEMEINSCHAFT		BEKANNTSCHAFTS- VERHÄLTNIS		ZUFALLS- BEKANNTSCHAFT		KEINE		UNBEKANNT		ANZAHL	ZEILEN %	
	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %			
§ 201 StGB	184	25,3%	54	7,4%	303	41,7%	100	13,8%	82	11,3%	4	0,6%	727	100%	
§ 202 StGB	25	10,3%	14	5,8%	113	46,5%	26	10,7%	62	25,5%	3	1,2%	243	100%	
§ 205 StGB	7	4,5%	7	4,5%	81	52,3%	34	21,9%	23	14,8%	3	1,9%	155	100%	
§ 206 StGB	101	32,4%	60	19,2%	122	39,1%	14	4,5%	10	3,2%	5	1,6%	312	100%	
§ 207 StGB	88	26,5%	77	23,2%	121	36,4%	12	3,6%	27	8,1%	7	2,1%	332	100%	
§ 207b StGB	7	9,2%	4	5,3%	49	64,5%	7	9,2%	6	7,9%	3	3,9%	76	100%	
§ 217 StGB	7	18,9%	1	2,7%	12	32,4%	7	18,9%	6	16,2%	4	10,8%	37	100%	
STRAFBARE HANDLUNGEN GEGEN LEIB UND LEBEN	5.925	16,8%	2.382	6,7%	9.967	28,2%	1.933	5,5%	14.064	39,8%	1.086	3,1%	35.357	100%	
DAVON VERBRECHEN	119	20,6%	33	5,7%	179	31,0%	41	7,1%	192	33,3%	13	2,3%	577	100%	
DAVON VERGEHEN	5.806	16,7%	2.349	6,8%	9.788	28,1%	1.892	5,4%	13.872	39,9%	1.073	3,1%	34.780	100%	
STRAFBARE HANDLUNGEN GEGEN DIE FREIHEIT	3.547	18,6%	2.575	13,5%	7.154	37,6%	922	4,8%	4.476	23,5%	364	1,9%	19.038	100%	
DAVON VERBRECHEN	415	27,4%	240	15,9%	501	33,1%	75	5,0%	261	17,2%	22	1,5%	1.514	100%	
DAVON VERGEHEN	3.132	17,9%	2.335	13,3%	6.653	38,0%	847	4,8%	4.215	24,1%	342	2,0%	17.524	100%	
STRAFBARE HANDLUNGEN GEGEN FREMDES VERMÖGEN	11	0,7%	13	0,9%	243	16,2%	94	6,3%	1.084	72,3%	55	3,7%	1.500	100%	
DAVON VERBRECHEN	11	0,7%	13	0,9%	243	16,2%	94	6,3%	1.084	72,3%	55	3,7%	1.500	100%	
DAVON VERGEHEN	-	---	-	---	-	---	-	---	-	---	-	---	-	-	
STRAFB HANDLUNGEN GG D SEXUELLE INTEGRITÄT U SELBSTBESTIMMUNG	419	22,3%	217	11,5%	801	42,6%	200	10,6%	216	11,5%	29	1,5%	1.882	100%	
DAVON VERBRECHEN	412	22,8%	213	11,8%	752	41,6%	193	10,7%	210	11,6%	26	1,4%	1.806	100%	
DAVON VERGEHEN	7	9,2%	4	5,3%	49	64,5%	7	9,2%	6	7,9%	3	3,9%	76	100%	
GESAMTSUMME ALLER GERICHTLICH STRAFBAREN HANDLUNGEN	9.902	17,1%	5.187	9,0%	18.165	31,4%	3.149	5,5%	19.840	34,3%	1.534	2,7%	57.777	100%	
DAVON VERBRECHEN	957	17,7%	499	9,2%	1.675	31,0%	403	7,5%	1.747	32,4%	116	2,1%	5.397	100%	
DAVON VERGEHEN	8.945	17,1%	4.688	8,9%	16.490	31,5%	2.746	5,2%	18.093	34,5%	1.418	2,7%	52.380	100%	

DELIKTSGRUPPEN	BEZIEHUNGSART													
	FAMILIÄRE BEZIEHUNG IN HAUSGEMEINSCHAFT		FAMILIÄRE BEZIEHUNG OHNE HAUSGEMEINSCHAFT		BEKANNTSCHAFTS- VERHÄLTNISS		ZUFALLS- BEKANNTSCHAFT		KEINE		UNBEKANNT		GESAMT	
	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %	ANZAHL	ZEILEN %
§ 201 StGB	158	23,3%	56	8,3%	298	44,0%	102	15,0%	56	8,3%	8	1,2%	678	100%
§ 202 StGB	27	11,5%	12	5,1%	111	47,2%	31	13,2%	51	21,7%	3	1,3%	235	100%
§ 205 StGB	11	7,3%	6	4,0%	96	64,0%	24	16,0%	12	8,0%	1	0,7%	150	100%
§ 206 StGB	95	27,1%	73	20,9%	137	39,1%	19	5,4%	26	7,4%	-	---	350	100%
§ 207 StGB	78	23,9%	68	20,9%	119	36,5%	12	3,7%	45	13,8%	4	1,2%	326	100%
§ 207b StGB	13	20,3%	3	4,7%	27	42,2%	8	12,5%	12	18,8%	1	1,6%	64	100%
§ 217 StGB	10	13,7%	6	8,2%	34	46,6%	16	21,9%	7	9,6%	-	---	73	100%
STRAFBARE HANDLUNGEN														
GEGEN LEIB UND LEBEN	6.059	16,6%	2.556	7,0%	10.405	28,5%	2.001	5,5%	14.286	39,2%	1.147	3,1%	36.454	100%
DAVON VERBRECHEN	90	15,6%	38	6,6%	172	29,9%	43	7,5%	205	35,6%	28	4,9%	576	100%
DAVON VERGEHEN	5.969	16,6%	2.518	7,0%	10.233	28,5%	1.958	5,5%	14.081	39,2%	1.119	3,1%	35.878	100%
STRAFBARE HANDLUNGEN														
GEGEN DIE FREIHEIT	3.650	18,3%	2.757	13,8%	7.550	37,8%	961	4,8%	4.681	23,5%	356	1,8%	19.955	100%
DAVON VERBRECHEN	420	26,4%	271	17,0%	578	36,3%	58	3,6%	246	15,4%	20	1,3%	1.593	100%
DAVON VERGEHEN	3.230	17,6%	2.486	13,5%	6.972	38,0%	903	4,9%	4.435	24,2%	336	1,8%	18.362	100%
STRAFBARE HANDLUNGEN														
GEGEN FREMDES														
VERMÖGEN	16	1,0%	21	1,3%	223	14,1%	92	5,8%	1.189	75,2%	40	2,5%	1.581	100%
DAVON VERBRECHEN	16	1,0%	21	1,3%	223	14,1%	92	5,8%	1.189	75,2%	40	2,5%	1.581	100%
DAVON VERGEHEN	-	---	-	---	-	---	-	---	-	---	-	---	-	-
STRAFBARE HANDLUNGEN GG														
D SEXUELLE INTEGRITÄT U														
SELBSTBESTIMMUNG	392	20,9%	224	11,9%	822	43,8%	212	11,3%	209	11,1%	17	0,9%	1.876	100%
DAVON VERBRECHEN	379	20,9%	221	12,2%	795	43,9%	204	11,3%	197	10,9%	16	0,9%	1.812	100%
DAVON VERGEHEN	13	20,3%	3	4,7%	27	42,2%	8	12,5%	12	18,8%	1	1,6%	64	100%
	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-	-	-	-	-
GESAMTSUMME ALLER														
GERICHTLICH STRAFBAREN														
HANDLUNGEN	10.117	16,9%	5.558	9,3%	19.000	31,7%	3.266	5,5%	20.365	34,0%	1.560	2,6%	59.866	100%
DAVON VERBRECHEN	905	16,3%	551	9,9%	1.768	31,8%	397	7,1%	1.837	33,0%	104	1,9%	5.562	100%
DAVON VERGEHEN	9.212	17,0%	5.007	9,2%	17.232	31,7%	2.869	5,3%	18.528	34,1%	1.456	2,7%	54.304	100%

BULGARIA/ BULGARIE

(...)

Chapter 17 „Investigation“ Record of Interrogation

Art.237.

(1) (amend. -SG32/10, in force from 28.05.2010) The record of interrogation shall specify the following data about the interrogated person: full name, date and place of birth, citizenship, nationality, education, family status, occupation, place of work and official position, place of residence, conviction-status, etc., which are of importance for the case. In the cases of Art. 141 and 141a, the identification data shall not be entered in the record.

(...)

Audio-record

Art. 238.

(1) On the request of the interrogated person or on the initiative of the body of Investigation audio-record may be made, which the interrogated person shall be informed of before the commencement of the interrogation.

(2) The audio-record must contain the data specified in Art. 129, Para. 1, and Art. 237.

(3) Audio-record of a part of the interrogation or repeating especially for the audio-record of a part of the interrogation shall not be allowed.

(4) After the completion of the interrogation, the audio-record shall be reproduced in full to the interrogated. The additional explanations and statements shall also be reflected in the audio-record.

(5) The audio-record shall finish with a declaration of the interrogated person that it reflects correctly the given explanations and statements.

(...)

Chapter two.

Section I.

Essence of the Programme for protection of threatened persons and kinds of protection

(...)

Art. 6.

(1) The programme for protection shall include the following measures:

1. personal physical guard;

2. guard of the property;

3. temporary accommodation at safe place;

4. change of the place of living, the working place or the education establishment, or accommodation at another place for serving the penalty;

5. change of the identification.

(...)

(3) With the measures of para 1, items 1 – 4 may also be applied temporary prohibition for conceding the personal data of the protected person to third persons.

(...)

(5) (new - SG. 66 of 2008, effective 26.09.2008) The processing of personal data of the protected persons under this law is a state secret

(...)

Art. 12.

(...)

(3) At full change of the identity shall be issued new identification document in which the personal data cannot be identical with other's personal data.

DENMARK/DANEMARK

As stated in the answer to question 16(a) the intentional conducts referred to in Articles 18-24 of the Lanzarote Convention – except for the conduct referred to in Article 20(3) second indent of the Lanzarote Convention – are criminal offences in Denmark. The box below gives an overview of the criminalisation of those offences in Denmark. It should be noted that there is not necessarily one Danish provision criminalising the conduct referred to in a given provision of the Lanzarote Convention (i.e., one Danish provision may cover conduct which

is divided between several provisions of the Lanzarote Convention and may even cover conduct outside the scope of the Lanzarote Convention (in particular offences committed against adult victims), and, conversely, one provision of the Lanzarote Convention may cover conduct which is divided between several Danish provisions).

General note: All references below to Sections 216-224 of the Criminal Code should be taken to include a reference to the Section concerned in conjunction with Section 225. For example, a reference to Section 216(2) should be understood as a reference to Section 216(2) *and* to Section 216(2) in conjunction with Section 225. Sections 216-224 cover sexual intercourse, and Sections 216-224 in conjunction with Section 225 cover other sexual activities.

Sexual Abuse (Article 18)

Engaging in sexual activities with a child

- who has not reached the legal age for sexual activities: Section 216(2) and Section 222 of the Criminal Code
- where use is made of coercion, force or threats: Section 216(1), (3) and (4) of the Criminal Code
- where abuse is made of a recognised position of trust, authority or influence over the child, including within the family: Section 210(1) and (3) and Section 223(1) of the Criminal Code
- where abuse is made of a particularly vulnerable situation of the child, notably because of a mental or physical disability or a situation of dependence: Section 218, Section 220 and Section 223(2) of the Criminal Code

Child Prostitution (Article 19)

Recruiting a child into prostitution or causing a child to participate in prostitution: Section 262A(2) of the Criminal Code

Coercing a child into prostitution or profiting from or otherwise exploiting a child for such purposes: Section 262A(2) of the Criminal Code

Having recourse to child prostitution: Section 224(2) of the Criminal Code

Child Pornography (Article 20)

Producing child pornography: Section 226 of the Criminal Code

Offering or making available child pornography: Section 235(1) of the Criminal Code

Distributing or transmitting child pornography: Section 235(1) of the Criminal Code

Procuring child pornography for oneself or for another person: Section 235(1) and (2) of the Criminal Code

Possessing child pornography: Section 235(2) of the Criminal Code

Knowingly obtaining access, through information and communication technologies, to child pornography: Section 235(2) of the Criminal Code

Participation of a Child in Pornographic Performances (Article 21)

Recruiting a child into participating in pornographic performances or causing a child to participate in such performances: Section 262A(2) of the Criminal Code

Coercing a child into participating in pornographic performances or profiting from or otherwise exploiting a child for such purposes: Section 262A(2) of the Criminal Code

Knowingly attending pornographic performances involving the participation of children: Section 227(2) of the Criminal Code

Corruption of Children (Article 22)

The intentional causing, for sexual purposes, of a child who has not reached the internal legal age for sexual activities, to witness sexual abuse or sexual activities, even without having to participate: Section 232 of the Criminal Code

Solicitation of Children for Sexual Purposes (“grooming”) (Article 23)

The intentional proposal, through information and communication technologies, of an adult to meet a child who has not reached the age for sexual activities as established by internal law, for the purpose of committing sexual abuse or producing child pornography, where this proposal has been followed by material acts leading to such a meeting: Section 216(2), Section 222 and Section 226, in conjunction with Section 21, of the Criminal Code

Aiding or abetting and attempt (Article 24)

Intentionally aiding or abetting the commission of any of the above offences: Section 23 of the Criminal Code

The attempt to commit any of the above offences: Section 21 of the Criminal Code

Unofficial translation of certain provisions of the Criminal Code

21. Acts aimed at inciting or assisting the commission of an offence are punishable as attempts if the offence is not completed.

(2) The penalty prescribed for an offence may be reduced for attempts, especially where an attempt reflects little strength or persistence of criminal intent.

(3) Unless otherwise provided, attempts will only be punished if the offence is punishable by imprisonment for a term exceeding four months.

23. The penalty provided for an offence applies to everybody who is complicit in the act by incitement or aiding and abetting. The punishment may be reduced where a person intended only to provide minor assistance or support an intent already formed, and where the offence has not been completed or intentional complicity failed.

(2) The punishment may also be reduced where a person is complicit in the breach of a special duty to which he is not subject.

(3) Unless otherwise provided, the punishment for complicity in offences that do not carry a sentence of imprisonment for a term exceeding four months may be remitted where the accomplice intended only to provide minor assistance or support an intent already formed, and where his complicity was due to negligence.

210. Any person who has sexual intercourse with a relative in the line of descent is sentenced to imprisonment for a term not exceeding six years. An adopted relationship is considered equal to a blood relationship.

(2) Any person who has sexual intercourse with his brother or sister is sentenced to imprisonment for a term not exceeding two years. The penalty may be remitted in case the person involved has not attained the age of 18 years.

(3) The provisions of subsections (1) and (2) apply correspondingly to sexual activity other than sexual intercourse.

216. A penalty of imprisonment for a term not exceeding eight years for rape is imposed on any person who –

(i) uses violence or threats of violence to have sexual intercourse; or

(ii) engages in sexual intercourse by duress as defined in section 260 or with a person who is in a state or situation in which he is incapable of resisting the act.

(2) A penalty of imprisonment for a term not exceeding 12 years for rape is imposed on any person who has sexual intercourse with a child under 12 years of age.

(3) The sentence for violation of subsection (1) may increase to imprisonment for 12 years if the rape was committed in a particularly dangerous manner or in otherwise particularly aggravating circumstances.

(4) When determining a sentence, it must normally be considered an aggravating circumstance if the victim has been trafficked.

218. Any person who exploits the mental disorder or mental retardation of another person to engage in sexual intercourse with such person is sentenced to imprisonment for a term not exceeding four years.

220. Any person who grossly exploits another person's dependency of him for employment, financial, treatment or care reasons to engage in sexual intercourse with such person is sentenced to imprisonment for a term not exceeding one year or, if the offence was committed against a person under 18 years of age, by imprisonment for a term not exceeding four years.

222. Any person who has sexual intercourse with a child under 15 years of age is sentenced to imprisonment for a term not exceeding eight years unless the offence falls within section 2). When determining a sentence, it must be considered an aggravating circumstance if the offender engaged in sexual intercourse by exploiting his physical or mental superiority.

(2) If the offender engaged in sexual intercourse by coercion or threats, the punishment may increase to imprisonment for a term not exceeding 12 years.

223. Any person who has sexual intercourse with a person under 18 years of age who is the offender's stepchild or foster child, or with whose education or upbringing the offender has been entrusted, is sentenced to imprisonment for a term not exceeding four years.

(2) The same penalty is imposed on any person who seduces a person under 18 years of age into sexual intercourse by grossly exploiting his superior age and experience.

224. Any person who is complicit in making a person under 18 years of age engage in sexual intercourse with a client for payment or a promise of payment is sentenced to a fine or imprisonment for a term not exceeding six years.

(2) Any person who has sexual intercourse as a client with a person under 18 years of age for payment or a promise of payment is sentenced to imprisonment for a term not exceeding two years.

225. The provisions of sections 216-224 apply correspondingly to sexual activity other than sexual intercourse.

226. Any person who takes pornographic photographs or makes pornographic films or similar recordings of a person under 18 years of age with intent to sell or otherwise distribute the material is sentenced to a fine or imprisonment for a term not exceeding six years.

227. Any person who is complicit in the use of a person under 18 years of age as an actor in a pornographic performance is sentenced to a fine or imprisonment for a term not exceeding six years.

(2) Any person who attends a performance as referred to in subsection (1) in which a person under 18 years of age appears as an actor is sentenced to a fine or imprisonment for a term not exceeding two years.

232. Any person who commits an act of indecency is sentenced to a fine or imprisonment for a term not exceeding two years or, if the offence was committed against a child under 15 years of age, to a fine or imprisonment for a term not exceeding four years.

235. Any person who distributes pornographic photographs or films or other pornographic visual reproductions of or similar material with persons under 18 years of age is sentenced to a fine or imprisonment for a term not exceeding two years, or in particularly aggravating circumstances by imprisonment for a term not exceeding six years. Especially situations endangering the life of a child, situations of aggravated assault, situations in which the child suffers serious harm, or distribution made in a systematic or organised manner are considered particularly aggravating circumstances.

(2) Any person who possesses or views, for value or through the Internet or a similar system for dissemination of information, any pornographic photographs or films or other pornographic visual reproductions of or similar material with persons under 18 years of age is sentenced to a fine or imprisonment for a term not exceeding one year.

(3) The provision of subsection (2) does not comprise the possession of photographs, films or similar recordings of a person who has attained the age of 15 years if such person has consented to the possession.

262 a. A penalty of imprisonment for a term not exceeding ten years for human trafficking is imposed on any person who recruits, transports, transfers, harbours or subsequently receives another person who is or has been subjected to –

(i) duress as defined in section 260;

(ii) deprivation of liberty as defined in section 261;

(iii) threats as defined in section 266;

(iv) the wrongful creation, confirmation or exploitation of a mistake; or

(v) any other improper procedure;

to exploit such other person for prostitution, the taking of pornographic photographs, the recording of pornographic films, pornographic performances, forced labour, slavery, practices similar to slavery, criminal acts or the removal of organs.

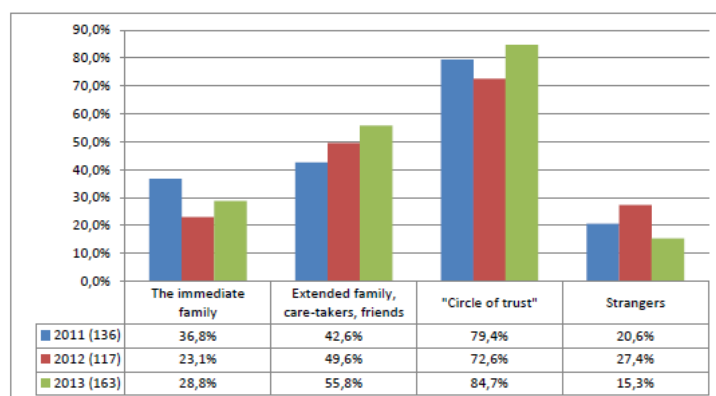
(2) The same penalty is imposed on any person who, for the purpose of exploitation of such other person for prostitution, the taking of pornographic photographs, the recording of pornographic films, pornographic performances, forced labour, slavery, practices similar to slavery, criminal acts or the removal of organs –

(i) recruits, transports, transfers, harbours or subsequently receives a person under 18 years of age; or

(ii) gives payment or other benefit to achieve the consent to such exploitation from a person having control over the victim and on the person receiving such payment or benefit.

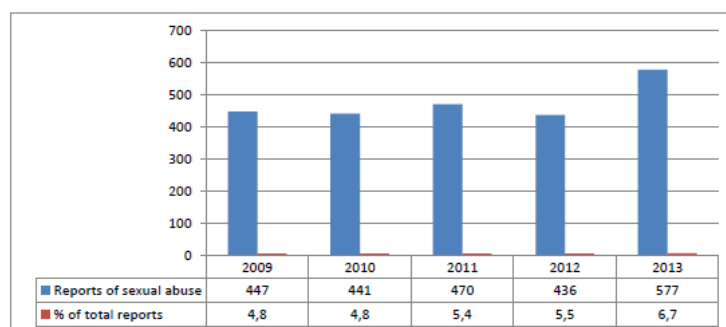
ICELAND/ISLANDE

Fig. 9. Barnahús: Breakdown of victim's relations to offender, the "circle of trust", 2011-2013*



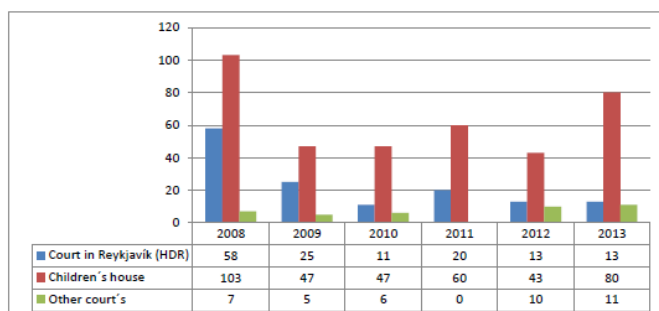
* Source: *Barnaverndarstofa / Government Agency for Child Protection in Iceland*

Fig. 10. Number of reports (notifications) of suspected child victims of sexual abuse to the local child protection services 2009-2013*



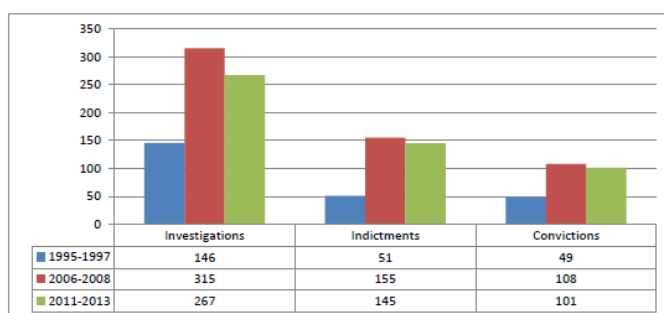
* Source: *Barnaverndarstofa / Government Agency for Child Protection in Iceland*

Fig. 11. Number of court testimonies of children in cases of sexual abuse 2008-2013: Barnahus vis-à-vis court facilities*



*Source: Dómsálaráð, the Court Council

Fig. 12. Number of investigations, indictments and convictions of sexual abuse and sexual exploitation*



*Figures from 1995-1997 based on a research outcome while figures from 2006-2008 and 2011-2013 are from the Office of the State Prosecution

PORTUGAL

STATISTIC DATA ON CRIMES INVOLVING CHILDREN, MINORS AND JUVENILES

Crimes registered by police forces: Crimes of domestic violence against minors, ill treatment or overcharge of minors and sexual abuse of children, juveniles and dependent minors, years 2010 to 2012

Year			2012	2011	2010
Crime			N° of Proceedings	N° of Proceedings	N° of Proceedings
(Criminal Code) Crimes against persons	Against physical integrity	Domestic violence against minors	60	79	61
		Ill treatment or overcharge of minors	4	7	28
	Against liberty and sexual self-determination	Sexual abuse of children, juveniles or dependent minors	344	295	289

Source: Official Statistics of Justice / DSEJ - Directorate General of Justice Policy, Ministry of Justice.

Offended individuals in crimes registered: Crimes of domestic violence against minors, ill treatment or overcharge of minors and sexual abuse of children, juveniles and dependent minors, years 2010 to 2012

Year			2012		2011		2010	
Sex			Male	Fem	Male	Fem	Male	Fem
Crime								
(Criminal Code) Crimes against persons	Against physical integrity	Domestic violence against minors	290	421	337	484	309	483
		Ill treatment or overcharge of minors	186	178	140	166	154	138
	Against liberty and sexual self-determination	Sexual abuse of children, juveniles or dependent minors	81	341	83	336	81	359

Source: Official Statistics of Justice / DSEJ - Directorate General of Justice Policy, Ministry of Justice.

Criminal proceedings in the trial phase concluded in Courts of 1st instance: Crimes of domestic violence against minors, ill treatment or overcharge of minors and sexual abuse of children, juveniles and dependent minors, years 2010 to 2012

Year		2012	2011	2010	
Crime		N° of Defendants	N° of Defendants	N° of Defendants	
(Criminal Code) Crimes against persons	Against physical integrity	Domestic violence against minors	63	90	74
		Ill treatment or overcharge of minors	5	10	36
	Against liberty and sexual self-determination	Sexual abuse of children, juveniles or dependent minors	378	331	336

Source: Official Statistics of Justice / DSEJ - Directorate General of Justice Policy, Ministry of Justice.

Convicted persons in criminal proceedings in the trial phase concluded in Courts of 1st instance: Crimes of domestic violence against minors, ill treatment or overcharge of minors and sexual abuse of children, juveniles and dependent minors, years 2010 to 2012

Year		2012	2011	2010	
Crime		N° of Convicted	N° of Convicted	N° of convicted	
(Criminal Code) Crimes against persons	Against physical integrity	Domestic violence against minors	37	45	37
		Ill treatment or overcharge of minors	-	6	13
	Against liberty and sexual self-determination	Sexual abuse of children, juveniles or dependent minors	267	219	244

Source: Official Statistics of Justice / DSEJ - Directorate General of Justice Policy, Ministry of Justice.